

81ST GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 18, 1979

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of 9:30 having arrived, the Senate will come
3. to order. Will the guests in our Galleries please rise. The prayer
4. by Reverend Jack Fricker of the Newman Center, Carbondale, Illinois.
5. Father Fricker.

6. FATHER JACK FRICKER:

7. (Prayer given by Father Jack Fricker)

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

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

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. You have heard the motion. Those in favor indicate by saying
17. Aye. Those opposed. The Ayes have it. Motion carries. The Senate
18. will stand at ease for a moment. Do we have leave for NBC Chicago
19. for TV? Leave is granted. Turning your attention to page 5 of
20. Total Vetoes...go to the Order of Total Vetoes, Senate Bill 41,
21. Senator Lemke. Senate Bill 47, Senator...Senate Bill 47, Senator
22. Sangmeister...we have leave to go to the Order of Senate Bills 3rd
23. reading on page 2 of the Calendar? Leave is granted. Senate Bill
24. 1436. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill...Senate Bill 1436.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President and Ladies and Gentlemen of the Senate
33. this is a supplemental appropriation in the amount of fifteen thou-

1. sand dollars to pay for extraordinary printing expenses that were
2. incurred by the Senate during the last Session. The money partic-
3. ularly was utilized for the printing of amendments. You will recall
4. in the latter days of June, we had a number of very lengthy bills
5. and a number of very lengthy amendments, all of which were required
6. to be printed and we, frankly, overextended our budget. There is
7. some twelve thousand dollars due to Phillips Brothers in Springfield
8. and two hundred and fifty-nine dollars due to Riverside Graphics in
9. Chicago. It is for the Senate printing and I would urge a favorable
10. roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? The question is shall Senate Bill 1436
13. pass. Those in favor vote Aye. Those opposed Nay. The voting is
14. open. Have all those voted who wish? Have all those voted who
15. wish? Take the record. On that question the Ayes are 50. The
16. Nays are none. Senate Bill 1436, having received a constitutional
17. majority and having received the affirmative vote of...three-fifths
18. of the members elected is effective immediately upon its becoming
19. law. Senate Bill 1438, Senator Weaver. Senate Bill 1439, Senator
20. Mitchler. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1439.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate, this bill makes a
29. supplemental appropriation of one hundred fifty thousand dollars to
30. the Auditor General for expenses incurred in performing audits, studies
31. and investigations. It has an effective date immediately. This
32. year the Auditor General had been requested to perform more fully
33. reimbursed Federal audits than was anticipated during the budget

1. process. Often these audits produce additional income. For
2. example, in the Bureau of Employment Security, the audit will
3. recover approximately ninety-eight thousand dollars for the
4. General Revenue Fund over and above our extra costs. This has
5. the approval of the Legislative Audit Commission where it was
6. recommended that this legislation be introduced for supplemental
7. appropriation. It's been cleared with the Appropriations Committee,
8. Senator Carroll's committee and I would appreciate a favorable
9. roll call for the supplemental appropriation of one hundred
10. fifty thousand dollars to the Auditor General.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Carroll.

13. SENATOR CARROLL:

14. Mr. President and Ladies and Gentlemen of the Senate, yes,
15. we are in support of Senator Mitchler's Senate Bill 1439. There
16. is a need for this supplemental because of the additional work
17. that the Feds have required and I would urge support of the members
18. on Senate Bill 1439.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Oh, well, thank you, Mr...Mr. President and Ladies and
23. Gentlemen of the Senate. I understand there's an awful lot of
24. nuclear proliferation in this...in this bill and I'm really
25. surprised that Senator Mitchler is handling this legislation.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further debate? Senator Mitchler may close if he
28. so desires. The question is shall Senate Bill 1439 pass. Those
29. in favor vote Aye. Those opposed Nay. The voting is open. Have
30. all those voted who wish? Have all those voted who wish? Take the
31. record. On that question the Ayes are 50. The Nays are none and
32. the bill, having received the affirmative vote of three-fifths of
33. the members elected is effective immediately upon its becoming a

1. law. Senate Bill 1442, Senator Regner. Senator Regner. Senator Regner.

2. SENATOR REGNER:

3. ...it...Mr. President and members, we have a...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. ...just...do you want to hear the bill?

6. SENATOR REGNER:

7. No, I just want to hold it now, but I want to get back to it
8. later. They have a problem with it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. All right. Okay, we'll hold the bill. House Bill...Senate
11. Bill 1443, Senator Regner. Same way? Read the bill, Mr. Secretary.
12. SECRETARY:

13. Senate Bill 1443.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Regner.

18. SENATOR REGNER:

19. Mr. President and members, this is an appropriation so that
20. the Comptroller can make a payment of eighty thousand dollars for
21. a contract for the American College Testing Program, Inc., which
22. spanned two fiscal years and the Comptroller did not allow pay-
23. ment of the contract. The case was dismissed by the Court of Claims
24. in June of 1979 and then the request now is that we appropriate
25. this money so that the payment can be made for the American College
26. Testing Program that was done through the Scholarship Commission.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. There is some question as to why
31. the Court of Claims was not the appropriate forum. It appears to
32. be in part because the original denial was due to a lack of lapsed
33. funds, that the lapsing was not sufficient to cover the contract.

1. They were reallocated for other purposes by the agency at the time
2. and that is the reason they have given us...that there was not
3. sufficient money at the original time for payment. I'm trying to
4. respond to some questions that have been asked back here as to
5. why the Court of Claims had dismissed the payment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall Senate
8. Bill 1443 pass. Those in favor vote Aye. Those opposed Nay.
9. The voting is open. Have all those voted who wish? Have all
10. those voted who wish? Take the record. On that question the
11. Ayes are 48. The Nays are none and the bill, having received
12. the affirmative vote of three-fifths of the members elected is
13. effective immediately upon its becoming a law. Senate Bill 1438,
14. Senator Weaver. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1438.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President and members of the Senate. This
23. is a supplemental appropriation of four hundred thousand nine hundred
24. and fifty dollars to the university because of flood damage back in
25. July 30th and 31st of this year. Agencies and institutions of the
26. State of Illinois do not carry insurance to protect against flood
27. damage for movable equipment, supplies, etc., and this is what this
28. is to do, to repair of steam tunnels, replace equipment that was
29. lost in this...this flash flood of July of this...this year. If
30. there's any questions, I'd be happy to try to answer them.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Regner.

33. SENATOR REGNER:

1. Question of the sponsor.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Indicates he will yield.

4. SENATOR REGNER:

5. Senator Weaver, since this really is a local problem, wouldn't
6. it make more sense if it were paid for by a local Sales Tax?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Et tu, Brute. I...I would like to comment on this. As Senator
11. Weaver correctly pointed out, the State of Illinois, State owned
12. property is self-insured and we do not carry insurance policies.
13. It was no fault of the University of Illinois that...this flood
14. happened and had close to a half million dollars worth of damage.
15. Now, we asked the Governor's Office and the Bureau of the Budget
16. to give us a letter stating that this was a part of the administrative
17. request that they were not going to charge the Legislature with
18. being irresponsible by over-appropriating and instead Dr. Bob came
19. back and said, "Well, we think the University of Illinois ought
20. to take that out of their Income Fund." Well, that is ludicrous,
21. of course. The Income Fund is already committed for the University
22. of Illinois and there's no reason for them to take it out of their
23. Income Fund. This is a responsibility of the State of Illinois and
24. it ought to be paid out of the General Revenue Fund which is where
25. Senator Weaver has correctly entered the bill. So, I rise in
26. support of and in opposition to Dr. Mandeville's position. I rise
27. in support of Senator Weaver's position and think we ought to pass
28. this bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Well, thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. This is a rather controversial bill since...but, since it's
my old friend, Senator Weaver, on the other side, I'm going to
support him this morning.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Regner.

3. SENATOR REGNER:

4. Yes, Mr. President, I do have a comment that I wanted to make
5. on this. It is a serious one. One of the problems we have with
6. situations like this is that the universities fail to recognize that
7. they are a State institution and do not want to participate and
8. work with the...Division of Risk Management within the Department
9. of Administrative Services. We've several times...over the years,
10. we have had to get an Attorney General's opinion in order to get
11. them to conform with the...various insurance policies, the blanket
12. policy on motor vehicle liability at one time, which was my
13. legislation, we had to get an Attorney General's opinion before
14. we mandated them to participate. They do claim that they are not
15. a part of...a State agency and do not have to participate and
16. want to run these operations by themselves. Senator Weaver, what
17. I would suggest you do is talk to the people at the university and
18. suggest that they do meet with the people from the Division of Risk
19. Management and possibly in the future, these situations would be
20. covered by insurance.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Buzbee.

23. SENATOR BUZBEE:

24. I apologize for speaking a second time. I think that Senator
25. Regner's point is a good one and I see no reason why all universities
26. should not at least be...be doing these kinds of discussions and
27. perhaps come under the...the coverage that he is referring to.
28. Perhaps we ought to be looking at that in the future and...and...
29. but, this is a situation where they are not covered and they have
30. to have the money.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Weaver may close or do
33. you want to vote? The question is shall Senate Bill 1438 pass.

1. Those in favor vote Aye. Those opposed Nay. The voting is open.
2. Have all those voted who wish? Have all those voted who wish? Take
3. the record. On that question the Ayes are 54. The Nays are none.
4. Senate Bill 1438, having received the affirmative vote of three-
5. fifths of the members elected is effective immediately upon its
6. becoming a law. Senate Bill 1444, Senator Buzbee. Read the bill,
7. Mr. Secretary.
8. SECRETARY:
9. Senate Bill 1444.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Buzbee.
14. SENATOR BUZBEE:
15. Yes, thank you, Mr. President. Senate Bill 1444 appropriates
16. a total of one hundred sixty-one thousand eight hundred ninety-six
17. dollars in Federal funds to the State Board of Education for Fiscal
18. 1980. The appropriation is for two program areas. One is the
19. Title 6-D of the Elementary and Secondary Education Act and two, is
20. the Title 3-A of the National Defense Education Act and I would
21. ask for a favorable roll call.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is there debate? The question is shall Senate Bill 1444 pass.
24. Those in favor vote Aye. Those opposed Nay. The voting is open.
25. Have all those voted who wish? Take the record. On that question the
26. Ayes are 55, the Nays are 1 and the bill, having received the affirmative
27. vote of three-fifths of the members elected is effective immediately
28. upon its becoming a law. Senate Bill 1445, Senator Buzbee. Read
29. the bill, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1445.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Senate Bill 1445 appropriates
5. fifty thousand dollars from a Federal grant to the Board of Higher
6. Education for Fiscal 1980. This grant is from a Federal program
7. for "Capacity Building for Statistical Activities in State Education-
8. al Agencies." That goes right along with the unit cost studies
9. that the Board of Higher Education has been performing for the
10. last two years on the...on all the higher education public instit-
11. utions in the State and...these are Federal funds that will assist
12. in this study and I would ask for a favorable roll call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? The question is shall Senate Bill 1445
15. pass. Those in favor vote Aye. Those opposed Nay. The voting is
16. open. Have all those voted who wish? Have all those voted who
17. wish? Take the record. On that question the Ayes are 54. The
18. Nays are 1 and the bill, having received the affirmative vote of
19. three-fifths of the members selected is effective immediately upon
20. its becoming a law. Senator Davidson, for what purpose do you arise?

21. SENATOR DAVIDSON:

22. Personal privilege.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. State your point.

25. SENATOR DAVIDSON:

26. To you, the Schram City Christian Academy from Schram City,
27. Illinois which the Reverend Frazie is the pastor and the head of
28. the school. Reverend, would you please stand so we can acknowledge
29. you?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Please rise and be recognized. Senator Moore, for what
32. purpose do you arise?

33. SENATOR MOORE:

1. Thank you, Mr. President and members of the Senate. Reposing
2. in the Executive Committee is Senate Bill 1441. What this bill
3. does, it increases the legislative membership on the Commission
4. for Economic Development, one Republican, one Democrat from the
5. House, one Republican, one Democrat from the Senate. I spoke to
6. the chairman of the committee, to the President of the Senate,
7. to the Minority Leader and at this time, I would like to discharge
8. the Executive Committee from further consideration of Senate Bill
9. 1441, ask that the bill be read a second time and placed upon the
10. Calendar in the Order of 3rd reading.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there leave? Leave is granted. Oh, I'm sorry...Senate,
13. we have to go...in view of that motion, we'll go to the Order of
14. Senate Bills on 2nd to advance the bill to the Order of 3rd reading.
15. Senate Bills on 2nd.

16. SECRETARY:

17. Senate Bill 1441.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The bill will remain on the Order of 2nd Reading. Senator
22. Nimrod, for what purpose do you arise?

23. SENATOR NIMROD:

24. Yes, Mr. President, I would seek leave to have...extend the date
25. of reporting of the Special Senate Committee on Sex Education as
26. the result of Senate Resolution 205 until the February 15th date
27. instead of the date reported here in the Fall Session.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there discussion? Leave is granted. If I could have the
30. attention of the membership, we'll go to the Order of Total Vetoes
31. on page 5. We'll start with Senate Bill 41, Senator Lemke. Senate
32. Bill 47, Senator Rhoads. Senate Bill 47, Senator Sangmeister.
33. Senate Bill 250, Senator Berning. Just a moment, Senator Berning.

1. Proceed, Mr. Secretary.

2. SECRETARY:

3. I move that Senate Bill 250 Do Pass, the veto of the Governor
4. to the contrary notwithstanding. Signed, Senator Berning.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. Members of the Senate, you will
9. recall yesterday you joined me in restoring the appropriations for
10. the various State Pension Systems, that is, State Public Employees
11. Pension Systems. That, having been accomplished, the time now then
12. is appropriate to consider the override of the veto of Senate
13. Bill 250 which is the substantive bill and provides for the annual
14. appropriation of one half of one percent of payroll into the
15. various public systems. I mentioned to you yesterday that our...
16. all of our public systems are grossly underfunded as compared
17. to the generally accepted actuarial level of funding and we must
18. embark on a program of amortization of that unfunded liability or
19. we may face a total preemption of our control over our public
20. employee systems by the Federal government. This is a first, small
21. step and I highly recommend that the members of the Senate join me
22. in voting to override Senate Bill 250.

23. PRESIDENT:

24. Any discussion? Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Will the sponsor yield for a question?

27. PRESIDENT:

28. Indicates he'll yield. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. I'm not quite sure I understand the purpose of your bill from
31. the analysis here. Are you saying that what you're asking is that
32. we, who are public employees, contribute .5 percent more in our...
33. in the...from our...from our salaries in order to help this fund?

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. No, this...this .5 percent is a mandatory contribution by
5. the State into the systems, something which has not been done up
6. to this point.

7. PRESIDENT:

8. Further discussion? Senator Egan.

9. SENATOR EGAN:

10. Yes, thank you, Mr. President, members of the Senate. I rise
11. in support of...Senate Bill...the override on Senate Bill 250 and
12. I would like to be brief, but tell you the...the long, hard battle
13. that we have been fighting to reverse the...the trend of the last forty
14. years with the public employee pension systems in Illinois. Literally,
15. they are going broke and that is a matter of little dispute and
16. there has been nothing done about. What we're asking is that we
17. just reverse that trend with a...with a feasible, responsible amount
18. of money every year for the next twenty, forty, sixty years and
19. these systems then will be funded at a safe level. They are, pre-
20. sently today, in peril. This is absolutely essential. I am
21. amazed that the Governor vetoed this bill after discussions with
22. him. I don't think he did so wisely. The Message said that the reason
23. he vetoed the bill is because there were no funds appropriated to
24. pay for it when, in fact, there were funds appropriated, but he
25. vetoed those and he took the funds away and then said in his Veto
26. Message there's no funds. So, there, in fact...there are funds now
27. because we have overridden those vetoes and I urge your support.

28. PRESIDENT:

29. Further discussion? Senator Mitchler.

30. SENATOR MITCHLER:

31. Thank you, Mr. President and members of the Senate. I also
32. rise in support of Senator Berning's motion for the override and
33. we all know the condition of our pension systems in the State of

1. Illinois and this is a major step in correcting the unfunded
2. liability of our pension systems and I note in the Governor's
3. Veto Message on this bill, Senate Bill 250, that he indicates
4. he vetoed it for two reasons. First, that he did not want the
5. amount that we were funding increasing the contribution to be
6. equal in all the systems because they are unique in themselves.
7. I think that's a weak reason for vetoing and secondly, he said
8. because the appropriation of eighteen million dollars required
9. to fund the legislation was not in the budget. Well, I also
10. consider that a weak excuse. We have to fund these systems.
11. This is a major step and I think that each and every one of us
12. can be proud that we are taking this action and I'd like to see
13. a nice affirmative vote on this bill. Thank you.

14. PRESIDENT:

15. Any further discussion? Senator Berning may close.

16. SENATOR BERNING:

17. Roll call, Mr. President.

18. PRESIDENT:

19. The question is shall Senate Bill 250 pass, the veto of
20. the Governor to the contrary notwithstanding. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Take the re-
23. cord. On that question the Ayes are 51. The Nays are none.
24. None Voting Present. Senate Bill 250, having received the required
25. three-fifths vote is declared passed, the veto of the Governor
26. to the contrary notwithstanding. 330, Senator Vadalabene. On
27. the Order of Total Vetoes, page 6 on the Calendar, is a motion
28. filed with respect to Senate Bill 330. Read the motion, Mr.
29. Secretary.

30. SECRETARY:

31. I move that Senate Bill 330 Do Pass, the veto of the Governor
32. to the contrary notwithstanding. Signed, Senator Vadalabene.

33. PRESIDENT:

1. Senator Vadalabene.

2. SENATOR VADALABENE:

3. Yes, thank you, Mr. President and members of the Senate.
4. Prior to 1972, electors at a town meeting and township road
5. district approved the budget and the township highway commissioner
6. levied the tax. Now, since that time, there's been problems
7. with the board of trustees, the supervisor and...and it's got
8. into a political football where one party is possibly the high-
9. way commissioner. The other party is the supervisor and vice
10. versa, throughout the State. When we passed the legislation to
11. give them that authority, it was not determined at that time that
12. this would become an issue between the township supervisor, the
13. board of trustees and the highway commissioner and what we are
14. attempting to do this time is transfer the road district taxation
15. powers from the township board of trustees to the township high-
16. way commissioner. Now, in the event that some of the solutions
17. to this problem...that there are some problems with it, I feel
18. confident we can come back next year and make some amendments to
19. adjust it so...that it can be properly administered and I move
20. to override the Governor's Veto.

21. PRESIDENT:

22. Any discussions? Senator Weaver.

23. SENATOR WEAVER:

24. Thank you, Mr. President. I rise in support of this override.
25. I think that it was unfortunate that the Governor didn't put an
26. Amendatory Veto to clear up one small point, but in the Message
27. stating that there's a threat of loss of Federal funds to...to
28. townships, I think that's strictly a smoke screen. Those problems
29. can be worked out. Basically, it's the small, rural townships that
30. need and best use Federal funds and I'm sure that we can work out
31. those problems. This is a good bill. There's...in many cases
32. areas where the highway commissioner, as Senator Vadalabene stated,
33. is fighting with the township board because of politics and this and

1. that, but those of us who live in rural communities depend on
2. the highway commissioner for snow removal, road repairs, etc., and
3. if they don't do a good job, they are replaced at the next election.
4. That's one of the most important jobs for those of us who live in
5. rural townships. This is a good bill. It should be overridden and
6. I'd appreciate a...support from every member of the Senate.

7. PRESIDENT:

8. Further discussion? Senator Schaffer.

9. SENATOR SCHAFFER:

10. Mr. President, I also rise in support of this. It's the road com-
11. missioner who takes the heat. Last year when our roads were clogged
12. with snow, my friends on the township boards were certainly point-
13. ing out it was the road commissioner's responsibility to plow
14. those roads and to keep them open and sometimes they failed to mention
15. that they hadn't supported that road commissioner with the money
16. to even keep his equipment running. The road commissioner takes
17. the heat. It's his responsibility. This is a good bill and should
18. be overridden.

19. PRESIDENT:

20. Further discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. ...Thank you, Mr President. Although I certainly support the
23. concept of the road commissioner having his own budget and working
24. on the area, I think that what we are doing, in fact, is causing
25. some very serious problems because one of the other provisions of
26. this bill is to transfer the authority back to the annual town
27. meeting. It seems to me that...seems to me when we do that, we
28. then open the door for all these special interest groups which, at
29. one time, several years ago, they almost destroyed township govern-
30. ment and it jeopardized their entire situation and especially with
31. the League of Women Voters and the special interest groups and we
32. had town meetings that went through...in Cook County, four and five
33. thousand people attending them with no order and no ability to

1. regulate it. It seems to me that we have a representative govern-
2. ment. Township government is that government closest to the people.
3. We elect those...we elect those individuals to represent them and
4. when we start to divide and proliferate that government, it's a
5. problem. Secondly, we're going to reduce the amount of money that
6. comes to them by the way of the Federal funds because in the budgets
7. that are considered for the profit...for the revenue sharing, we,
8. in fact, in some townships, it's going to...the major amount of
9. money that's counted in the budget comes out of the road funds and
10. in those cases, those townships are going to receive very little or
11. nothing back on revenue sharing when they have been now providing
12. several...many of the services at the local level. I think we
13. ought to, before we pass this...and the Governor's Veto was well-
14. founded on it, I think what we ought to do is reconsider this and
15. try to reach a compromise that will be workable and be...satisfac-
16. tory to them, but also preserve the township government structure.
17. I certainly would ask us, in this case, to wait and not to jump
18. into this particular condition for the two reasons that I've cited
19. that I think are very crucial and critical.

20. PRESIDENT:

21. Further discussion? Senator McMillan.

22. SENATOR McMILLAN:

23. Mr. President, members of the Senate. If I recall this bill
24. correctly, this is the one that takes back from the county board
25. of...of auditors the authority for budgeting...or township board
26. of auditors and gives it back to the road commissioner. I opposed
27. this bill last Spring and I support the Governor's Veto. I really
28. don't think the Governor's arguments are all that sound, but, in
29. fact, I think this is a bad bill that needs to be defeated because,
30. very frankly, in rural areas where the...where the township road
31. commissioner functions, many of them sit on their fat chairs in
32. the coffee shop while roads are not being opened up in the snow,
33. while babies are having to be hauled out on...on snowmobiles and

1. sleds because some arbitrary township road commissioner just
2. purposely won't get out and get the road opened up. Many of the
3. problems we are faced with in rural areas are because people that
4. elect a township road commissioner can't get him to work and I
5. think, very frankly, it's an indication that that system did not
6. work and I think, very clearly, we need to have some additional
7. check on those road commissioners which is provided by making sure
8. that his budget and his taxing authority has to go through the
9. board of town auditors. So, I would...would oppose a motion to
10. override the Governor's Veto.

11. PRESIDENT:

12. Further discussion? Senator Wooten.

13. SENATOR WOOTEN:

14. Thank you, Mr. President. Most of the complaints my office
15. receives relative to township governments has to do with road
16. commissioners and what I have been asked by town boards is to give
17. them more authority over these budgets because now it says they
18. have the power to approve and, quite frankly, road commissioners
19. flaunt those decisions as it is. We should be going exactly the
20. other way. We should give town boards tighter control. They,
21. after all, are the ones who should be making these decisions. They
22. are a body, like us, and they should have the final say on financial
23. matters. Road commissioners are just the last absolute czars in
24. this country. We change the law to at least give the town board
25. the right to approve their budget. To take that away is to...is to go
26. exactly in the wrong direction. We ought not to overridethis veto.
27. It was a good veto. We should never have passed the bill in the
28. first place. We should actually go further and give the town boards
29. greater authority over road commissioners.

30. PRESIDENT:

31. Any further discussion? Senator Vadalabene may close the
32. debate.

33. SENATOR VADALABENE:

1. Yes, just briefly, in...in my opinion, if you have highway
2. township road commissioners who are not doing their job, I don't
3. think any bill here in the Legislature would correct that measure.
4. I think the proper procedure there would be to defeat that highway
5. road commissioner who runs for office. Legislation is not going
6. to correct that person. Now, if the...if...in regard to Senator
7. Nimrod's statement about preserving township government, if you
8. continue this battle between the highway commissioner, the super-
9. visors and the trustees, you eventually are going to destroy
10. township government because they are going to destroy themselves.
11. This is a good bill and as I stated before, if there are any
12. bugs in this legislation, we will come back next year and correct
13. some of them, but we got to get the show on the road and get
14. township government back viable again and I would approve a favor-
15. able vote. Thank you.

16. PRESIDENT:

17. The question is shall Senate Bill 330 pass, the veto of the
18. Governor to the contrary notwithstanding. Those in favor will vote
19. Aye. Those opposed will vote Nay. The voting is open. Have all
20. voted who wish? Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Ayes are 28. The Nays
22. are 18. 2 Voting Present. The motion fails. On the Order of
23. Total Vetoes, the motion with respect to Senate Bill 659, Senator
24. Buzbee. 1406, Senator Daley. All right. We'll move to page 8 on
25. the Calendar. There are a number of motions filed under the Order
26. of Business of Item Vetoes. Top of page 8 on the Calendar, Senate
27. Bill 157, under the Order of Business of Item Vetoes. First motion,
28. Mr. Secretary.

29. SECRETARY:

30. I move that the item on page 10, line 19 through 22 of Senate
31. Bill 157 Do Pass, the Item Veto of the Governor to the contrary not-
32. withstanding. Signed, Senator Egan.

33. PRESIDENT:

1. Senator Egan.

2. SENATOR EGAN:

3. Yes, Mr. President, members of the Senate, thank you. I...
4. this is the balance of those appropriation items that the Governor
5. has vetoed for the pension systems to increment the bill that we
6. just overrode by 51 votes. There were two other bills. This is
7. the third. I ask your support. Is that right?

8. PRESIDENT:

9. Senator Egan.

10. SENATOR EGAN:

11. I'm sorry. That is correct. We...we did that yesterday and
12. I am informed now that lines 19 through 22 restores the appropriation
13. for the Commission on Labor Management Relations that...that bill
14. was overridden in the House. This is the appropriation for that
15. commission and I ask for your support.

16. PRESIDENT:

17. Is there any discussion? If not, the question is shall the
18. item on page 10, Lines 19 through 22 of Senate Bill 157 pass, the
19. Item Veto of the Governor to the contrary notwithstanding. Those
20. in favor will vote Aye. Those opposed will vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish? Have
22. all voted who wish? Take the record. On that question the Ayes
23. are 34. The Nays are 14. None Voting Present. The motion fails.
24. Further motions, Mr. Secretary.

25. SECRETARY:

26. I move that the item on page 15, Lines 2 through 7 of Senate
27. Bill 157 Do Pass, the Item Veto of the Governor to the contrary not-
28. withstanding. Signed, Senator Carroll.

29. PRESIDENT:

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
33. This is the appropriation for six million four hundred thousand,

1. approximately, to the Department of Public Aid for the transfer of
2. General Assistance money. The Governor, through some different
3. machinations had vetoed some legislation that would have provided
4. for this yesterday. We took that fund and appropriated a dollar
5. to it so they couldn't spend anything else. We, therefore, having
6. overridden the other bills, have to now appropriate these monies
7. again and I would, therefore, ask that we...this line item, that
8. the wishes of the Governor to the contrary notwithstanding, that
9. we do appropriate the 6.4 million dollars...General Assistance.

10. PRESIDENT:

11. Further discussion? Senator Regner. Senator Regner.

12. SENATOR REGNER:

13. Yes, Mr. President and members of the Senate, what Senator
14. Carroll said is absolutely correct. It's a position we took
15. yesterday on the Public Aid budget and this Line Item Veto
16. should be overridden at this time to provide the proper transfer.

17. PRESIDENT:

18. Further discussion? If not, the question is shall the item
19. on page 15, lines 2 through 7 of Senate Bill 157 pass, the Item
20. Veto of the Governor to the contrary notwithstanding. Those in
21. favor will vote Aye. Those opposed will vote Nay. The voting is
22. open. Have all voted who wish? Have all voted who wish? Take
23. the record. On that question the Ayes are 40. The Nays are 9.
24. None Voting Present. The item on page 15, lines 2 through 7 of
25. Senate Bill 157, having received the required three-fifths vote
26. is declared passed, the Item Veto of the Governor to the contrary
27. notwithstanding. Further motions, Mr. Secretary.

28. SECRETARY:

29. I move that the item on page 15, lines 8 through 13 of Senate
30. Bill 157 Do Pass, the...the Item Veto of the Governor to the
31. contrary notwithstanding. Signed, Senator Carroll.

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
3. Senator Lemke might be interested in this. This is the appropriation
4. for the Copernicus Museum. The concept in this legislation, I think,
5. was interesting and the Governor's Veto was equally interesting.
6. This is probably the first time that we...as a State, have said
7. we will provide money for a ethnic culture type activity only after
8. the locals come up with an equal amount of money first. So, in
9. this case, the Polish heritage people would have to come up with
10. two hundred thousand dollars of their own money. If they reach
11. that figure, we will then match it dollar for dollar. If they
12. become a dollar short, we will not have to put up any money at all.
13. The Governor indicated that probably we should do this through the
14. Arts Council, however, the Arts Council, in its wisdom, has never
15. even sought to get locals to come up with money first and then
16. match it on top. Were they to change their rules to do so, he would
17. have been right since they have not, I think it more appropriate
18. that we do support this activity since they first must raise all
19. of their money before we have to give them any money and I would
20. urge an override of the Governor's Veto on this two hundred thousand
21. dollars.

22. PRESIDENT:

23. Is there any discussion? If I can have the attention of the
24. membership, WAND TV has requested permission to shoot some silent
25. film. Is leave granted? Leave is granted. Is there any discussion?
26. If not, the question is shall the item on page 15, lines 8 through
27. 13 of Senate Bill 157 pass, the Item Veto of the Governor to the
28. contrary notwithstanding. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who wish?
30. Have all voted who wish? Have all voted who wish? Take the record.
31. On that question the Ayes are 27. The Nays are 22. None Voting
32. Present. The motion fails. Further motions, Mr. Secretary.

33. SECRETARY:

1. I move that the item on page 4, lines 9 through 11 of Senate
2. Bill 157 Do Pass, the Item Veto of the Governor to the contrary
3. notwithstanding. Signed, Senator D'Arco.

4. PRESIDENT:

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. Thank you, Mr. President. This is the appropriation bill for
8. the Hospice Commission that has been around for the past few days.
9. I have in front of me a poop sheet on hospice care that has been
10. distributed to each Senator at their desk. It is a series of
11. articles in the Peoria Journal Star by Sylvia Porter indicating
12. what, in fact, a hospice is and the various types of hospices that
13. are available to people and the type of funding that is available
14. for hospice care. The article is a very good article and I hope
15. each and every one of you have read it. I don't know what else to
16. say about hospices. We're trying to find a way to fund these
17. facilities and the hospice idea is the way to do it and I am seeking
18. your support and I would seek a favorable vote on this Line Item
19. Veto.

20. PRESIDENT:

21. Any discussion? Senator Grotberg.

22. SENATOR GROTBORG:

23. Yes, just to reiterate, I think maybe the Body is becoming
24. educated, Mr. President and members, a little bit about the concept
25. of hospice and, as I recall, this is a two year...this is a two
26. year appropriation and there is a...there's a phase-out of the
27. Commission. It's not one of those forever things at this point in
28. time unless it's renewed. We would urge your support now and then again
29. on Postponed when we try to recreate the possibility to help the
30. concept of hospice in the State of Illinois. I urge an Aye vote on
31. this bill.

32. PRESIDENT:

33. Any further discussion? All right. If not, the question is

SB 157
10/18/79
P.P.C.

1. shall the item on page 4, lines 9 through 11, Senate Bill 157 pass,
2. the Item Veto of the Governor to the contrary notwithstanding.
3. Those in favor will vote Aye. Those opposed will vote Nay. The
4. voting is open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 41. The Nays are
6. 10. None Voting Present. The item on page 4, lines 9 through 11,
7. of Senate Bill 157, having received the required three-fifths vote
8. is declared passed, the Item Veto of the Governor to the contrary
9. notwithstanding. Further motions, Mr. Secretary.

10. SECRETARY:

11. I move that the item on page 16, lines 28 through 31, of
12. Senate Bill 157 Do Pass, the Item Veto of the Governor to the
13. contrary notwithstanding. Signed, Senator Hall.

14. PRESIDENT:

15. Senator Hall.

16. SENATOR HALL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. Senate Bill 157 authorizes the Institute of Natural
19. Resources to aid and advise urban, suburban and agricultural
20. communities as how to solve their energy problems through alter-
21. native energy resource development. We all know that this is one
22. of the biggest things facing our nation today is energy and we're
23. all feeling the crunch of it. Now, alternative energy and resource
24. development refers to the solar, wind, water, fusing and geothermal
25. energy resources and this bill is an authorization for the
26. Institute of Natural Resources to make available to communities
27. small sums of money to obtain the technical assistance necessary
28. for these communities or agricultural groups to apply to the Federal
29. government for available funds and there are a lot of funds that
30. are available for communities in Illinois to be involved in
31. demonstrations or projects that will make it possible for urban,
32. suburban and agricultural communities to convert from oil or natural
33. gas to some type of alternative energy source. This bill is

1. endorsed by the Institute of Natural Resources and will be made
2. available State-wide to the Institute of Natural Resources so
3. that urban, suburban and agricultural groups can apply for assis-
4. tance from Federal government. This is a need for all of us and
5. I'd ask your favorable support of this bill.

6. PRESIDENT:

7. Is there any discussion? Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Mr. President and Ladies and Gentlemen of the Senate, in
10. Illinois lately, there has been a movement to obtain energy from
11. inexhaustible, renewable resources for example, like gasohol and
12. also like solar energy. There...if this money is made available,
13. it will attract Federal funds and I think it's a good purpose because
14. with this energy crunch that we have been facing in this country
15. which we shouldn't have been facing because we were warned about
16. it six years ago when the OPEC countries cut off the rope on us.
17. I think it's incumbent upon us to help these smaller areas to get
18. the money to experiment with solar energy and gasohol, making stills
19. for gasohol and what have you. I certainly am not opposing the
20. Governor, but I do feel this is an instance where we should help
21. all we can to promote renewable energy and I certainly support this
22. override wholeheartedly.

23. PRESIDENT:

24. Any further discussion? Senator Hall, you wish to close?

25. SENATOR HALL:

26. I just simply want to say that this is one of the most impor-
27. tant issues facing us today. We have...you know what's happened
28. the last two winters. We have another coming. So, let's give the
29. people some relief for some alternative energy. I would solicit
30. your most favorable support for this.

31. PRESIDENT:

32. The question is shall the item on page 16, lines 28 through
33. 31 of Senate Bill 157 pass, the Item Veto of the Governor to the

1. contrary notwithstanding. Those in favor will vote Aye. Those
2. opposed will vote Nay. The voting is open. Have all voted who
3. wish? Have all voted who wish? Have all voted who wish? Take
4. the record. On that question the Ayes are 33. The Nays are 18.
5. None Voting Present. The motion fails. Further motions, Mr.
6. Secretary.

7. SECRETARY:

8. I move that the item on page 5, lines 2 through 5 of Senate
9. Bill 157 Do Pass, the Item Veto of the Governor to the contrary
10. notwithstanding. Signed, Senator Lemke.

11. PRESIDENT:

12. Senator Lemke. Senator Hall has requested that further consid-
13. eration of his motion on Senate Bill 157 be postponed. So ordered.
14. Senator Lemke.

15. SENATOR LEMKE:

16. This is the appropriation for the Land Resource Study Commission
17. for thirty-five thousand dollars. I ask for its favorable vote.

18. PRESIDENT:

19. Is there any discussion? If not, the question is shall the
20. item on page 5, lines 2 through 5 of Senate Bill 157 pass, the
21. Item Veto of the Governor notwithstanding. Those in favor will
22. vote Aye. Those opposed will vote Nay. The voting is open. Have
23. all voted who wish? Have all voted who wish? Have all voted who
24. wish? Take the record. On that question the Ayes are 22. The
25. Nays are 22. None Voting Present. The motion fails. All right.
26. On the Order of Item Reductions, there's a motion filed, bottom of
27. page 8, on the Order of Item Reductions, Senate Bill 590. Is
28. Senator Davidson on the Floor? Read the motion, Mr. Secretary.

29. SECRETARY:

30. I move that the Item on page 4, line 17 of Senate Bill 590
31. be restored, the Item Reduction of the Governor to the contrary
32. notwithstanding. Signed, Senator Davidson.

33. PRESIDENT:

Senator Davidson.

1. SENATOR DAVIDSON:

2. Mr. President and members of the Senate, I urge you to restore
3. this money. It's four hundred and forty-two thousand dollars for
4. therapeutic residence. Those of you who are in Chicago area and
5. the Lake Villa area and the Springfield area where the therapeutic
6. residence has worked for drug dependent individuals that if we
7. do not restore this money, the funds are not sufficient to keep the
8. number of people who are already in the residences now. Just
9. imagine if they had to put forty people out on the street who are
10. partially cured or recovered and they go back to the habit and
11. what they are in there for and what they are going to do in the
12. way of crime and theft and burglary. This is a good program. If
13. any of you haven't been through the drug residency program,
14. therapeutic residence, I invite each and every one of you to go
15. through. They take them off cold turkey and it's worked. Those
16. people who survived the program, they've got a ninety percent plus
17. cure. I urge you to vote Aye. to restore this reduction.

18. PRESIDENT:

19. Is there any discussion? Senator Buzbee.

20. SENATOR BUZBEE:

21. Yes...question of the sponsor. We're getting down to really
22. serious stuff now because we are talking about dollars. We're
23. not just overriding Governor's Vetoes anymore. Senator, even with
24. what the Governor did we have already allowed a ten percent increase
25. or he has allowed a ten percent increase in this line item. Now,
26. what you are asking for is an additional twenty percent over FY '79.
27. In other words, you...we would be giving this line item a thirty
28. percent increase over FY '79. I have two questions. First of all,
29. why should we give them thirty percent increase when last year
30. we...rather instead of ten percent and the second question is is
31. this the line item that provides grants to the small residence through-
32. out the State where people with drug problems go for therapeutic
33. treatment?

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Well, my understanding, Senator Buzbee, was he reduced it
5. down to seven percent, not ten, and yes, yes, this is the funding
6. for the therapeutic residencies throughout the State. To my
7. knowledge there's mainly only three or four of them. There's
8. two in Chicago, one in Lake Villa and one in Springfield where
9. the therapeutic residency community is in operation and this
10. is grants to fund that. The increase asked is because the
11. number of residents have increased.

12. PRESIDENT:

13. Further discussion? Senator D'Arco...oh, I beg your pardon.
14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Yes, well, that's...I guess that's part of the problem,
17. Senator Davidson. You just pointed out where those residencies
18. were. We happen to have...also have one of those in Carbondale and
19. the Dangerous Drugs Commission keeps forgetting about that one
20. down there and we have a...a lot of...lot of residents that go
21. through that...the Hill House facility in Carbondale, but let me
22. just...I don't know where you got the seven percent figure, but
23. I have in front of me here the...the GRF...the GRF expenditure
24. appropriation in FY '79 was a million nine hundred eighty-three
25. thousand. The FY '81 request, as acted upon by the Governor...
26. that was after the Governor's final action was two million one
27. hundred ninety-one thousand for an increase of two hundred seven
28. thousand dollars. So, he has allowed them a better than ten
29. percent increase over FY'79 appropriation and that is the amount
30. that was originally budgeted, I understand. Now, you are asking
31. that we put this back up to an additional twenty percent increase.

32. PRESIDENT:

33. Further discussion? Senator D'Arco. You will have an oppor-
tunity to close, yes.

1. SENATOR D'ARCO:

2. You know, it's very funny to me because Ken Buzbee talks
3. about numbers and Howie Carroll stands there and nods in the
4. affirmative and they do remind me of computers in a way and all
5. he can think about is this...you know...is the money part about
6. this situation. But I...I sound like Senator Hall, I know, but
7. I had a...I had a client...I had a client in Chicago that was
8. in and out of the drug scene for years and in and out of the
9. circuit courts for years and I felt...and she was related to a
10. relative of mine and I spoke with her many times trying to get
11. her off of drugs because she was a heroin addict and she did go
12. out and she became a prostitute and she stole money from people
13. to support her habit and it was really a sad situation because
14. she came from a very good family and the Gateway facility...I
15. finally got the people in Chicago to put her in a residential
16. facility at Gateway in the Springfield area where Doc is familiar
17. with, and in a year I cannot believe the turnaround that this
18. person did. It was just just incredible to me. She's been off
19. of drugs for a year and it seems that Gateway does have the real
20. proper approach to help people become rehabilitated once they
21. are on drugs and I really support this override and I ask each
22. and every one of you to support it.

23. (End of Reel #1)

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.

1. PRESIDENT:

2. Further discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Just a question of Senator D'Arco. Because when he asked
5. for monies for Gateway in the past, we've always responded
6. favorably as my recall and in fact, did so again this year,
7. this isn't that. He also vetoed two hundred thousand for
8. your westside organization, that's not this either. Neither
9. of those are in this amendment as I read it. It was a good
10. speech though.

11. PRESIDENT:

12. Further discussion? Senator Buzbee, for the...oh, you're...
13. gizmo is on. Any further discussion? All right, Senator
14. Davidson may close the debate.

15. SENATOR DAVIDSON:

16. Well, two things. One is the Line Item may be ten percent,
17. Senator Buzbee, but the overall grants on therapeutic residents
18. in grants program period was reduced to seven percent. This
19. Line Item may be ten percent, I could possibly be in error.
20. But the overall reduction was seven percent. And yes, it does
21. apply to the Gateway residences that we're talking about and
22. if there's a residence in Carbondale, Senator Buzbee, I was
23. unaware of it and there's no reason why, if they qualify,
24. they couldn't be given grants for therapeutic residents as far
25. as I'm concerned 'cause I don't know how many has been involved
26. in...in this scene. I urge each and every one of you to go
27. through a therapeutic residence and see what they can do for
28. a wrecked life and make them a rehabilitated useful citizen.
29. It...it's...does your soul good if you'll go through it and
30. see that you are putting some money where we're going to
31. salvage humanity and make them useful again. I need thirty
32. votes to restore this reduction and I appreciate fifty. Thank
33. you.

34. PRESIDENT:

1. The question is shall the item on page 4, line 17, of
2. Senate Bill 590 be restored, the Item Reduction of the Governor
3. to the contrary notwithstanding. Those in favor will vote
4. Aye. Those opposed will vote Nay. The voting is open. Have
5. all voted who wish? Have all voted who wish?. Have all voted
6. who wish? Take the record. On that question the Ayes are 36,
7. the Nays are 11, none Voting Present. The item on page 4, line
8. 17 of Senate Bill 590 having received the required majority
9. vote of Senators elected is declared restored, the Item
10. Reduction of the Governor to the contrary notwithstanding.
11. All right, if you will move to page 9 on the Calendar on the
12. Order of Specific Recommendations for Change, there's been
13. a motion filed with respect to Senate Bill 359. Read the motion,
14. Mr. Secretary.

15. I move to accept the Specific Recommendations of the
16. Governor as to Senate Bill 359 in the manner and form as follows.
17. Signed, Senator Newhouse.

18. PRESIDENT:

19. Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Thank you, Mr. President, Senators. I so move for the
22. reason that this bill which was intended to expand the list
23. of agencies required to meet with and advise the Legislative
24. Advisory Committee on Public Aid included in-home services.
25. It so happens that in-home services had been transferred
26. to the Department of Rehabilitative Services. Because of
27. that...that conflict, the Governor has...has suggested this
28. change which would delete that service from that list which
29. would come to the Legislative Advisory Committee on Public
30. Aid and I recommend that we confirm the Governor's...the
31. Governor's change in this legislative item. I would ask
32. for an Aye Vote.

33. PRESIDENT:

34. Any discussion? Senator Netsch.

SE 790
10/15/79

1. SENATOR NETSCH:

2. Thank you. This is indirectly related to the subject
3. matter and it's the only opportunity I think I have to call
4. attention to the fact that my legislative office has had
5. several calls complaining about the fact the Department of
6. Aging has simply not gotten the transferred program under way
7. and that there is sort of total confusion. Recognizing that
8. it does take a while to get reordered, I would urge and
9. encourage them to get the transfer successfully in place
10. so that indeed there is not a great gap in the...in the program
11. that was transferred to the Department of Aging. Apart from
12. that, I will support Senator Newhouse.

13. PRESIDENT:

14. Any discussion? Further discussion? Senator Newhouse, you
15. wish to close?

16. SENATOR NEWHOUSE:

17. I'd just like to add that the sponsor of the amendment to
18. this bill, which would include in-home services would in all
19. probability later introduce a bill to put these new services
20. in that department. I think that might clean up the problem.
21. I would ask for an Aye vote.

22. PRESIDENT:

23. The question is shall the Senate accept the Specific
24. Recommendations of the Governor as to Senate Bill 359 in the
25. manner and form just stated by Senator Newhouse. Those in
26. favor will vote Aye. Those opposed will vote Nay. The voting
27. is open. Have all voted who wish? Have all voted who wish?
28. Take the record. On that question the Ayes are 53, the Nays
29. are none, none Voting Present. The Specific Recommendations
30. of the Governor as to Senate Bill 359 having received the
31. required constitutional majority vote of Senators elected are
32. declared accepted. On the Order of Specific Recommendations
33. for Change, there's a motion filed with respect to Senate
34. Bill 48, Senator Lemke. Senator Lemke on the Floor?
35. 790, Senator DeAngelis. On the Order of Specific

1. Recommendations for Change is a motion filed with respect to...
2. Senate Bill 790. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move that Senate Bill 790 Do Pass the Specific Recommendations
5. of the Governor to the contrary notwithstanding. Signed, Senator
6. DeAngelis.

7. PRESIDENT:

8. Senator DeAngelis.

9. SENATOR DeANGELIS:

10. Thank you, Mr. President. 790 is the Habitual Juvenile
11. Offender Bill which provides for the incarceration to the
12. age of twenty-one of any juvenile who has been...adjudicated,
13. delinquent, in a category of violent crimes. The Senate...
14. the Governor's Amendatory Veto does four things. One, it
15. changes the categories of crimes. Secondly, it certifies
16. them automatically for trial as an adult. In my opinion,
17. the scope of the Amendatory Veto in itself might be unconsti-
18. tutional. And the other thing is that...although I do not
19. disagree with the Governor's action, I do disagree with his
20. action on this particular bill. I think what the Governor
21. has done might make a good bill by itself, but it...does great
22. harm to a good bill. I would like to have your vote in over-
23. riding the Governor's Amendatory Veto.

24. PRESIDENT:

25. Is there any discussion? Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Will the sponsor yield for a question?

28. PRESIDENT:

29. He indicates he will yield. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Senator, you said that...under his Amendatory Veto, if I
32. read it correctly, he included the Class X offenses in your
33. bill which were not included originally. Isn't that right?

1. PRESIDENT:

2. Senator DeAngelis, I'm sorry.

3. SENATOR DeANGELIS:

4. No, Senator Geo-Karis. He only made Class X offenses
5. applicable to this.

6. PRESIDENT:

7. Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. If I read his Amendatory Veto correctly, he said the
10. ...the...that the provision in your bill excludes certain
11. Class X offenses like armed violence for example, but includes
12. lower class crimes such as robbery. I'm a little confused.
13. It does...if your bill is destined to combat violent crimes
14. committed by juveniles, shouldn't it include the things that
15. the Governor has put in his Amendatory Veto which means Class X
16. felonies which are more serious crimes.

17. PRESIDENT:

18. Senator DeAngelis.

19. SENATOR DeANGELIS:

20. Senator Geo-Karis...I purposely included and excluded
21. certain crimes. For instance, I don't think it would be
22. applicable to try a fourteen year old for treason, which is
23. a Class X crime. It was done purposely. Rape is in there.

24. PRESIDENT:

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Then your contention is...the Governor says that...the
28. change that he makes, his Amendatory Veto doesn't really hurt
29. your bill it just expands it, and this is why I'm confused.
30. Perhaps you can clarify it for me.

31. PRESIDENT:

32. Senator DeAngelis.

33. SENATOR DeANGELIS:

1. Well...I...I guess the Governor has his interpretation of
2. what he did, but my interpretation is that it does hurt the bill
3. because first of all it changes it completely. Secondly, it...it
4. does something that is already can be done in the courts.
5. So I don't see it enhancing it. I don't know that he...you
6. know, that he's really done anything great for it.

7. PRESIDENT:

8. Any further discussion? Senator Egan.

9. SENATOR EGAN:

10. Yes, would the sponsor yield...to a question.

11. PRESIDENT:

12. Indicates he'll yield. Senator Egan.

13. SENATOR EGAN:

14. Senator, you know, I'm...I apologize for not having been
15. attentive to the Specific Changes that the Governor made and
16. I...you and I have discussed this privately. But, I...I really,
17. I'm still at a loss to understand your objection to his...his
18. changes. I...as I read them, they're...they're reasonable
19. and I'm...are you that opposed to the changes and why?

20. PRESIDENT:

21. Senator DeAngelis.

22. SENATOR DeANGELIS:

23. Well, I'm caught in the dilemma between rehabilitation and
24. getting violent offenders off the street. The Governor in his
25. Amendatory Veto is really saying, anyone who commits these crimes
26. is lost, should be tried as an adult and sent away for whatever
27. particular period of time. I'm saying they should be sent away
28. until they're twenty-one.

29. PRESIDENT:

30. Senator Egan.

31. SENATOR EGAN:

32. A...in the a...the way...the way he has interpreted the
33. original bill, the older offenders will receive less time than

1. the younger offenders under the original bill and his change
2. corrects that. It also corrects the...the jury...the right to
3. a jury trial which raises all kinds of problems, equal protection
4. problems. It seems to me they're reasonable...I...I'm sorry,
5. that I was not attentive before our private conversation.

6. PRESIDENT:

7. Further discussion? Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Ah...I don't want this pulled out of the record. Is there
10. anyone else that is...is...wants to speak on this issue. I
11. would like to talk to my...

12. PRESIDENT:

13. Yes.

14. SENATOR SANGMEISTER:

15. There is? Would you then come back to me please?

16. PRESIDENT:

17. Yes. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President and Ladies and Gentlemen of the Senate. I
20. think this bill in its original form is an idea whose time has
21. come. Juvenile...crime and that is rising and has become a
22. problem throughout the State of Illinois and the Nation. And
23. I think we ought to support Senator DeAngelis' Motion to Override
24. the Governor's Amendatory Veto.

25. PRESIDENT:

26. Senator Sangmeister, the time is now. Okay. Senator
27. DeAngelis, you wish to close?

28. SENATOR DeANGELIS:

29. Thank you, Mr. President. I think Senator Shapiro said
30. it very succinctly. The time has come for a bill like this.
31. We're all concerned about violent crime, we don't want these
32. people further contaminating the people that are out on the
33. street. I would vote for your...favorable vote, Yes vote, to

1. override the Governor's Amendatory Veto.

2. PRESIDENT:

3. The question is shall Senate Bill 790 pass the Specific
4. Recommendations of the Governor to the contrary notwithstanding.
5. Those in favor will vote Aye. Those opposed will vote Nay.
6. The voting is open. Have all voted who wish? Have all voted
7. who wish? Have all voted who wish? Take the record. On that
8. question the Ayes are 41, the Nays are 3, 5 Voting Present.
9. Senate Bill 790, having received the required three-fifths vote
10. is declared passed the Specific Recommendations of the Governor
11. to the contrary notwithstanding. All right gentlemen, we have
12. been through the Calendar once. As you know today is the last
13. day. We do not intend to spend all day here. We will now
14. move to page 5 on the Calendar to the Order of Consideration
15. Postponed. We will run through that list and then after that
16. take the remaining motions and hopefully we'll be able to
17. retire. Page 5 on the Calendar, on the Order of Consideration
18. Postponed, motion with respect to Senate Bill 5. Read the
19. motion, Mr. Secretary.

20. SECRETARY:

21. I move that Senate Bill 5 Do Pass the veto of the Governor
22. to the contrary notwithstanding. Signed, Senator D'Arco.

23. PRESIDENT:

24. Senator D'Arco. Senator D'Arco.

25. SENATOR D'ARCO:

26. Thank you, Mr. President. Senate Bill 5 is the substantive
27. bill to the Line Item appropriation on Senate Bill 157. We just
28. passed that money for the Hospice Commission. Senator Grotberg
29. told you it was over a two year period to get the commission
30. underway and funded and this is the substantive bill that accompanies
31. that and we've discussed it prior to this and I would move to
32. override the Governor's Veto on Senate Bill 5.

33. PRESIDENT:

10-15-71

1. There any discussion? If not, the question is shall Senate
2. Bill 5 pass the veto of the Governor to the contrary notwithstanding.
3. Those in favor will vote Aye. Those opposed will vote Nay. The
4. voting is open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 47, the Nays are
6. 9, none Voting Present. Senate Bill 5, having received the
7. required three-fifths vote is declared passed the veto of the
8. Governor to the contrary notwithstanding. On the Order of
9. Consideration Postponed there's a motion with respect to
10. Senate Bill 101. Read the motion, Mr. Secretary.

11. SECRETARY:

12. I move that Senate Bill 101 Do Pass the...the veto of the
13. Governor to the contrary notwithstanding. Signed, Senator
14. Schaffer.

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. I think this bill was adequately debated yesterday, It
19. is the School Busing Bill for nonprivate school children...for
20. nonpublic school children. I think it's a good bill. Just like
21. to get a final roll call if we could.

22. PRESIDENT:

23. Any discussion? Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. A...the bill is no better today
26. than it was yesterday or last spring, of course. Something that
27. Senator Bowers pointed out to me yesterday after the debate,
28. which had completely escaped my attention, was the fact that
29. this does not apply just to students who will be attending
30. private schools, but to any other public school. As a example,
31. if you live in one school district and you don't like the school
32. that's in that school district and you're willing to pay as
33. a parent, you're willing to pay the tuition to the public

1. school in the next school district, then the local school district
2. has to pick up the transportation costs. They have to come in...
3. into your school district, pick up your child, take them across
4. boundary lines, district lines, to the next public school...
5. assuming you're only willing...you're willing to pay the tuition
6. costs there. But otherwise, the local taxpayers are going to
7. be asked to pick up the tax burden of providing all this trans-
8. portation. And if those of you who are opposed to the concept
9. of busing now, you ain't seen nothing yet. If we pass this
10. bill, we're going to see a lot of busing.

11. PRESIDENT:

12. Any further discussion? Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. Mr. President and Ladies and Gentlemen of the Senate.
15. The public transportation statistics, regular, vocational and
16. special education of the Illinois Public Schools for the '78
17. school year that were issued by the Illinois Office of Education
18. definitely shows what the cost of transportation is and that
19. the low estimate is ninety-nine dollars, seventy-six cents,
20. and tops is two hundred dollars per child. And the most number
21. of children that would be affected are twenty-five thousand,
22. which would mean no more than five...five million people.
23. Does not...it does not include the Chicago School District,
24. which is a district of five hundred thousand or more, in a....
25. students. And it seems to me that if we're going to have tax-
26. payers pay taxes, support the public school systems, and I'm
27. one of them and I'm a product of both public and private
28. schools, I can tell you right now, it is not fair to have the
29. ...the parents of the nonpublic school children not get any
30. consideration and I don't think it's bad to try and help the
31. safety, welfare and health of the children, 'cause it has nothing
32. to do with religion, it was so stated by the United States
33. Supreme Court of June of this year in a decision affirming

1. a like law in Pennsylvania which was in effect for six years.
2. I urge your favorable support because it's not fair to the rest
3. of the taxpayers, because if we, the nonpublic schools go out
4. of business then we will have a bigger tax burden to face our
5. taxpayers with.

6. PRESIDENT:

7. Further discussion? Senator Johns.

8. SENATOR JOHNS:

9. Well, Mr. President, members of the Senate. A very bad
10. precedent being set here today. And I envision a lot of law
11. suits. I envision a lot of school administrators and officials
12. refusing to obey this law and immediately calling for a test
13. in the courts. And I predict that this county right here will
14. be where the court test will be held just as soon as this passes.
15. Thank you, Mr. President.

16. PRESIDENT:

17. Further discussion? Senator Sommer.

18. SENATOR SOMMER:

19. Just a question for the sponsor and...it would help clarify
20. the bill for me, Senator.

21. PRESIDENT:

22. Sponsor indicates he'll yield. Senator Sommer.

23. SENATOR SOMMER:

24. In my area of the State, there are two large parochial
25. high schools, both of which are in the City of Peoria. Will
26. this bill obligate my county, which has a great number of school
27. districts, high school districts, to bus into the City of
28. Peoria to the two large parochial schools, parochial high schools?

29. PRESIDENT:

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. It won't obligate your county. It will obligate those
33. school districts who are within ten miles of those high schools

1. in Peoria.

2. PRESIDENT:

3. Senator Sommer.

4. SENATOR SOMMER:

5. In other words, it will obligate every school district in
6. my county and my district to bus into the high schools into
7. the City of Peoria. Thank you.

8. PRESIDENT:

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. I don't think everyone because I don't think they're
12. within ten miles. And after all...Senator Sommer, we did build
13. those big expensive bridges for some reason.

14. PRESIDENT:

15. Any further discussion? All right, Senator Schaffer, you
16. wish to close?

17. SENATOR SCHAFFER:

18. I'd appreciate a favorable roll call. This is a fair bill
19. that lets the people use the people's buses.

20. PRESIDENT:

21. The question is shall Senate Bill 101 pass the veto of
22. the Governor to the contrary notwithstanding. Those in favor
23. will vote Aye. Those opposed will vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish? Have
25. all voted who wish? Take the record. On that question the Ayes
26. are 34, the Nays are 17, 2 Voting Present. The motion fails.
27. On the Order of Consideration Postponed, there's a motion
28. with respect to Senate Bill 157.

29. ACTING SECRETARY: (MR. FERNANDES)

30. I move that the item on page 5, lines 11 through 14 Do Pass
31. the Item Veto of the Governor to the contrary notwithstanding.
32. Senator Chew.

33. PRESIDENT:

34. Senator Chew. Fifty thousand for Vehicle Recycling Board

1. inventory.

2. SENATOR CHEW:

3. Yes sir, Mr. President. It was up yesterday, we got a
4. full explanation on it. In order for this board to operate
5. it is absolutely necessary to transfer the fifty thousand
6. dollars into the board for the survey. Now, it's nothing wrong
7. with the bill, the Governor approved the bill itself. We have
8. to have the money, which is not new taxes. There's no require-
9. ment for appropriations. And in order to get this Recycling
10. Board going, we need the fifty thousand dollars for the survey
11. and a hundred thousand dollars for operation which comes in
12. another motion filed. And I would ask for a favorable roll
13. call, Mr. President.

14. PRESIDENT:

15. Any discussion? If not, the question is shall the item
16. on page 5, lines 11 through 14 of Senate Bill 157 pass the
17. Item Veto of the Governor to the contrary notwithstanding.
18. Those in favor will vote Aye. Those opposed will vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Have all voted who wish? Take the record. On
21. that question the Ayes are 32, the Nays are 24, none Voting
22. Present. The motion fails. 296, Senator Hall. On the Order
23. of Consideration Postponed is the Motion filed with respect
24. to Senate Bill 296. Read the motion, Mr. Secretary.

25. SECRETARY:

26. I move that Senate Bill 296 Do Pass the veto of the Governor
27. to the contrary notwithstanding. Signed, Senator Hall.

28. PRESIDENT:

29. Senator Hall.

30. SENATOR HALL:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. This bill is a...we didn't have enough votes, it
33. failed by three votes yesterday. And what this bill...does, is

1. it says that since Springfield is the seat of the government,
2. that it's no more than right that the Illinois Housing Authority
3. should have an office located here. They have one in Chicago
4. and we simply said, that this is the seat of government, we
5. had several places that we had advocated that it should be a
6. branch office. Now all we're simply asking is that a branch
7. office should be here. As a matter of fact, I'm a firm
8. believer that the main office ought to be here, But of all
9. things, if this is the seat of government, that IHDA should
10. have a branch office here. Because what it does, and I
11. told you yesterday, the people from downstate to the far reaches
12. of it are four hundred and fifty or sixty miles away from the
13. office. And many times, as Senator Buzbee told you yesterday
14. the problem he's had and I know Senator Davidson wants to
15. have some comment about this. I'm asking at this time that
16. we put the other three votes that we need in order to override
17. this Veto.

18. PRESIDENT:

19. Further discussion? Senator Davidson.

20. SENATOR DAVIDSON:

21. Yes, Mr. President and members of the Senate. I rise
22. in support of this. There was an office in this, in Springfield,
23. for the downstate area and it was closed and moved to the Chicago
24. area. And we have no problem with those people up there who
25. need to get help. But those people here who are trying to get
26. funding or bonding for the housing and help, have to travel.
27. And if they get up there they may or may not have the people
28. there for the appointment and they've made a four hundred
29. mile round trip, maybe for nothing, and I appreciate your
30. help and support. Urge a Yes vote.

31. PRESIDENT:

32. Further discussion? Senator Philip.

33. SENATOR PHILIP:

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

1. Senate. I'd like to ask the sponsor a question.

2. PRESIDENT:

3. He indicates he'll yield. Senator Philip.

4. SENATOR PHILIP:

5. I apologize for my ignorance, I...I don't have any idea
6. how many offices they have now and where they're located at.

7. But would you tell me how many offices they have and where they're
8. located at.

9. PRESIDENT:

10. Senator Hall.

11. SENATOR HALL:

12. Senator...Senator, there is one office, it's now located
13. in Chicago. I'm simply asking that it should be an office here,
14. a branch office. I'm not saying take the office away from Chicago,
15. but there should be an office at seat of government here in
16. Springfield.

17. PRESIDENT:

18. Senator Philip.

19. SENATOR PHILIP:

20. I...I understand what you're saying, you know, I would
21. be more apt to support putting it in the East St. Louis area than
22. here in Springfield. But I'll tell you what I'll do, I will
23. volunteer my seatmate's office and any time they want to come
24. down here and use his office for a couple of days, be our
25. guest.

26. PRESIDENT:

27. Any further discussion? Senator Hall may close the
28. debate.

29. SENATOR HALL:

30. What I'm simply saying, and I think if you gentlemen
31. carefully think this over, Springfield is the seat of government.
32. It's no more than right, there should be an office here. We
33. insisted that you remember sometime back when the...when the

1. Scholarship Commission did not have an office here, we said,
2. listen, this is the seat of government, have your office here.
3. They should have an office here. I ask your favorable support
4. for the override of this bill.

5. PRESIDENT:

6. The question is shall Senate Bill 296 pass the veto of the
7. Governor to the contrary notwithstanding. Those in favor will
8. vote Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Have all
10. voted who wish? Take the record. On that question the Ayes
11. are 36, the Nays are 17, none Voting Present. Senate Bill
12. 296, having received the required three-fifths vote is declared
13. passed the veto of the Governor to the contrary, notwithstanding.
14. On the Order of Consideration Postponed is a motion filed with
15. respect to Senate Bill 446. Read the motion, Mr. Secretary.

16. SECRETARY:

17. I move that Senate Bill 446 Do Pass the veto of the Governor
18. to the contrary notwithstanding. Signed, Senator Netsch.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you, Mr. President. The bill as explained when
23. we previously debated it, deals with the records of juveniles
24. who have not been adjudicated delinquent. The bill is in the
25. form as proposed and recommended by the members of the Judiciary
26. I Committee, which was substantially different from its original
27. version. It is not a mandatory expungment. It simply authorizes
28. a juvenile or the person acting on his behalf to petition the
29. court for expungment, where again, there has been no adjudication
30. of delinquency. Adults have exactly the same right when they
31. have been found not guilty and it simply makes no sense not
32. to provide a comparable right to juveniles.

33. PRESIDENT:

1. Is there any discussion? Senator Gitz. Any discussion?
2. If not, the question is shall Senate Bill 446 pass the veto
3. of the Governor not...to the contrary notwithstanding. Those
4. in favor will vote Aye. Those opposed will vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who
6. wish? Have all voted who wish? Take the record. On that
7. question the Ayes are 33, the Nays are 19, none Voting Present.
8. The motion fails. 659, Senator Demuzio. On the Order of
9. Consideration Postponed there's a motion pending with respect
10. to Senate Bill 659. Read the motion, Mr. Secretary.

11. SECRETARY:

12. I move that Senate Bill 659 Do Pass the veto of the Governor
13. to the contrary notwithstanding. Signed, Senator Demuzio.

14. PRESIDENT:

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Yes, thank you, Mr. President, Ladies and Gentlemen of the
18. Senate. Senate Bill 659 is a bill that has been debated on
19. numerous occasions here. It's a bill that pertains to the
20. hazardous waste industry. It makes Illinois the leader in the
21. area of...of regulations and frankly we...we had the votes here
22. yesterday, there were a couple of members that were not on the
23. Floor at the time of verification. It's a bill that I worked
24. on now for...for three years and I would just say in...and very
25. briefly that the Governor has signed another measure and he
26. vetoed this one saying it was too much too soon and if we don't
27. take action on this bill, I think it will be too little too
28. late. So I'm asking this side of the aisle and the other side
29. of the aisle for the thirty-six votes to override the Governor's
30. Veto on this legislation.

31. PRESIDENT:

32. Any discussion? Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Mr. President. Yesterday when this bill was
2. up for a vote, I had to be on the House Floor for some thirty
3. or thirty minutes or so. I asked my seatmate to make sure
4. that I was voted for this bill because I am a strong supporter
5. of Senator Demuzio's bill. Unfortunately, there was a verification,
6. I was not aware the verification was going on. I came back on the
7. Floor shortly after the verification and my name was stricken
8. from the record. I don't operate that way, if I'm going to be
9. against a bill, I'll vote No or I'll tell the sponsor up front.
10. So I...I don't let myself be verified off, purposely. So I
11. apologize to Senator Demuzio for...for that unfortunate occasion
12. yesterday, but I intend to fully support the bill today.

13. PRESIDENT:

14. Further discussion? Senator Nimrod.

15. SENATOR NIMROD:

16. Thank you, Mr. President. It seems to me that we have
17. already passed the bill that covers most of the provisions of
18. the...this 659 already and the Governor signed them in the law.
19. There is one additional provision that's in this bill that
20. is strictly unworkable and unable to regulate. It will certainly
21. cause a...a further deterioration of an unhealthy business climate.
22. It will not, in any way, in my opinion, help...to cause any additional
23. safety factors on any of the materials that were toxic materials
24. that we're concerned about. I think that we have adequate
25. legislation that has already passed this year, let's let it
26. go without putting onto the books something which is far too
27. stringent...unable to enforce and leaves a door open to discourage
28. business within our area. I would urge that we not support this
29. particular bill.

30. PRESIDENT:

31. Further discussion? Senator McMillan. Guess not. Senator
32. DeAngelis. No, all right. Any further discussion? Senator
33. Demuzio, you wish to close?

1. SENATOR DEMUZIO:

2. Yes, thank you. There was some confusion yesterday that...
3. brought up the fact that this bill pertained to something in
4. the nuclear area, which is totally false. The definition of
5. hazardous waste includes the words, "excluding nuclear waste."
6. It was put in there specifically for Senator Geo-Karis who requested
7. that be eliminated and therefore it is only pertinent to hazardous
8. waste. I would like to have thirty-six votes to override the
9. Governor's Veto.

10. PRESIDENT:

11. The question is shall Senate Bill 659 pass. Senator Geo-Karis,
12. for what purpose do you arise?

13. SENATOR GEO-KARIS:

14. Yes, I think that should be clarified a little. Senator
15. Demuzio, what I said to you at the time was to clarify whether
16. you included nuclear waste or not and you said your bill did
17. not include nuclear waste. Is that correct?

18. PRESIDENT:

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. That is correct.

22. PRESIDENT:

23. All right. The question is shall Senate Bill 659 pass the
24. veto of the Governor to the contrary notwithstanding. Those in
25. favor will vote Aye. Those opposed will vote Nay. The voting
26. is open. Have all voted who wish? Have all voted who wish?
27. Have all voted who wish? Take the record. On that question
28. the Ayes are 35, the Nays are 17, 4 Voting Present. The motion
29. fails. On the Order of Consideration Postponed is Senate Bill
30. 809. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move that Senate Bill 809 Do Pass the Veto of the Governor
33. to the contrary notwithstanding. Signed, Senator Davidson.

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Yes, Mr. President and members of the Senate. This is
5. the bill which we had...yesterday, which is a consumer protection
6. for aviation. Senator Nedza, who is the Assistant...Director...
7. Aviation...Assistant Superintendent of Aviation, City of Chicago,
8. spoke in favor of this bill. Just since it's got nation-wide
9. publicity out of the Aviation Magazine, I have here a letter
10. from Dan Scarboro, the President of the Florida Senate, asking
11. for a copy of the bill so he can prefile it. This is something
12. to help those pilots and those plane owners who have right now
13. no recourse. If the airworthiness directive is due to the manu-
14. facturers error or fault, the man has to pay the repair himself.
15. That's what brought this bill about. A local group spent
16. eighteen hundred dollars repairing a undercarriage on a air-
17. worthiness...manufacturers defect and after they spent it, they
18. replaced it with the same part that they had put in and saying,
19. well when it comes out again you'll just have to spend your
20. money again and I urge a Yes vote. It's limited to five years,
21. it's limited to the first owner, one or the other whichever is
22. the longest and I appreciate your help. This is something for
23. the consumer, just based on the same thing as the automobile
24. industry.

25. PRESIDENT:

26. Any discussion? Senator Bruce.

27. SENATOR BRUCE:

28. Well, thank you, Mr. President, members of the Senate. I...I
29. rise with an obvious conflict, but I...I think the members ought
30. to realize what this bill does. If General Motors has a recall
31. of your automobile, they are liable and responsible for the replace-
32. ment of your wheel cylinders or whatever defect has been determined
33. by the Federal Government, they pay for that. You don't have to

1. have a certificate though that you ever replaced that wheel
2. cylinder, you can continue to drive your car no matter what
3. GM sends you and whatever they say, you ought to replace. But
4. an airplane owner is an...absolutely at the whim of the...of the
5. manufacturer. An airworthy...airworthiness certificate is issued
6. for every plane manufactured in the United States. If the
7. manufacturer says that you have a defective wheel bearing and
8. they said that in...in a compliance order put out by FAA which
9. is mailed to every owner in the United States of that aircraft
10. and you don't replace it within a ten day period, they put...
11. your plane is grounded. And if you've got forty thousand or
12. forty million in that aircraft, until you've replaced that
13. wheel bearing, it's down. And if it would cost three thousand
14. dollars to replace it, that's comes out of your pocket. All
15. Senator Davidson's Bill says is treat airplane owners in the
16. same fashion that automobile owners are and the only reason they're
17. not treated is because the Airworthiness Certificate, is issued
18. and they know that you have to replace it or you can't fly.
19. Your insurance is void, your pilot's license is void, everything
20. that you have titled from the Federal Government is void if you
21. fly that airplane with a Compliance Order against it and don't
22. do the repairs. I think it's a very reasonable proposal, that within
23. five years, they're responsible for the replacement of parts
24. that they find to be defective.

25. PRESIDENT:

26. Any further discussion? Senator Moore.

27. SENATOR MOORE:

28. Yes, thank you very much, Mr. President. And I respect
29. the sponsor of this...this piece of legislation very much, but
30. I do wonder what effect it's going to have on a piece by piece
31. or piecemeal by piecemeal effort of each state coming up with
32. their own laws on this type of a...of a problem. I'm not one
33. that's greatly in favor of having the Federal Government preempt

1. everything, but when we get into the field of products liability
2. which I believe this is what we're trying to get into here as
3. far as airplanes are concerned. I know Senator Daley and myself
4. and this group did pass a Products Liability Bill that is good
5. for Illinois, but if the product is over in Indiana, it's not
6. worth a damn and I think it's a field that the Federal Government
7. should get into. And I'm just fearful that we may be hindering
8. this particular industry in Illinois by the enactment of this
9. bill. So reluctantly I'm going to have to oppose it.

10. PRESIDENT:

11. Any further discussion? Senator Davidson may close.

12. SENATOR DAVIDSON:

13. Well, I would say that someone has to start and we're the
14. first ones who started. From the conversation and correspondence
15. I received from other states, you're going to see more of this
16. legislation. I've had inquiries from two...different Congressional
17. Offices. But if it was really going to harm the industry, why
18. weren't they here. This bill passed through committee, passed
19. through here, passed the committee in the House, passed through
20. the House. There was never anyone showed up to ever file as an
21. opponent. There was no objection. It went out of here on the
22. Agreed Bill List, it went out of the House on the Short Debate
23. Calendar. This is a good bill for the protection of the consumer.
24. If you want to do something for the consumer, then let's do some-
25. thing for them. And I appreciate a Yes vote.

26. PRESIDENT:

27. The question is shall Senate Bill 809 pass the veto of
28. the Governor to the contrary notwithstanding. Those in favor
29. will vote Aye. Those opposed will vote Nay. The voting is
30. open. (Machine cut-off)...who wish? Have all voted who wish?
31. Take the record. On that question: the Ayes are 43, the Nays
32. are 4, none Voting Present. Senate Bill 809 having received
33. the required three-fifths vote is declared passed the veto of
34. the Governor to the contrary notwithstanding. (Machine cut-off)

SB 157
10/18/79

1. ...on the Floor? The only matter left on the Order of Consideration
2. Postponed is that Motion with respect to Senate Bill 157. Page 16,
3. lines 28 through 31 which was an Item Veto. Leave of the Body we'll
4. just take that up and then we're finished with Consideration Post-
5. poned. On the Order of Consideration Postponed is Senate Bill 157.
6. Read the motion, Mr. Secretary.

7. SECRETARY:

8. I move that the item on page 16, line 28 through 31 of
9. Senate Bill 157 Do Pass the Item Veto of the Governor to the
10. contrary notwithstanding. Signed, Senator Hall.

11. PRESIDENT:

12. Senator Hall.

13. SENATOR HALL:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. I won't belabor the point too long. What this does,
16. is this is alternative...from the Institute of Natural Resources,
17. these are alternative energy resource developments. This is a
18. bill that's...what's vitality needed. The...it's...it's been
19. endorsed by the Institute of Natural Resources. Now, many people
20. might add, why do we need that? We need that as to...to help solve
21. the energy problem through alternative resources to explain to
22. people that there is alternative resources. The Federal Govern-
23. ment has a lot of money and all we need is just the matching money
24. here for this...and that's why this amendment's in the bill.
25. I think now and I've been advised by a number of people that they
26. underatand what this is now and they're willing to give the
27. necessary votes to override this Veto. So, I'd ask your most
28. favorable support.

29. PRESIDENT:

30. Is there any discussion? If not, the question is shall
31. the item on page 16, lines 28 through 31 of Senate Bill 157 pass
32. the Item Veto of the Governor to the contrary notwithstanding.
33. Those in favor will vote Aye. Those opposed will vote Nay. The

1. voting is open. Have all voted who wish? Have all voted who
2. wish? Have all voted who wish? Take the record. On that
3. question the Ayes are 36, the Nays are 17, none Voting Present.
4. The item on page 16, lines 28 through 31 of Senate Bill 157 having
5. received the required three-fifths vote is declared passed the
6. Item Veto of the Governor to the contrary notwithstanding.
7. Senator McMillan, for what purpose do you arise?
8. SENATOR McMILLAN:
9. Verification of the affirmative votes.
10. PRESIDENT:
11. All right. Senator McMillan has requested a verification.
12. Will all the members please be in their seats. The Secretary will
13. read the affirmative votes.
14. SECRETARY:
15. The following voted in the affirmative: Berman, Bruce, Buzbee,
16. Carroll, Chew, Coffey, Collins, D'Arco, Daley, Davidson, DeAngelis,
17. Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome
18. Joyce, Knuppel, Lemke, McLendon, Merlo, Nash, Nedza, Nega, Netsch,
19. Newhouse, Rupp, Sangmeister, Savickas, Shapiro, Vadalabene, Washington,
20. Wooten, Mr. President.
21. PRESIDENT:
22. Senator McMillan.
23. SENATOR McMILLAN:
24. Senator Egan.
25. PRESIDENT:
26. Senator Egan on the Floor? He's on the Floor.
27. SENATOR McMILLAN:
28. Senator Nega.
29. PRESIDENT:
30. Senator Nega is in his seat.
31. SENATOR McMILLAN:
32. Senator Nash.
33. PRESIDENT:

1. Senator Nash is in his seat.

2. SENATOR McMILLAN:

3. Senator Collins, I can't...

4. PRESIDENT:

5. Senator Collins is in her seat.

6. PRESIDENT:

7. All right the roll has been verified. The Ayes are 36, the

8. Nays are 17 and the item on page 16, lines 28 through 31 of Senate

9. Bill 157 having received the required three-fifths vote is declared

10. passed the Item Veto of the Governor to the contrary notwithstanding.

11. Resolutions.

12. SECRETARY:

13. Senate Resolution 291 offered by Senator Daley and all

14. Senators. It's congratulatory.

15. Senate Resolution 292 offered by Senator Mitchler and all

16. Senators. It's congratulatory.

17. Senate Resolution 293 offered by Senator Lemke, Daley, Nega,

18. Savickas, Rock, Joyce, Shapiro and all Senators and it's congratulatory.

19. Senate Resolution 294 offered by Senators Geo-Karis, Berning

20. and Graham and it's a death resolution.

21. PRESIDENT:

22. Consent Calendar. Senator Buzbee, for what purpose do you

23. arise?

24. SENATOR BUZBEE:

25. Mr. President, while we got a little lull here, I would

26. like to announce to those members of the Appropriations II

27. Committee, we were dealing with the Department of Corrections

28. this morning in our Legislative Oversight Hearings. We did

29. not get finished with them and we have a tentative agreement with

30. the director to meet back again in Room 212 at noon. We will

31. be there for no longer than one hour maximum, hopefully less

32. than that. You...you...you might be enticed to be there by

33. knowing that the director is now meeting with the Governor and

SB 47
10-18-79
Vote of the Day

1. perhaps we'll have some say...something to say, rather, as to
2. what is going to...what requirements he's going to have as far
3. as additional monies are concerned in this Fall Session. So
4. I would invite all members of the Appropriations II Committee to
5. attend...assuming we're out by noon, to attend the...the hearing,
6. the continuation of the hearing then and we'll only be in for
7. an hour max, hopefully less than that.

8. PRESIDENT:

9. Frankly the intent of the Chair was to try to get us out
10. of here by noon. The Secretary informs me there are six motions
11. still pending with respect to gubernatorial action on the Calendar.
12. We have...we are awaiting word from the House, frankly, with respect
13. to the Third Special Session as to the Adjournment Resolution.
14. As I explained to Senator Rhoads yesterday, we cannot adjourn
15. for more than three days without the consent of the other House.
16. Until we get word from the Speaker, we're frankly stymied.
17. I understand a Motion in Writing has been filed. Read the motion,
18. Mr. Secretary.

19. SECRETARY:

20. Having voted on the prevailing side, I move to reconsider
21. the vote by which the motion to override the Governor's Veto on
22. Senate Bill 47 was lost. Signed, Senator Graham.

23. PRESIDENT:

24. Senator Graham.

25. SENATOR GRAHAM:

26. Mr. President and members of the Senate. The general principle
27. of this bill to which I have subscribed for a long time, I thought
28. had some violence done to it by the Governor's action. However,
29. the main principle of this waiting period between the doctor's
30. examination and a possible abortion still abounds and it's an
31. important thing I think for us to feel that there should be some
32. control there and having voted on the prevailing side, I hope
33. that now we will vote favorably to override the Governor's Veto

1. on Senate Bill 47.

2. PRESIDENT:

3. All right, Senator Graham has moved to reconsider the vote
4. by which Senate Bill...or the motion to override Senate Bill 47
5. has lost. A roll call is required, it will require a majority
6. vote to reconsider this vote. Those in favor of the motion to
7. reconsider will vote Aye. Those opposed will vote Nay. The
8. voting is open. Have all voted who wish? Have all voted who
9. wish? Take the record. On that question the (Machine cut-off)
10. ...all right, the Chair had recognized that on that vote there
11. were 33 affirmative votes, but with no way to verify or not
12. verify, we'll have to take another roll call. The question is
13. on Senator Graham's motion to reconsider the vote by which the
14. motion to override on Senate Bill 47 failed. Thirty affirmative
15. votes are required. Those in favor of the motion to reconsider
16. will vote Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question the Ayes are 38, the Nays are 9, 4 Voting
19. Present. The motion carries. The vote is now reconsidered. Senator
20. Lemke, you wish go to that motion? All right, on the Order of Total
21. Vetoes, there's a motion pending with respect to Senate Bill 47.
22. Read the motion, Mr. Secretary.

23. SECRETARY:

24. I move that Senate Bill 47 Do Pass the veto of the Governor
25. to the contrary notwithstanding. Signed, Senator Lemke.

26. PRESIDENT:

27. Senator Lemke.

28. SENATOR LEMKE:

29. I ask for a favorable roll call. I yield the...the Floor to
30. Senator Egan and Senator Rhoads, they have...

31. PRESIDENT:

32. Senator Rhoads.

33. SENATOR RHOADS:

1. Thank you, Mr. President, members of the Senate. There was
2. some discussion yesterday concerning the Governor's Veto Message
3. and his citation of various cases in which he alleged that he felt
4. various portions of this bill might, in his judgment, be unconsti-
5. tutional. Upon a little closer reading of the Veto Message of
6. the Governor, let me just zero in on one case which he alleges
7. proves the unconstitutionality of this bill. In talking about
8. a ban against the saline solution method of abortion, he cites
9. a Missouri case, Planned Parenthood of Central Missouri versus
10. Stanforth, which held that the...a complete ban on the use of
11. saline solution was unconstitutional. This bill does not prohibit
12. the entire method of saline solution, it only prohibits it after
13. the first three months. An allegation was made by the Governor
14. that this is somehow a safer form of abortion, a more humane form
15. of abortion. The only question I'd like to ask is more humane
16. and safer for whom? The saline solution method is the most...
17. excruciatingly painful method imaginable to the unborn child.
18. Now, for those of you who do not regard an unborn child as a
19. living human being, for those of you who feel it's simply a
20. ...a fetus that does not yet gain the rights of citizenship,
21. I would simply ask you, would you treat a lower form of animal
22. life in this way. Would you use saline solution on a dog or a
23. cat or any type of animal that...that we might consider a...a
24. pet, something like that. I think the answer is no, you would
25. consider it a cruel form of treatment for that type of life.
26. And whatever you may feel about an unborn child, I think you
27. have to at least put it on a higher level than a pet. You
28. have to say that this is some kind of human life. Now, you may
29. not agree that it's a viable human life, you may feel, in your
30. own opinion that...that somehow the child has to be born before
31. it acquires full rights of citizenship. But certainly it is
32. something. It has some living aspect to it, it has a brain,
33. it has heartbeat, it has many attributes of human life. So even

1. if you don't agree with those of us who say that this is a full
2. human life in all its essence, certainly you can agree, if you're
3. familiar with the saline solution method at all, of knowing what a
4. cruel and inhumane method that is. Now some of you have come
5. to me and said, look I'm mad at various pro-life groups in
6. the State of Illinois who come to me and...and badgered me about
7. this bill. Well, there...at last count, there are some twenty
8. major pro-life groups, I don't know which ones have talked to you.
9. I asked you to indulge them just a little bit. They're speaking
10. to you about something that matters very deeply to them, they're
11. speaking to you about a matter of...of life or death in their
12. judgment. And if they get a little over emotional or a little excited
13. in talking to you, I ask you to roll with the punches a little
14. bit. You've had other angry lobbyists come into you for other
15. bills and you haven't taken it out on their bills because of
16. the way you've been treated. Finally some members have come
17. to me, oh, say why should we go through this all again. We're
18. just going to bring it into the courts and spend hundreds of
19. thousands of dollars and so forth. My answer to that is so what.
20. I don't care if we spend the next ten to twenty years in the
21. courts. I don't care if case after case after case has to be brought up.
22. The Federal and State Governments of this country spend millions upon
23. millions of dollars on very frivolous issues. This issue is the most
24. important imaginable issue that we could possibly be dealing with
25. in front of the courts. It deserves our full attention, our constant
26. attention. The courts haven't had the last word on this, we should
27. have the last word on this. This is a major question of public
28. policy. I ask for your affirmative vote.

29. PRESIDENT:

30. Further discussion? Senator Egan.

31. SENATOR EGAN:

32. Yes, thank you, Mr. President and members of the Senate. There
33. is an aspect to this legislation which I don't think has been at

1. all thoroughly or even briefly discussed and that is the criminal
2. aspect of the bill. Presently, there is no definition of
3. criminal abortion in Illinois. There is no penalty for doing
4. that which, for example, a young woman could do, she could
5. have an abortion in a taxi cab. Now, we are supposed to be
6. an ordered society. We are so sophisticated a society that there
7. are those that argue against any regulation of this very serious
8. topic. And we can hear all of the arguments that we want relative
9. to the constitutionality of the bill and everybody here knows
10. that there are only nine people that know whether or not the
11. bill is constitutional, patent, unpatent or whatever. But it's
12. got to stop someplace and this is just an attempt. It is a
13. sincere attempt by people that feel very deeply on the subject
14. and those of you who wish to excuse yourselves based on technicalities
15. in the Constitution, we'll forgive you. I am not one of those.
16. I ask for your support.

17. PRESIDENT:

18. Further discussion? Senator Sommer.

19. SENATOR SOMMER:

20. If I could...if I could, Mr. President, I would like...like
21. to direct a question to Senator Rhoads, he seems to be articulate
22. on this matter. I've been reading, after being contacted by various
23. groups, reading the bill and all of that and one sentence, I'm not
24. sure what it means, it says that no physician shall...shall perform
25. an abortion unless it's in...the abortion is necessary in his
26. best clinical judgment. Now what does that mean?

27. PRESIDENT:

28. Senator Rhoads.

29. End of Reel # 2

1. SENATOR RHOADS:

2. Senator, I gave my enrolled and engrossed copy to Senator
3. Lemke, I'll have to yield to him. I'm sorry.

4. PRESIDENT:

5. Senator Sommer.

6. SENATOR SOMMER:

7. And what is that sort of language purport to...to mean. I
8. want to favor your legislation, but I'd like to know what that
9. thing means.

10. PRESIDENT:

11. All right, further discussion? Senator Wooten. Well, he
12. asked Senator Rhoads, and Senator Rhoads declined, now what
13. more can I do. Senator Wooten.

14. SENATOR WOOTEN:

15. Pardon me, I think Senator Lemke wanted to respond to that,
16. and I'm certainly willing to defer to him...

17. PRESIDENT:

18. Well, Senator Sommer was the one who directed the question, he
19. did not choose to have Senator Lemke answer.

20. SENATOR WOOTEN:

21. All right, then it is not an easy thing for someone who
22. is deeply opposed to abortion to oppose this bill, but the
23. fact is, just to cite an example that Senator Egan gave, you
24. can have an abortion in a taxi, unless passing all this river
25. of unconstitutional bills has obliterated the original bill, which
26. I sponsored, I believe it says quite clearly that an abortion is
27. only permitted if it's performed by a physician and it...the
28. Medical Practices Act, which we can't...which we dovetailed
29. to that, says it has to be done in a hospital or a clinic.
30. I believe the constitutional safeguards are there. When the
31. bill first came through I went through it very carefully, to put
32. on every limitation I thought we could without jeopardizing the
33. constitutionality of the bill. I believe we ought to have the

1. strictest law that is constitutionally possible, and the reason
2. I've either voted against or abstained from voting all these
3. other bills is because I believe they do not help the situation,
4. they make it more difficult. People don't know what the law
5. is, there are issues in here that I know have been settled, one
6. way by the Supreme Court, and that's the way they're going to
7. be. Now, maybe with severability clauses we can...there might
8. be one or two portions of this that are constitutional, but I
9. don't know why we play games like this with the law, to satisfy
10. peoples' emotions on it. I understand the emotions and I share
11. them, but I'll tell you, it's...I don't see the value in continually
12. passing one unconstitutional law after another. You...
13. you provide marvelous and generous employment for lawyers, but
14. you don't change anything. You just don't change anything, and
15. I think it's...it almost amounts to a deceptive practice. I
16. just don't think we ought to do it.

17. PRESIDENT:

18. Further discussion? Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Mr. President, and Ladies and Gentlemen of the Senate.
21. I think I've been pretty consistent in voting for anti-abortion
22. bills down the line, but this is one bill I cannot, in good
23. conscience, vote for. I am against abortion, as a lawyer of
24. thirty-six years standing, I have never sent a client for an
25. abortion. I wouldn't even know where to send her. I feel
26. children are too precious to destroy. However, I do feel that
27. this bill is so patently unconstitutional that even if we
28. make laws here to take in all the cases that have been ruled
29. unconstitutional, have been thrown out by the Federal Courts,
30. the final law on all these...pieces of legislation will still
31. be the courts, and we are not bigger than the Supreme Court
32. of the United States, which has already ruled and the other
33. Federal Courts that have also ruled, and the many cases that have

1. emanated not only from Illinois, but from other states. I
2. do feel as Senator Wooten does, and I don't always agree
3. with Senator Wooten, that this is not quite the right vehicle,
4. and I...I feel...just compelled to vote against this bill, even
5. though it may not be a popular thing, and I assure you Senator
6. Egan, I have as much respect for life as you do.

7. PRESIDENT:

8. Further discussion? Senator Keats.

9. SENATOR KEATS:

10. Some of the comments made earlier were interesting, and
11. I appreciated their reference, but I think we've missed some-
12. time the whole point involved. We are in such a great rush to
13. bring children into the world, as if this were some great deal,
14. there seems to be no concern about what it's like after they're
15. born. You know life may be a good deal for the fifty-nine of us
16. sitting here today, but for many of the people who are born
17. into this world, life is an unending struggle every single
18. day. Some of us have never faced that, and I can see I'm
19. certainly one of them who's never faced that, but if we're
20. going to talk about the issue of abortion you have to remember,
21. that there isn't just concern to bring children into the
22. world, there has to be some concern about what happens to that
23. child after they arrive here. Many times you're asking people
24. to bring into the world children in families where there are
25. far more children than they can support today, and what you're
26. saying to that family is we are taking away your inability to
27. ever get out of the welfare syndrome you're in, you're taking
28. away from that family their ability to ever be able to improve
29. their situation in life so the other children in that family
30. will have some chance and have some opportunity to join regular
31. society with some of the opportunities that have been available
32. to all of us. As we say to these children, quick come into the
33. world no matter how bad it may be, no matter the fact that your

1. family cannot possibly give you the opportunities that should
2. be afforded to every human being, we still say bring them
3. forth, and yet we did have an ability...a chance to help some
4. of these children and it just happened in the House the
5. other day, we had a chance to vote a tax cut. Now, that
6. tax cut was what I would call a consumption tax cut, it was
7. not an investment or dividend tax cut. It would have supplied
8. jobs at the lower end of theeconomic level, particularly in
9. the consumer demand area...service area. Would have help to
10. supply jobs for some of these people, and yet so many people
11. who say we must rush to bring people into the world, refuse
12. to offer a tax cut that might have provided some jobs for
13. these people we're bringing into the world. They decided
14. that they felt no need to provide a decent life style for
15. the people that they demand must be brought into the world.
16. Also, many of those same individuals who were unwilling to
17. expand that job market for these people who are being brought
18. into the world, often with no opportunities, then also refuse
19. to give them job opportunities in some of the trade areas
20. where there aresome unions who have refused to allow people
21. into the economic market, and they exclude them, and yet we say
22. these childs much be brought forth, even though they have no
23. opportunity to get a job in many unionizedareas, and they have
24. no opportunity to get a job in many of the service areas, because
25. we didn't vote a tax cut that would have stimulated the service
26. areas. When you talk about the quality of life, sometimes you
27. just have to ask, are you perhapsdestroying the quality of life
28. for the many, for what may not be much of an opportunity for the
29. single individual involved. It's easy to preach about each
30. individual life, but it's a lot tougher to say that this one
31. life means that those other five children in that family, and
32. that mother will never have the opportunity for her to get off
33. welfare, for those other children to get a fair and reasonable
education. With that, vote as you wish, I certainly don't want

1. to act as your conscience, you've got your own, but this
2. bill had a fair hearing yesterday, and did not pass, when
3. the bill came up previously, it did not have enough votes
4. to override. So, don't you feel that you need to be the
5. one to carry it over. I'd appreciate a vote to sustain
6. the Governor's Veto.

7. PRESIDENT:

8. Further discussuion? Senator Graham.

9. SENATOR GRAHAM:

10. I only...I only want to say one thing, Mr. President, and
11. members of the Senate. The Gentleman from Evanston is very
12. convincing. The only thing he didn't convince me of that we
13. have the right to kill. I ask for a favorable roll call.

14. PRESIDENT:

15. Further discussion? Senator Newhouse.

16. SENATOR NEWHOUSE:

17. Thank you, Mr. President. I simply want to adopt by
18. reference the remarks of Senator Wooten. Thank you.

19. PRESIDENT:

20. Further discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. Thank you, Mr. President. I would just like to remind
23. those members of the Body here that are questioning about
24. the constitutionality of this law, that certainly it's not
25. our prerogative to sit and decide what's constitutional or
26. not, because that...the nine members have been referred to. I
27. think what is our responsibility however is to make known our
28. intention and our desire, and our beliefs, and our commitment
29. of what the legislative intent is. It seems to me that the
30. Capital Punishment Bill is a good example of what I'm talking
31. about, and that is that capital punishment here was presented
32. and passed four or five times, each time it came back and we
33. readjusted the bill until we finally got a bill out that was
presently constitutional. If we don't pass the bill, we're not

1. going to have a bill that's constitutional. We can sit here
2. forever and say it's not going to be constitutional, until
3. it goes up there, and going...this bill is better than the last
4. one. I would say this, that if we don't have this bill, and
5. this doesn't pass we have no bill, and we have no laws on
6. abortion. It seems to me that it's our responsibility for
7. those of us that believe that abortion should not exist, that
8. we have to have some bill up there working on, so we can keep
9. this process going to carry out the legislative intent. If
10. it is your intent, your intention that you are opposed to abortions, you
11. do not concur in the idea of killing the unborn, then I think
12. it's our responsibility and our duty to let them know, and
13. I think we should vote for...support this override.

14. PRESIDENT:

15. Further discussion? Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. This is probably the most
18. sane rational discussion I have heard on this issue since
19. I have been in this Chamber. It is an issue that is, of course,
20. fraught with emotion. I had not intended to speak on this,
21. but after hearing Senator Keats' speech, I am going to
22. try to remain emotionless and...and, but I've got to make a
23. couple of comments. There are some of us who are going to
24. vote No on this issue for entirely different reasons than
25. those expressed by Senator Keats. If I interpreted what he
26. said correctly, I almost got the impression that you have
27. to show an adequate financial statement before you would
28. be allowed to have children, and I don't think that's really
29. what he meant, and I'm going to try to stay out of the emotional
30. area, but...but I just felt compelled to...to say that some of
31. us are going to vote No, because of the constitutional question.
32. I'm not a lawyer, if I were a lawyer I wouldn't know anymore
33. about the constitutionality of this question than I do now,

1. because as many lawyers as there are in this Body, you
2. can get that many opinions as to whether it is unconstitutional
3. or what degrees of it are constitutional or not constitutional.
4. The fact of the matter is that similar sorts of...of various
5. parts of this bill have gone before the U.S. Supreme Court and
6. various other courts in the past, and have been ruled un-
7. constitutional. I...I know that Senator Wooten is an example,
8. who is, in fact, the father, if you will, of the legislation
9. that's on the books in Illinois now, dealing with the control
10. of abortion. He sponsored that legislation back some six
11. years ago, being firmly opposed to abortion, but saying let's
12. have as much control as is...as is constitutional under the...
13. under the laws, and the Constitution as interpreted by the
14. U.S. Supreme Court. So, I just felt compelled to be able to...
15. to explain that I'm voting No, because I think that the
16. bill is unconstitutional.

17. PRESIDENT:

18. Senator Collins.

19. SENATOR COLLINS:

20. Thank you, Mr. President. I'm voting No primarily because
21. the bill is unconstitutional, but I don't think that Senator
22. Keats' remarks needed any explanation. I think he was very
23. clear, and I would like to respond to a remark that was made about
24. whether or not we had the right to kill. Well, I think we have
25. taken that right, I don't think we have the right to kill, when
26. we passed the death penalty. We gave ourselves the right to
27. kill. I also think we have the...take on the right to kill when
28. we allow those...pass all of those so called three time loser
29. bills. These same children that we're talking about end up in
30. jail, we put them in there, we destroy them emotionally, we
31. destroy them psychologically, we destroy them physically. So,
32. yes, we don't have the right to kill, but this legislative Body
33. has taken on that right.

1. PRESIDENT:

2. Any further discussion? Senator Carroll. Well, Senator
3. Savickas has tapped your. Okay, if there's no further discussion,
4. Senator Lemke may close the debate.

5. SENATOR LEMKE:

6. I ask for a favorable roll call. .

7. PRESIDENT:

8. Question is, shall Senate Bill 47 pass the veto of the
9. Governor to the contrary notwithstanding. Those in favor
10. will vote Aye. Those opposed will vote Nay. The voting is
11. open. Have all voted who wish? Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 36, the Nays are 16. 4 Voting Present. Senate
14. Bill 47, having received the required three-fifths vote is
15. declared passed, the veto of the Governor to the contrary
16. notwithstanding. All right, Senator Keats. Senator Keats
17. has requested a verification. Will the members please be
18. in their seats. Mr. Secretary read the affirmative votes.

19. SECRETARY:

20. The following voted in the affirmative: Becker, Berning,
21. Bruce, Coffey, D'Arco, Daley, Davidson, Demuzio, Donnewald,
22. Egan, Graham, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel,
23. Lemke, Maitland, McMillan, Merlo, Nash, Nedza, Nega, Nimrod,
24. Ozinga, Philip, Rhoads, Rupp, Sangmeister, Savickas, Schaffer,
25. Shapiro, Sommer, Vadalabene, Walsh, Mr. President.

26. PRESIDENT:

27. Here. All right, the roll has been verified. The...Ayes are 36,
28. the Nays are 16. 4 Voting Present. Senate Bill 47, having
29. received the required three-fifths vote is declared passed,
30. the veto of the Governor to the contrary notwithstanding. Senator
31. Rhoads.

32. SENATOR RHOADS:

33. Having voted on the prevailing side...

1. PRESIDENT:

2. ...side moves to reconsider the vote by which this
3. bill was declared passed. Senator Vadalabene moves to
4. lie that motion upon the Table. All in favor signify
5. by saying Aye. All opposed. The Ayes have it. So
6. ordered. Senator Wooten for what purpose do you arise?

7. SENATOR WOOTEN:

8. On a point of personal privilege. I would just be
9. curious if someone would take it upon themselves when
10. the court process is finished, to let us know what portions
11. of this bill survived, so we can quite treading water over
12. and over again.

13. PRESIDENT:

14. All right, further motions Mr. Secretary?

15. SECRETARY:

16. No further Motions in Writing, other than those that
17. were left in the folder.

18. PRESIDENT:

19. Well, all right, let's...we have...Gentlemen and Ladies
20. we have, I think, five or six motions remaining. My suggestion
21. is, that now is the hour, let's go through them and get it
22. over with. All right, let's start at the top, Mr. Secretary,
23. just tell me what they are.

24. SECRETARY:

25. On Total Vetoes we have motions filed on Senate Bill 41,
26. Senate Bill 659, and Senate Bill 1406.

27. PRESIDENT:

28. All right, let's try those first. Senator Lemke still
29. on the Floor? 41? All right, that motion is withdrawn. What's
30. the next one?

31. SECRETARY:

32. 659.

33. PRESIDENT:

1. Motion in Writing with respect to Senate Bill 659.

2. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move that the Senate...Senate Bill 659 Do Pass, the
5. veto of the Governor to the contrary notwithstanding. Signed,
6. Senator Buzbee.

7. PRESIDENT:

8. Yes, Senator Sommer for what purpose do you arise?

9. SENATOR SOMMER:

10. Are we going to call this thing that was defeated twice
11. before?

12. PRESIDENT:

13. Well, we have been discussing that frankly, fro the last
14. couple of days. My understanding of the rules as they are now
15. written, is that multiple motions on these matters are in
16. order, within the fifteen day constitutional period. I don't,
17. frankly, look with favor upon multiple motions anymore than any
18. of the other members do, but under the rules the...they are
19. rightfully filed, and as such have to be considered. Senator
20. Walsh.

21. SENATOR WALSH:

22. Just to ask the Chair, if...you know, if the Chair has
23. considered Robert's Rules, which provides that no main motion
24. is in order, which presents substantially the same question
25. as a motion previously rejected during the same Session.

26. PRESIDENT:

27. Yes, frankly, I have considered that. I think however,
28. given the fact that we are dealing with a fifteen day constitutional
29. period, within which we react to what the Governor has sent
30. us, that multiple motions, and the only thing under rule 54,
31. says that motions on the same subject have to be considered
32. together. Now, in the event they're not filed together, there's
33. really no way to get a handle on that, and I think that's one
rule we're going to have to do something with. I don't disagree

1. with you, but I think under the rules that...that are currently
2. operative, that we are constrained to consider motions as they
3. are filed.

4. SENATOR WALSH:

5. Well, we haven't had a meeting of the Rules Committee in
6. a while, maybe...I don't imagine this thing will have much more
7. success now, than it did before, but this is certainly something
8. that we should address ourselves to.

9. PRESIDENT:

10. I have no question about it. You'll recall that in
11. the old days, or a few years ago, we used to spend the entire
12. fifteen day period here in Springfield, and for the first
13. eight days, only the sponsor's motion was recognized, and then
14. for the balance of the period, the seven days, any other member
15. could file a motion on the same subject matter, and, in fact,
16. that happened. Now, the period is compressed to a three
17. day period, but the same rule obtains. Yes.

18. SENATOR WALSH:

19. I don't recall...I understand this practice is followed
20. in the House. I don't recall it being done in the Senate before,
21. where a...where a motion has been filed by the sponsor and the
22. question put to the Senate and the...and the matter defeated. I
23. don't recall that...that practice having been done before in the
24. Senate.

25. PRESIDENT:

26. I...I do not personally recall a specific case. The question
27. was...

28. SENATOR WALSH:

29. Theoretically you could have every...everyone who supports
30. the issue file a motion, and we could...and we could be here for-
31. ever considering the same question.

32. PRESIDENT:

33. Well, the...the rule says, that if more than one is filed
they're all supposed to be considered together. Now, the problem

1. that we've had, is if you file a motion on Monday, and I
2. file one on Wednesday, and you call yours on Monday, obviously
3. you can't consider mine, because I haven't filed it yet, but
4. under the rules as they now are posited, multiple motions
5. are allowable, and have to be called.

6. SENATOR WALSH:

7. It would seem to me, Mr. President, that that contemplates
8. the...the many motions being filed at once that they all
9. be considered at the same time, had...had one not been considered,
10. as yet, but we...we're...it does not contemplate a motion being
11. filed after the matter has been called and defeated.

12. PRESIDENT:

13. Yes, I...Senator Walsh, you know, I...I think it's
14. strictly a matter of discretion for the Chair. The Chair
15. I think is in a position to rule, that certain...of these
16. motions, in fact, would be dilatory. I suggest to you that
17. we've got about thirty minutes left, let's dispose of them
18. and get out of here. Senator Buzbee for what purpose do you
19. arise?

20. SENATOR BUZBEE:

21. I would like to address the issue to which Senator Walsh
22. addresses himself.

23. PRESIDENT:

24. You're in order.

25. SENATOR BUZBEE:

26. Pardon me.

27. PRESIDENT:

28. You are in order.

29. SENATOR BUZBEE:

30. Thank you, I...it is not my intention to try to be dilatory,
31. or...or to keep bringing up an issue time after time, which
32. has been defeated. The circumstances of the filing of this
33. motion were yesterday when I walked back on the Floor, the...
and I had just been verified off of the affirmative roll call,

1. which I understand, I was the 36th vote. I was verified off,
2. made...it bringing it back to 35. I immediately, to express
3. my intention, went down and filed a motion to ask to have
4. this matter taken up once again. At that time I did not
5. realize that Senator Demuzio had postponed consideration,
6. however, given the unusual circumstances that happened to me
7. yesterday, I feel compelled right now to go on with this. I'm
8. like you, whenever an issue has been defeated once, and it's been
9. defeated again and postponed, then I don't want to keep
10. continuing it on, but because of the unusual circumstances
11. that I happen to find myself in yesterday, that's why I
12. would wish at this time to...to proceed with another vote
13. on it. The speeches have all been made on it, one way or
14. the other, and we can take the vote, and if it goes down it
15. goes down. If it passes it passes, but it's not my intention
16. to try to take up the time of this Chamber with continual
17. action.

18. PRESIDENT:

19. All right, Channel 20 has requested permission to shoot
20. some film. Is leave granted? Leave is granted. Senator
21. Walsh.

22. SENATOR WALSH:

23. Mr. President. I think what Senator Buzbee is saying,
24. is had he known the motion had been made to postpone consideration
25. he would not have filed this motion. That being the case, possibly
26. the Gentleman would like to withdraw this motion. It's an
27. imposition on the membership to keep calling questions over
28. and over again, and I really don't understand, you know, why
29. you would be part of it.

30. PRESIDENT:

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, I...I...I agree with your...with your analysis, but
I disagree with your...logic. I...I would not have filed yesterday

1. had I known the bill were on Postponed Consideration, but
2. given the fact that I already did file it, I promised
3. Senator Demuzio I would try to help him get his bill passed.
4. I feel bound by my word now, and I will not withdraw my
5. motion at this time.

6. PRESIDENT:

7. Senator Shapiro:

8. SENATOR SHAPIRO:

9. Mr. President, and Ladies and...and Ladies and Gentlemen
10. of the Senate. It appears to me we have given this new motion,
11. this bill, a lot more attention in this Session than we did
12. in the Regular Session. So, I'm going to move that Senator
13. Buzbee's motion on Senate Bill 659 lie on the Table, and that
14. motion is not debatable.

15. PRESIDENT:

16. All right, Senator Buzbee, has filed a Motion in Writing
17. to have Senate Bill 659 declared passed, the veto of the
18. Governor to the contrary notwithstanding. Senator Shapiro
19. has moved to Table that motion. Senator Shapiro's motion
20. is not debatable. Senator Walsh.

21. SENATOR WALSH:

22. Well, I would just like to make one more point of order,
23. Mr. President. Under Rule 54, and I think you alluded to this
24. in your remarks, that if more than one motion is filed with
25. respect to any bill, all such motions shall be heard at the
26. same...at the time the bill is called. Now, when this bill
27. was called on Postponed Consideration, there was filed this
28. motion by Senator Buzbee, it was incumbent upon the Chair to
29. hear both of those motions at the same time.

30. PRESIDENT:

31. Hold it just a minute. It was not incumbent upon the
32. Chair. You and I both know well, being practicing attorneys
33. the rules concerning waiver. If you don't raise it, it's
waived, brother. Senator Walsh.

1. SENATOR WALSH:

2. Now, there's no way...there's no way we knew that Senator
3. Buzbee's motion was on file.

4. PRESIDENT:

5. Except that everyone had a copy of the motions that
6. were filed placed on your desks first thing this morning.

7. SENATOR WALSH:

8. There's no motion on our desk indicating that Senator
9. Buzbee had filed a motion.

10. PRESIDENT:

11. You are ready to acknowledge your error, I'm sure. Senator
12. Walsh.

13. SENATOR WALSH:

14. Yes, I've been corrected, that that motion apparently is
15. on one of these notices, but I would just like to reiterate
16. the fact that I don't think it's...it's incumbent upon a member
17. to insist that all motions be heard at the same time. When
18. the rules so provide.

19. PRESIDENT:

20. We...we probably, you know...all right. Senator Nimrod.

21. SENATOR NIMROD:

22. Mr. President...

23. PRESIDENT:

24. We...we are attempting not to debate the motion to Table.

25. SENATOR NIMROD:

26. It's a parliamentary inquiry.

27. PRESIDENT:

28. State your inquiry.

29. SENATOR NIMROD:

30. It seems to me that a motion to reconsider a bill by
31. which it had lost, was...this motion was filed when there
32. was a...when it was on Postponed Consideration, but you can't
33. file a motion to reconsider a bill that's still pending on
some order. Now, if that motion...

1. PRESIDENT:

2. There's no motion to reconsider.

3. SENATOR NIMROD:

4. What...was the motion filed while it was still on recon-
5. sideration...on Postponed Consideration?

6. PRESIDENT:

7. There was a motion filed, as I understand it, with
8. the Secretary to call for the override of Senate Bill 659.
9. Yes, Senator Graham.

10. SENATOR GRAHAM:

11. I rise not only on a point of order, I think the Gentleman's
12. remarks are out of order, and I move the previous question.
13. We're just debating this bill by the back door referendum, and
14. that's all we're doing.

15. PRESIDENT:

16. I understand. All right, the question before the Body,
17. is Senator Shapiro's motion to Table, Senator Buzbee's motion.
18. 30 affirmative votes will be required. Roll call has been
19. requested. Those in favor of Senator Shapiro's motion to
20. Table will vote Aye. Those opposed will vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish?
22. Have all voted who wish? Take the record. On that question,
23. the Ayes are 23, the Nays are 27. The motion fails. Senator
24. Buzbee.

25. SENATOR BUZBEE:

26. Mr. President, on the main motion, I now call the question.

27. PRESIDENT:

28. All right, I understand, that a further motion...that pursuant
29. to Senator Walsh's earlier inquiry, I understand that a further
30. motion has been filed with respect to this same bill. Is that
31. correct, Mr. Secretary?

32. SECRETARY:

33. That is correct.

1. PRESIDENT:

2. All right, read that motion, also we'll consider them
3. both at the same time.

4. SECRETARY:

5. I move that Senate Bill 659 Do Pass, the veto of the
6. Governor to the contrary notwithstanding. Signed, Senator
7. Demuzio.

8. PRESIDENT:

9. All right, Senator Buzbee.

10. SENATOR BUZBEE:

11. Mr...Mr. President. There is no need for debate, we
12. know the issue. It's either up or down, and we've already
13. spent too much time in the parliamentary process here this
14. morning, and...and I now move the previous question.

15. PRESIDENT:

16. All right, Senator Buzbee has moved the previous question.
17. All in favor signify by saying Aye. All opposed. The Ayes
18. have it. So ordered. The question is, shall Senate Bill 659
19. pass, the veto of the Governor to the contrary notwithstanding.
20. Those in favor will vote Aye. Those opposed will vote Nay.
21. The voting is open. Have all voted who wish? Have all voted
22. who wish? Have all voted who wish? Take the record. On that
23. question, the Ayes are 33, the Nays are 17. 5 Voting Present.
24. The motions fail. Further motions, Mr. Secretary.

25. SECRETARY:

26. I move that Senate Bill 1406 Do Pass, the veto of the
27. Governor to the contrary notwithstanding. Signed, Senator Daley.

28. PRESIDENT:

29. Senator Daley.

30. SENATOR DALEY:

31. Mr. President, this is a bill requiring the Capital Development
32. Board to publish...advertising for proposals to purchase bonds
33. twenty days instead of ten days. The Governor's rationale is
that the Bond Councils...there is only one Bond Council in Illinois,

1. objects to it, without any reason. Chapman and Cutler
2. objects to it, so I guess everybody has to say that's the
3. only way we can do it, and I disagree with that. We pay
4. them, we pay them a substantial amount of fees. The cities
5. the towns, in the State of Illinois, and because they
6. don't like it, they don't like for people to know when we're
7. going to issue the bonds twenty days before, and they're objecting
8. to it, and that's why I ask for an override.

9. PRESIDENT:

10. Any discussion? If not, the question is, shall Senate
11. Bill 1406 pass, the veto of the Governor to the contrary not-
12. withstanding. Those in favor will vote Aye. Those opposed
13. will vote Nay. The voting is open. Have all voted who
14. wish? Have all voted who wish? Take the record. On that
15. question, the Ayes are 43, the Nays are 7. None Voting Present.
16. Senate Bill 1406, having received the required three-fifths
17. vote is declared passed, the veto of the Governor to the
18. contrary notwithstanding. Further motions, Mr. Secretary.

19. SECRETARY:

20. Motion on Item Vetoes. I move that the item on page
21. 16, lines 14 through 16, of Senate Bill 157 Do Pass, the
22. Item Veto of the Governor to the contrary notwithstanding.
23. Signed, Senator Berman.

24. PRESIDENT:

25. Senator Berman.

26. SENATOR BERMAN:

27. Thank you, Mr. President, and Ladies and Gentlemen of
28. the Senate. The Legislature passed in the Regular Session
29. a bill that created the Legislative Advisory Commission
30. on Aging. The appropriation that was in this bill for
31. that commission was twenty-five thousand dollars. The Governor
32. vetoed the appropriation. I don't know how he expects the
33. commission to operate if he doesn't provide any money. I think
that what's going on in the Regular Session and in the Special

AB 48
Spec. Recomm.
of the Gov.
10-18-79

1. Session, certainly calls upon the need for a legislative commission
2. to do all we can to upgrade and respond to the needs of the
3. aging. I think we'll need all the PR with the aging, and
4. the aged that we can get, and I think this twenty-five thousand
5. dollars is a very good investment for all of us. A urge
6. a override of the Line Item Veto.

7. PRESIDENT:

8. Any discussion? If not, the question is, shall the
9. item on page...yes, Senator Walsh.

10. SENATOR WALSH:

11. Well, just briefly, Mr. President. I...I don't know
12. when this one was filed. I guess we can go down and file
13. these things at any time, as long as the Senate's in Session,
14. but just briefly to...to alert the membership to...to what
15. this is, this is the omnibus bill. Ominous was the word, and
16. it was well chosen I believe, and this...this veto I think
17. was proper. The extra money was not in the budget, and I
18. would urge the membership to vote No.

19. PRESIDENT:

20. Further discussion? If not, the question is, shall the
21. item on page 16, lines 14 through 16, of Senate Bill 157 pass,
22. the item veto of the Governor to the contrary notwithstanding.
23. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Have all voted who wish? Take the record. On that
26. question, the Ayes are 32, the Nays are 19. None Voting Present.
27. The motion fails. Further motions, Mr. Secretary.

28. SECRETARY:

29. Motion filed on...to accept the Specific Recommendations of
30. the Governor. I move to accept the Specific Recommendations of
31. the Governor as to Senate Bill 48 in the manner and form as
32. follows. Signed, Senator Lemke.

33. PRESIDENT:

Senator Lemke.

1. SENATOR LEMKE:

2. I move to go along with the Governor's Specific Recommendations.
3. I ask for a favorable roll call. What he did with his recommend-
4. ation is clear up the language, so a doctor is the only one
5. exempt from...from the law. As it read before, the language
6. said that even a doctor would be guilty of a felony if he
7. took a referral fee for an abortion, and this language makes
8. it specific, excludes doctors from the Act which was the
9. intent of us.

10. PRESIDENT:

11. Is there any discussion? If not, the question is, shall
12. the Senate accept the Specific Recommendations of the Governor
13. as to Senate Bill 48 in the manner and form just stated by
14. Senator Lemke. Those in favor will vote Aye. Those opposed
15. will vote Nay. The voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On that question,
17. the Ayes are 58, the Nays are none. None Voting Present.
18. The Specific Recommendations of the Governor as to Senate
19. Bill 48, having received the required constitutional majority
20. vote of Senators elected, are declared accepted. Further
21. motions, Mr. Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the Governor
24. as to Senate Bill 1061 in the manner and form as follows. Signed,
25. Senator Daley.

26. PRESIDENT:

27. Senator Daley.

28. SENATOR DALEY:

29. Mr. President, and fellow Senators. I move to accept the
30. Specific Recommendations of the Governor, regards to Senate Bill
31. 1061, which has clarifying language in regards to protection of
32. bank records, customers records, and I think the Governor and myself
33. have struck a good compromise and an agreement, and I ask for...
Senators to accept his Recommendations.

1. PRESIDENT:

2. Any further discussion? If not, the question is, shall
3. the Senate accept the Specific Recommendations of the Governor
4. as to Senate Bill 1061 in the manner and form just stated by
5. Senator Daley. Those in favor will vote Aye. Those opposed
6. will vote Nay. The voting is open. Have all voted who wish?
7. Have all voted who wish? Take the record. On that question,
8. the Ayes are 50, the Nays are none. None Voting Present.
9. The Specific Recommendations of the Governor as to Senate Bill
10. 1061, having received the required constitutional majority vote
11. of Senators elected, are declared accepted. Further motions,
12. Mr. Secretary.

13. SECRETARY:

14. I have a motion filed by Senator Lemke. I move that
15. Senate Bill 48 Do Pass, the Specific Recommendations...no.

16. PRESIDENT:

17. That's withdrawn. Further motions.

18. SECRETARY:

19. No further motions, Mr. President.

20. PRESIDENT:

21. Messages from the Governor.

22. SECRETARY:

23. A message from the Governor, by Jim Edgar, Director
24. of Legislative Affairs. Mr. President - I am directed to inform
25. ...I am directed...that the Governor has directed me to lay
26. before the Senate, the following message. To the honorable
27. members of the Senate of the 81st General Assembly. I have
28. nominated and appointed the following named persons to the
29. offices enumerated below and respectfully ask concurrence
30. in and confirmation of these appointments by you honorable
31. Body. Further message, a message for...for the Governor, by
32. Jim Edgar, Director of Legislative Affairs. To the honorable
33. members of the Senate of the 81st General Assembly. I have
nominated and appointed the following named persons to the

1. offices enumerated below, and respectfully ask concurrence
2. in and confirmation in these appointments by your honorable
3. Body.

4. PRESIDENT:

5. Committee on Executive Appointments. Introduction of
6. bills.

7. SECRETARY:

8. Senate Bill 1446, introduced by Senator Johns.

9. (Secretary reads title of bill)

10. Senate Bill 1447, introduced by Senators Moore, Grotberg,
11. Davidson, and Wooten.

12. (Secretary reads title of bill)

13. Senate Bill 1448, introduced by Senator Jeremiah Joyce.

14. (Secretary reads title of bill)

15. Senate Bill 1449, introduced by Senators Shapiro, Rock,
16. and Vadalabene.

17. (Secretary reads title of bill)

18. Senate Bill 1450, introduced by Senators Graham, Shapiro,
19. Weaver, and Regner.

20. (Secretary reads title of bill)

21. 1st reading of the bills.

22. PRESIDENT:

23. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, and Ladies and Gentlemen of the Senate.

26. I would like to move to suspend the appropriate rules, and
27. have Senate Bill 1449 read a first time, and referred directly to
28. the Senate Finance and Credit Regulations Committee. This is
29. the bill that removes the ceiling on loans and contracts,
30. for the...for the purchase of residential real estate.

31. PRESIDENT:

32. All right, you've heard the motion. Is there any discussion?
33. If not, all in favor signify by saying Aye. All opposed. The
Ayes have it. So ordered. Resolutions.

1. SECRETARY:

2. Senate Resolution 72, offered by Senator Bruce.

3. (Secretary reads Senate Resolution 72)

4. PRESIDENT:

5. All right, Senator Bruce moves for the suspension of the
6. rules, and the immediate consideration and adoption of
7. Senate Joint Resolution 72, which is the adjournment resolution
8. calling for us to return at... the hour of noon, on October
9. the 30th, when we conclude business here shortly in the
10. Regular Session, the Senate will stand in recess. The House
11. I am told reliably expects to be in for a few more hours, perhaps
12. a great many more hours, and we are constrained to stay open
13. for business for the purpose of receiving House messages.
14. All in favor of the resolution indicate by saying Aye. All
15. opposed. The Ayes have it. The resolution is adopted. There
16. has been distributed the Resolutions Consent Calendar and
17. the Supplemental. Mr. Secretary have you been informed of any
18. objections?

19. SECRETARY:

20. No objections have been filed, Mr. President.

21. PRESIDENT:

22. If not, Senator Donnewald moves that the Consent Calendar,
23. and the Supplemental Consent Calendar, and the resolutions
24. thereon listed, be adopted. All in favor signify by saying
25. Aye. All opposed. The Ayes have it. The resolutions are adopted.
26. Senator Netsch for what purpose do you arise?

27. SENATOR NETSCH:

28. Thank you, Mr. President. Just to make an announcement
29. to the following Senators, particularly. Senators Buzbee,
30. Collins, Johns, Wooten, Bloom, Graham, Regner, Schaffer, and
31. Sommer, all of whom are members of the committee which is
32. intended to look into the Title 20 expenditure pattern, particularly
33. by the Department of Children and Family Services. This is a

1. committee previously constituted. We will be meeting and
2. having a hearing immediately...following adjournment on
3. Wednesday, October 31, and we anticipate that may be in
4. the neighborhood of 4:00 o'clock, we will have hopefully
5. the directors of the Departments of Public Aid, Department
6. of Children and Family Services, and someone from the
7. Bureau of the Budget present to answer questions, and give
8. us the appropriate information. Thank you.

9. PRESIDENT:

10. Senator Nash for what purpose do you arise?

11. SENATOR NASH:

12. For the purpose of making an announcement, Mr. President.
13. The Finance and...the Committee on Finance and Credit Regulations
14. will hold hearings next Friday, October 26th at 10:30 a.m. up
15. in Chicago in the Usury issue. They will be held at the
16. Metropolitan Sanitary District, Board Room at 100 East Erie, at
17. 10:30 a.m. next Friday, October 26th, 10:30 a.m. Thank you.

18. PRESIDENT:

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. Purpose of an announcement. As
22. I indicated...I had indicated earlier that the Appropriations
23. II Committee would continue with the session with the Department
24. of Corrections immediately following Session. We were anticipating
25. being out by noon at that time. Since the director of Corrections
26. has another obligation at 1:00 o'clock I think we'd be wasting
27. our time today. So, I think we'll call that meeting off, we'll
28. try to get Corrections back in again in...inconjunction with
29. another department at our hearings the week after next. So,
30. there will be no Appropriations II Committee today, and if my
31. Secretary is listening, if she would so inform the department.

32. PRESIDENT:

33. Senator Berman.

SENATOR BERMAN:

1. Thank you, Mr. President. I wanted the Journal to reflect
2. that Senator Maragos has been absent these past three days,
3. because of illness. I do want to report to the Body that
4. he is recovering very well. The doctor has allowed him to
5. come down to...downtown for a couple days a week, and he's
6. feeling stronger everyday. Thank you.

7. PRESIDENT:

8. All right, the Journal will so reflect. Any further
9. business to come before the Regular Session. If not, the
10. Regular Session will stand in recess, until later this after-
11. noon, at the call of the Chair.

12.

RECESS

13.

AFTER RECESS

14.

PRESIDENT:

15.

Senate will come to order. Messages from the House.

16.

17.

SECRETARY:

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

18.

19.

20.

21.

22.

23.

Senate, to-wit:

24.

25.

House Bills, 108, 150, 233, 292, 316, 326, 430, 450, 460,
922, 944, 1784, 2146, 2192, 2204, 2416, and 2440.

26.

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

27.

28.

29.

30.

31.

32.

I am instructed to ask concurrence of the Senate, to-wit:

33.

House Bills 2578, 2649.

34.

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

35.

Mr. President - I am directed to inform the Senate

1. the House of Representatives has restored to the original
2. amount items reduced by the Governor, which is attached to
3. bills with the following titles, in which I am instructed
4. to ask concurrence of the Senate, to-wit:

5. House Bills 2427, 2578, and 2649.

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

7. Mr. President - I am directed to inform the Senate
8. the House of Representatives has...has accepted the Specific
9. Recommendations for Change, which are attached to bills
10. with the following titles, in the adoption of which I am
11. instructed to ask concurrence of the Senate, to-wit:

12. House Bills 142, 203, 204, 321, 339, 437, 472, 493,
13. 516, 551, 657, 662, 700, 723, 841, 961, 1025, 1031, 1100,
14. 1110, 1139, 1184, 1244, 1258, 1334, 1345, 1350, 1382, 1526,
15. 1676, 1677, 1693, 1718, 1733, 1769, 1802, 1812, 1914, 1919,
16. 1975, 1986, 2012, 2111, 2207, 2228, 2331, 2355, 2357, 2358,
17. 2367, 2467, 2540, and 2746.

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

19. Mr. President - I am directed to inform the Senate
20. the House of Representatives has passed bills with the following
21. titles of the Governor's Specific Recommendations for Change
22. notwithstanding, in the passage of which I am instructed to ask
23. the concurrence of the Senate, to-wit:

24. House Bills 128, 211, 716, 793, 1774, 1777, and 2719.

25. PRESIDENT:

26. Any further business to come before the Senate. If not,
27. Senator Davidson moves that the Senate stands adjourned pursuant
28. to the resolution, until Tuesday, October 30th at the hour of noon.
29. The Senate stands adjourned.

30.
31.
32.
33.