

94TH GENERAL ASSEMBLY

REGULAR SESSION

October 16, 1985

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Eugene Weitzel).

PRESIDENT:

Reading of the journal. Senator Luft.

SENATOR LUFT:

Mr. President, I move that reading and approval of the Journals of Wednesday, October 2nd and Tuesday, October 15th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Luft. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Messages from the House.

SECRETARY:

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

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

House Joint Resolutions 98, 99, 100, 101, 102 and 103, all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 503.

Senate Resolution 504.

And Senate Resolution 505, by Senator Lemke, all congrat-

ulatory.

Senate Resolution 506, by Senator Jeremiah Joyce and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1471 introduced by Senator Jones.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1471 introduced by Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. (Machine cutoff)...reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message of October the 2nd, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October the 2nd, 1985.

PRESIDENT:

All right. You've heard the motion as placed by Senator Lechowicz. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of October 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

Agriculture Export Advisory Committee. To be members of the Agricultural Export Advisory Committee for terms expiring January 19th, 1987, Gary L. Benjamin of Wheaton; Richard Burket of Blue Mound, Dr. Dale E. Butz of Bloomington, Bruce Cluver of El Paso, Ginnie Hartman of Mounds, Ron Havekost of Peoria, Herman Kloppman of Westchester, Satoru Takenoto of Morton Grove, Jack Rundquist of Butler, John Twoney of Monmouth.

To be members of the Board of Agricultural Advisors for a term expiring January 19th, 1987, Glen Brandt of Pleasant Plains.

To be members of the Bi-State Developmental Agency for a term expiring January 15th, 1990, Patricia Watkins of Caseyville.

To be members of the Advisory Board of Cancer Control for terms expiring September 30, 1986, Milton Darr of Oak Brook. Thank you, Mr. President. Dr. Paul Peterson of Chicago.

To be members of the Governor's Advisory Board of Cancer Control for terms expiring September 30th, 1987, Dr. Nathaniel Berlin of Chicago, Dr. Frank Hendrickson of Oak Park.

To be members of the Governor's Advisory Board of Cancer Control for terms expiring September 30th, 1988, Alan Hatfield of Urbana, Charlotte Longwisch of East Alton.

To be members of the Central Midwest Interstate Low-Level Radioactive Waste Commission for an unspecified term, Clark Bullard of Urbana and Terry Lash of Springfield.

To be members of the Illinois Coal Research Board for term expiring on July 1, 1988, John Vancil of DuQuoin.

To be members of the Illinois Advisory...Illinois Community College Board for terms expiring June 30th, 1991, Lorraine Genesen of Glenwood, Joel Jennings of Metropolis, William Payne of Danville, Delores Ray of East St. Louis, Jack Watts of Robinson.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1986, Ronald Rainson of Morton; Maynard Venema of Northfield.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1987, Ken Alderson of Springfield; John B. Brandon of Urbana.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1988, Ray Johnson of Oak Lawn; Richard...Wissell of Woodstock.

To be chairman of the Havana Regional Port District Board for a term expiring June 30th, 1988, Gene Hermann of Havana.

To be a member of the Board of Higher Education for a term expiring January 31st, 1991, Jane Williamson of Kenilworth.

To be a member of the Illinois Independent Higher Education Loan Authority for a term expiring June 30th, 1992, David Bramson of Glenview.

To be members of the Board of Trustees of the Historic Preservation Agency for terms expiring January 19th, 1987, Julie Cellini of Springfield, Frank Mason of Springfield, Richard Roddevig of Riverdale, Sally Schanbacher of Springfield, Marc Schulman of Chicago.

To be members of the Advisory Board to the Department of Insurance for terms expiring January 19th, 1987, Fred C. Jenks of Monmouth; Walter Letzsch of Riverdale, Cecil Pearce of Springfield.

To be chairman of the Illinois Job Training Coordinating Council for terms expiring July 1, 1987, G. Allen Andreas of Decatur.

To be members of the Advisory Board of Livestock Commissioners for terms expiring January 19th, 1987, G. Harlan Bane of Riverdale...I'm sorry, G. Harlan Bane of Riverside, Merlyn C. Eickman of...Pecatonica, Gilbert Hadley of Cambridge, James Handy of Waverly, George Inness of Galesburg, Verlin Jackson of Galva, R. William Killey of Monmouth, Betty Lenz of Winfield, Tom Poskin of Ashkum, Carman Potter of Jacksonville, Jack Rundquist of Butler, Wilmer Smith of Davis, Arnold Taft of Olney.

To be members of the Surface Mining Advisory Council for terms expiring on August 10th, 1986, Wendell R. Clark of Victoria; W.D. Klimstra of Carbondale, Ray F. Lambert of Cutler, William A. Lemons of Sesser.

To be members of the Surface Mining Advisory Council for terms expiring August 10th, 1987, Henry Barkhausen of Jonesboro, Richard Lounsbury of Carlinville.

To be members of the Surface Mining Advisory Council for terms expiring August 10th, 1988, George Dirkes of Indian Head Park; Richard Smith of DuQuoin, Kenneth Stelhorn of Red Bud.

To be members of the Illinois State Museum for terms expiring January 19th, 1987, James Ballowe of Peoria; Rosalie Clark of Chicago, Donald Hoffmeister of Champaign, George Irwin of Qunicy, Mary Ann MacLean of Libertyville, Jane O'Connor of Chicago, Michael G. Schneiderman of Chicago, Robert Waddell of Illiopolis, Sol Weiner of Evanston.

To be a member of the...Advisory Board of Necropsy Services to Coroners for a term expiring January 18th, 1988, Charles Bramley of Divernon.

To...to be Public Administrator, Guardian and Conservator of Dupage County for terms expiring December 2nd, 1985, John Darrah of...of Addison.

To be Public Administrator for terms...of Logan County for term expiring December 2nd, 1985, Donald A. Behle of

Elkhart.

To be a Public Administrator, Guardian and Conservator of Saline County for terms expiring December 2nd, 1985, Charles Ferrell of Harrisburg.

To be a member of the Board of Regents for terms expiring January 19th, 1987, Sylvia Nichols of Lawrenceville.

To be members of the Illinois State Scholarship Commission for terms expiring on June 30th, 1991, Alan Baker of Pinckneyville; Anthony Volpe of Lake Forest.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. Senator Lechowicz has sought leave to consider all these unsalaried appointments on one roll call. Is leave granted? Leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. (Machine cutoff)...Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that we...Senate arise from Executive Session.

PRESIDENT:

All right. You've heard the motion by Senator Lechowicz. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 507, by Senator...Zito, it's congratulatory.

Senate Resolution 508, Senator Topinka.

509, by Senator Topinka.

And 510, by...no...509, by...Senator Topinka, and they're congratulatory.

And Senate Joint Resolution 93, by Senator Topinka and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we'll begin on the Calendar on page 16. We will attempt today to deal with all the motions in writing that have been filed with the hope that our business tomorrow will start tomorrow at ten o'clock in the morning and, hopefully, conclude by noon so that the members can get back to our districts. So, we will go through the entire set of motions in writing today. Whatever is not handled today, we'll handle tomorrow. Turn to page 16 on the Calendar. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

I would like to do a good deed for the entire Senate. There are two young ladies here that have personally baked what is known as sweet potato pies, and she has them here for sale and it's for a non-profit organization here in Springfield. You can see Senator Hall and he can direct you how you may purchase them. They're inexpensive and they're helping a non-profit organization. Thank you, Mr. President. And they good...and they're good.

PRESIDENT:

All right. We will begin with the motions that have already been filed with the Secretary. The Secretary has informed me that additional motions have been filed and are currently being filed. We will before we conclude our busi-

ness have a supplemental calendar and afford all the members the opportunity to have their motions heard. We're beginning on page 16 on the motions in writing to override the total veto of the Governor. The Chair will take the prerogative of introducing a man to this Chamber who needs no introduction, the Governor of Illinois is with us. Welcome, Governor. All right. Top of page 16, motions in writing. Senate Bill 3, Senator Joyce. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 3 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank...thank you, Mr. President. Senate Bill 3, as you may recall, was the setting up...a bill that set up the criteria for siting of a low-level nuclear waste site. The Governor's...veto of this bill I think is...is one that though it may be understandable from the Department of Nuclear Safety's version, it will be much easier for them if this bill are...is now law. But, in fact, I think that we have come to the time when public participation in this kind of...of...a facility is one that's going to be required. This gives local government the option to site and to license a low-level nuclear waste facility. It tracks Senate Bill 172 with the hazardous waste...facility in that the Pollution Control Board can overrule the local county board or municipality if it's within...their boundaries. So, in that sense, I think that...that the only way we will ever get a low-level nuclear site in the State of Illinois is for the local people to have a voice in that process when this is being talked about. For us to ignore the local people, will be...will suggest that they will never have a site. They want to know

what's going on and have a...a piece of the action, if you will, on what happens; and for us to ignore them, I think will...will definitely prohibit a site ever being set within our boundaries. So I'd be happy to answer any questions.

PRESIDENT:

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question, please?

PRESIDENT:

Sponsor indicates he will yield. I'd ask the staff members to take the caucuses and meetings off the Floor. We will be on the order of final action for the next couple of hours.

SENATOR MACDONALD:

Where in the amendatory veto or where does it strike that the people would have some hearing or that they're...that they would not have any say whatsoever in...in this piece of legislation?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this is a total veto, Senator, it's not an amendatory veto.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you.

PRESIDENT:

All right. Any further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...this bill came about in a...when we were discussing the compact site between Kentucky and us. Senator Schuneman, in fact, is the one that

said what are the local people going to do and what kind of a say are they going to have because of Sheffield in his district. They are not very...very happy with that facility. The record of these sites is not a pretty one. So if we are to do this, I'd think it behooves us to have...let the local people have some control over what is in their boundaries also. So I would ask for an override of this veto. Thank you, Mr. President.

PRESIDENT:

Question is, shall Senate Bill 3 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 22 Nays, none voting Present. Senate Bill 3 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Rigney, for what purpose do you arise, sir?

SENATOR RIGNEY:

...well, there was only thirty-six votes there, I think we better verify.

PRESIDENT:

All right. The gentleman...Senator Rigney has requested a verification. Will the members be in their seats. Mr. Secretary, please, the affirmative vote.

SECRETARY:

The following voted in the affirmative: Barkhausen. Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Donahue. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Kustra. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Schuneman. Smith. Vadalabene. Welch. Zito. Mr. Presi-

dent.

PRESIDENT:

(Machine cutoff)...Rigney, do you question the presence of any member?

SENATOR RIGNEY:

Senator Berman.

PRESIDENT:

Senator Berman is on the Floor. Question the presence of any other member?

SENATOR RIGNEY:

No.

PRESIDENT:

All right. The roll has been verified. On that question, the Yeas are 36, the Nays are 22, none voting Present. Senate Bill 3 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. All right. Senator Lemke moves to reconsider the vote by which this bill has been...declared passed. Senator Vadalabene moves to Table that motion. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senate Bill 9, Senator Vadalabene. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 9 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Bill...Senate Bill 9, I filed a motion for the override is...which requires the State to pay extradition expenses in...in instances where the extradition calls for a...a felony where the...where the person would be impris-

SB 209  
Override

oned. Under the current law, the State pays expenses for bringing fugitives back to Illinois when the punishment is mandatory imprisonment in the penitentiary. In other instances, a county where the alleged crime was committed pays the cost of the...extradition. The effect of this bill would be to place a financial burden of the extradition, travel expenses and fees paid to out-of-state officers of the State rather than a county in the greater number of cases of extradition. Senate Bill 9 would be less expensive because it is limited to crimes for which penitentiary imprisonment may be ordered. Senate Bill 9 passed the Senate by a vote of 50...52 to nothing and passed the House by a vote of 116 to nothing. It is supported by the Illinois Sheriff's Association and other police associations, and I would ask for a...a favorable vote in the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 9, pass the veto to the Governor...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, none voting Present. Senate Bill 9 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 161, Senator DeAngelis. Senator DeAngelis on the Floor? 209, Senator Marovitz. Senate Bill 209, Mr. Secretary.

SECRETARY:

I move that Senate Bill 209 Do Pass the veto of the Governor to the contrary notwithstanding. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 209 was part of the gang crime package sponsored by Senator Sangmeister and myself, Senator Barkhausen, Senator Kustra and members from both sides of the aisle. Much of the package was a get tough package dealing with drugs and weapons and gang intimidation in and around the schools. In addition to tough sanctions, there were...there was also Senate Bill 209 which...which provided programmatic assistance to...to these kids as alternatives to gang crime; programmatic assistance in terms of recreational programs, vocational training programs, counseling programs which the kids said that they needed. We drafted this bill with the help of the Department of Commerce and Community Affairs. The...the bill authorizes businesses to take a tax deduction...a deduction for the contribution of money or resources to community groups in order to develop alternatives for youths in lieu of gang activity. The programs would have to be approved by the Department of Commerce and Community Affairs before any deduction was granted. So, DCCA is totally in control of this, no dollars would be expended at all unless DCCA approved the program. The Department of Commerce and Community Affairs would have the responsibility of certifying the community based organizations. There's an annual cap of five million dollars on the aggregate amount allowed deductible. It also allows DCCA to make grants of up to fifty thousand dollars to community based programs which provide alternatives to gang involvement. Unless specific dollars are appropriated, there would be no cost to the program other than that occurred from the income tax deduction. Now let me give you an example. A 2.5 million dollar revenue loss from income tax deductions...a 2.5 million dollar revenue loss from income tax deductions would require fifty-six million dollars in investments by businesses throughout

the State. This means that contributing businesses would donate over fifty-three million dollars to community based organizations to help fight gang programs and provide gang alternatives. This is an investment of twenty-five to one. To realize that type of return of a...revenue loss of 2.5 million would be a practical investment, a short-term loss and a tremendous long-term gain. I've talked to the Governor's Office about this, they say that they can work with this program and will be able to implement the program. They have no active opposition. The Department of Revenue is against this because they were against any revenue loss. DCCA says that they can work with the program, I've talked to the Governor's Office. This is part of the gang crime package. It's not only get tough with a stick but help these kids with a carrot and, actually, there's hardly any revenue impact at all for a tremendous gang...gain throughout the State in terms of businesses and community organizations providing alternatives to gangs. Remember, it's controlled by the State, not controlled by the community organization, not controlled by the business, totally in control of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. I'd just like to add my word as a cosponsor of this legislation. I...looking at the Governor's rationale for the veto and I think it is somewhat inconsistent in that he is concerned of course about the amount of money that it may cost the State up to about 2.5 million; but, on the other hand, says that this legislation does not provide a real incentive to business entities to contribute. So I don't think you can have it both ways. I, frankly, think the business community is as concerned about gang activity as anybody else, and if we can give them an incentive through this kind of legislation to contribute, I

think the money that the State...it will cost the State of Illinois and the way this tax incentive is well spent, and if we're concerned and we really want to do anything about gang activity, we really ought to override. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion?...Senator Marovitz.

SENATOR MAROVITZ:

Closing, I would just ask for an Aye vote. This is part of the gang crime package and does provide programmatic assistance, some help for these kids...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Marovitz, I beg your pardon. Senator Etheredge had his light on, I had my book on the light. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise in opposition to this motion to...to override. I think what we...what we have here is a...a very well-intentioned effort to solve a problem which needs solving; namely, to...to deal with the problem of...of gangs, but I think in seeking funding for...for the program, I think we're going about it in the...in the wrong way...through this...through this checkoff effort. I would strongly urge that you vote against this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Well, in closing, I would just say if we really want to do something about gang crime and help the kids of this State stay out of gangs and provide them alternatives, we ought to

help the businesses of this State and the community...organizations of this State under the leadership of the State and the Department of Commerce and Community Affairs provide the tools to give them an alternative. Again, no dollars expended from the State at all unless DCCA and the State feel that the program is worthwhile and that we can afford it. Please help the kids by voting Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate Bill 209, pass the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 21, none voting Present. Senate Bill 209 having received the required three-fifths vote is declared passed, the veto...of the Governor to the contrary notwithstanding. 239, Senator O'Daniel. Senate Bill 239, Mr. Secretary.

SECRETARY:

I move that Senate Bill 239 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Senate. Senate Bill 239 doesn't change the speed limit. It...it merely states that until you exceed sixty-five miles an hour in a fifty mile an hour zone, it won't be used against your driving privileges. It doesn't encourage reckless driving. It doesn't...it doesn't deal with DUI, reckless driving, too fast for conditions and...and it wouldn't jeopardize our...our...our Federal highway funds. Our staff checked with the Peds and it...it's no problem there at all. It

would make it more difficult also for insurance companies to...the insurance industry to more or less rake the public by merely having a...a speeding ticket raising your premium. There's other states that...that have similar legislation. This passed out of the Senate on the Consent Calendar. I would appreciate a...a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Discussion? If not, the question is, shall Senate Bill 239 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 36, the Nays are 19, 1 voting Present. Senate Bill 239 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR BLOOM:

Yes, seated in the President's gallery are a group of students from the Logan School in my district is here to observe the proceedings, and I wonder if we could welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. Senate Bill 249. Senator Holmberg, are you...ready? Senate Bill 249, Mr. Secretary.

SECRETARY:

I move that Senate Bill 249 Do Pass, the veto of the

Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this is the so-called investment tax credit bill. Background on that is that in 1980 the corporate personal property replacement tax was enacted to replace the personal property tax and its purpose was to fund schools and local governments. However, in 1982, we enacted legislation to create a very needed investment tax credit for business but, unfortunately, we placed that against the corporate personal property replacement tax, which meant that as it kicked in in 1984 that we would have schools and local governments receiving less money. Well, at the time, we had hoped that property tax would keep increasing and we were very close to a recession in our general revenues. That did not happen, our Corporate Personal Property Replacement Fund has been going down. We are in real trouble there. It is time now to make the change, to place that...business investment tax credit which we want to continue against the State Income Tax. With a simple technical change, and many of you, I think, have a printout that I've distributed as to what your local school districts would get, we can begin to bring additional dollars both to schools and to local governments. On the printout on Senate Bill 249, you have what your school districts did not receive this year. That amount will double next year and further increase the year after. As an example, the City of Chicago did not receive three and a half million dollars. Next year they will not receive seven million dollars. As an example, the City of Quincy school district did not receive ninety-one thousand dollars; that will double next year. The Springfield school system did not receive a hundred and nineteen thousand dollars; that will double next year and further

increase the year after. This is a simple change in the way the business investment tax credit is figured. It is one way that we can answer the problems of both local government and school districts back home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also to speak in favor of the override of the veto of Senate Bill 249, and I really would ask all of you to pay attention to the importance of this bill, because it indeed has enormous importance to all of your units of local government. What we are talking about is money that we, the State Legislature, took away from all of our units of local government who used to be the recipients of corporate personal property taxes. When that was abolished, as the Constitution required, then we set up a means for it to be replaced. We have now done something very, very damaging to the base of that replacement fund. We have said we think an investment tax credit is a great idea, it's going to do a lot for economic development in Illinois. Admittedly, we didn't have much evidence that it was going to do that but that was a judgement which the Legislature made; however, to hedge our bets, what we said is we're not going to take it out of the State Corporate Income Tax, we're going to take it out of the hides of the units of local government who already were not getting fully compensated for the amount that they lost from the corporate personal property tax. That makes absolutely no sense at all. As Senator Holmberg pointed out, we are right now giving back to the units of local government, and that means not just our schools but our municipalities, our counties, other important units of local government, less than they got at the time that the corporate personal property tax was abolished in 1979 and that is exclusive of any growth that would have taken place in that

tax. We are already cheating them. If we continue to allow the investment tax credit to come out of that base rather than out of the State Income Tax base, we will be cheating them further. I really beseech you, Ladies and Gentlemen of the Senate, if we believe that an investment tax credit is a proper way to attract business to this State, then we ought to have the courage of our convictions and take it out of the State revenue base and not out of the local government revenue base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this motion to override. What this bill does is to conduct a raid on the State's General Revenue Fund. The cost of the implementation of this legislation in Fiscal '86 would be somewhere in the order of twenty-five million dollars. On an annualized basis in Fiscal '87, the cost would be fifty millions of dollars in lost revenue to the General Revenue Fund. I would submit to all of you that the best way to fund our schools is through the general State Aid Formula, funded through the General Revenue Fund. I think all of us are very much aware of the fact that we are in a very difficult position now in regard to...to funding the educational reforms that we passed last Spring. I think it is critical that we not further endanger our...ability to support those educational reforms by reducing General Revenue Fund income. I strongly urge you to vote No on this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? UPI has requested leave to take still pictures. Is leave granted? Leave is granted. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this override motion as the sponsor of the original investment tax credit bill which we passed in here with a majority of you voting in favor of it. It would not have been law to give the industry in Illinois an opportunity for...to stay in Illinois and give people employment without raiding the general fund and circumventing, going through the General School Formula Aid. As you look at what she passed out, the amount of dollars that's going to help each one of your school districts is pretty insignificant to the total amount of taking fifty million dollars out of the General Revenue Fund which is going to harm the funding for your school formula fund next fiscal year. I would urge all of you to vote No or not vote. This is not a good vote for the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. In contrast to what the Senator said when saying this would be raid on general revenue funds, this has been a raid on school district and local government funds far beyond the intent of anybody years ago. Those corporate personal property replacement funds were dedicated to schools and local governments, and we have not been doing them a good deed by taking money away from there. Talking about what you receive...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...Senator Holmberg. Senator Philip, Senator Holmberg is closing. Did you wish to speak on this? All right. Senator Holmberg, Senator Philip wishes to...Senator Philip.

SENATOR PHILIP:

I apologize, Mr. President, I wasn't paying attention,

which so often happens back here when you're talking to other people. I might remind the members, particularly on the other side, twenty-five million this year, fifty million next year. I hope everybody on the other side is ready and willing to vote for a tax increase to pay for all this...all those big spenders. I know it's a good cause but we ought to stand up and do what's right and vote No.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Senator Holmberg, I apologize, you may close.

SENATOR HOLMBERG:

If I might reply that the money that comes to school districts and to local governments out of that...those general revenue funds would amount to only about ten percent, they would get far more by this simple change in the law. Also, out of General State Aid as we appropriate for many of your school districts because you get such a small percentage, anything that you can bring home to your schools is very negligible, those of you that get six or seven percent of State funds. This particular bill would bring it home for certain, it would not have to go through that formula. I don't know how you feel about another tax or a cigarette tax or how you may vote in the future on additional monies for education, but we are talking about similar amounts here without having to vote for a definite tax by...Fiscal 1987 we're talking about sixty million dollars while still protecting the business investment tax credit. That tax credit is to expire in 1989, and if you want for your businesses to be able to continue to give them this, its chances of continuing are that much greater if it is figured in the proper way against the State Income Tax instead of against your schools and your cities. I ask for your support in overriding the Governor's veto and bringing sixty million dollars to your local municipalities and school districts.

PRESIDING OFFICER: (SENATOR DENUZIO)

The question is...the question is, shall Senate Bill 249 pass, the veto of...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote...Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 27, none voting Present. Senate Bill 249 having failed to receive the required three-fifths vote is declared lost. (Machine cutoff)...Bill 329. Senator Welch, are you prepared? All right. Senate Bill 329, Mr. Secretary.

SECRETARY:

I move that Senate Bill 329 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 329 creates the Regional Service Agency Fellowship Program, the idea behind which was to bring the benefits of graduate students and public administration of their universities to small towns, those towns under...fifty thousand people. In the Governor's Veto Message he even pointed out that this was a worthy cause, but he vetoed the funding for it. This particular bill, of course, has no funding. We're trying to override the veto because some of the schools who would be eligible under this program wish to attempt recede to implement this program. As many of us traveled around our districts since the last part of the Session, we have found these small towns inquiring as to Build Illinois money and how they apply for the grants and what help is available to help them fill out the applications to get those funds. This particular bill will help small towns do just that by making interns avail-

able to them. The...the bill itself is not a major one, but I think it sets a tone for this Legislature that we want to help out small towns, many of which need help, many of which need to avail of...avail themselves of the benefits that are apparent through the universities in our great system. I think the Governor's statement that we have to yield our decision-making to the Board of Higher Education should be rejected. In the past, we have set forth our policy decision without regard to the Board of Higher Education or in effect leading the Board of Higher Education as we did when we created an engineering school at Northern Illinois University and with many other programs. And for that reason, I would urge that we vote to override the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 329 pass, the veto of the...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. Senate Bill 329 having failed to received the required three-fifths vote is declared lost. Senate Bill 371, Mr. Secretary.

SECRETARY:

I move that Senate Bill 371 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto of this particular bill. This...this is an amendment to the public insurance adjusters examination. I talked to the Department of Insur-

AB 576  
override

ance, we talked to everybody to work out the problem involved in this. This problem became aware to me because I used to be house counsel for United States Fidelity and Guarantee Company and the people that have been working with were exempt from the public adjusters examination. But now that...when they retire, if they go to work for a public adjuster, they can't work in their field because they must take an examination but they are experienced men. They have been working in the field for twenty, thirty years. What this does is makes a special category to allow them to work for a period of time under a public adjuster's direction. It benefits both the public adjuster and the...and the individual. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. One of the questions I have on this, this is...this bill did not come to the Insurance and Licensing Committee, and to me it...that's exactly what this bill is involved with. It does seem like we have the sympathy for someone who may not be able to...to pass an examination, but I don't believe that we should treat each individual case like that by answering with a specific change in a...in a whole rule, regulation or bill. I oppose this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

Hold this a minute, take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senate Bill 576, Senator Topinka. 576, Mr. Secretary.

SECRETARY:

I move that Senate Bill 576 Do Pass, the veto of the

Governor to the contrary notwithstanding. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, Senate Bill 576 ultimately...benefits a depressed horse racing industry which we've discussed on this Floor and I think are pretty well aware of which has been enhanced and heightened by the Arlington Park situation, so that's the background on it. What we have asked here is when we do have a track that is in operation with active racing dates that has managed to attract more horses than they can accommodate, that when they shift these horses to another track, which we call a dark track because it's not in operation, and it then provides the housing for the horses, which I call the kind of friendly slop-over, that we use the Race Track Improvement Fund to pick up the cost of that. It is not that much of a cost and it does benefit the industry and it does basically benefit business in general throughout the State, because we all depend on the money that the race tracks do indeed provide for us. And on that basis, I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Bloom.

SENATOR BLOOM:

Who right now pays for the overflow? Does the track that has the overflow rent some space from another track?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Basically, they just kind of agree in some cases as to the fact that they may trade it off or that they will just overlook it. But, basically, they just absorb the costs. The...usually it's the dark track that absorbs that cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I...I'm sorry, the what track that absorbs the cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The dark track, the track which...which takes them over there does bare most of the cost on this. There would be some from the giving track but not from the receiving track which usually has to pick up more of the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Okay. The...one of...the Governor had two objections to this. One of them was that this is a departure from the purpose of the Race Track Improvement Fund which was to underwrite capital improvements at operating tracks, such as building, stands, et cetera. The departure is from this goal, and I have no particular quarrel with the bill itself. However, he then goes on to say that there's no specific limit on the amount that could be used for housing, and there really is no statutory control. It's like, basically, taking the top off the jar and saying to the operating tracks, go ahead and use as much as you want from this fund; and if indeed we are to depart from that, I think the Governor has a good point on the second point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka may close.

AB 887  
override

SENATOR TOPINKA:

Yes, in response to Senator Bloom's comment, I think it...there's a self-imposed cap because you can just put so many horses into just so many barns, and after that point it stops. So I...I don't think that that's all that much of a problem. I just would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 571 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 14, none voting Present. Senate Bill 576 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding...640. 887, Senator Lemke. Senate Bill 887, Mr. Secretary.

SECRETARY:

I move...excuse me...I move that Senate Bill 887 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto on Senate Bill 887. What this bill does is permits injunctive...relief where there's a...there's a marriage through the courts for the father of an unborn child whose wife seeks an abortion after the child is viable. In the case when a married woman wishes to have an abortion, and her husband, who is the father of the unborn child, is opposed to the abortion, a court may hear testimony from both parties and balance the rights and interests of those parties. The court may issue

an injunction against the abortion if the unborn child is viable and the interests of the husband in preventing the abortion outweighs those of the wife. A court cannot issue an injunction if the woman's life or physical health is in danger. Senate Bill 887 is narrowly written to meet the constitutional test. The Supreme Court in Roe versus Wade and Doe versus Botton stated that states have a compelling interest in protecting potential human life after viability. It also states...stated that states could then prohibit abortions after viability except when the woman's life or health are in danger. The Illinois Abortion Law of 1975 follows this language...prohibiting abortions after viability, except when a woman's life or health are in danger. The bill does not prohibit the issuing of an injunction by a court if the mother's life or physical health are in danger. This, of course, includes medical emergencies. The gray area according to the court is when we are talking about mental stress and this is best resolved by the courts. Just as the courts have ruled that parents of pregnant minors do not have an absolute veto power over the abortion decisions of minors, it is also stated in Planned Parenthood versus Danforth that husbands do not have an absolute veto power over the wife's abortion decision. But the court added and has allowed parental consent, a parental notice, with a minor having the right to go to court to obtain a waiver of consent or notification. We believe that the Supreme Court will also...allow husbands to seek relief through the courts when the unborn child is viable. All we ask is that in those cases where abortion is being sought by the woman is not for reasons of...life or physical health dangers, that...if a husband disagrees with his wife, he can go to court and on a case-by-case basis, the court can weigh the rights and interests of both parties and decide whether or not an injunction should be issued. The question, when allowing the husband to

go to court and put...put a strain on the marriage. The answer probably would be, but no more than the strain that a...a wife seeking about their five' or six' or seven-month-old unborn child while the husband is helpless to do anything to...to save his child. Another question would be, how many times would this situation arise in later stage of pregnancies? Not...not in many...the answer probably would be not too many. But the principle of the father's interest and rights should be protected when the child is viable. And I think it's in our court and every system in the United States that the parties in any disagreement should have the right to go to court and have them iron them out there instead of having them ironing on the street, and in the cases of family where there's other children involved, the court in their wisdom should do everything possible to save that marriage and save that protection. And if one of the parents are going to do something against the will of the other, then they should weigh the contest and see in some way to...to get an agreement where the harm would not harm the total family. I ask for an override of the veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I voted against this bill to begin with when it first came up for a simple, philosophical reason. If the husband wants to get a vasectomy, he does not have to get the...consent of his wife. I don't think it is a fair bill. You didn't...haven't included that in your bill and as much as I respect the sponsor of the bill and, therefore, I speak against the override of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Just briefly. Time and time again, we pass abortion laws in the...in this Chamber that are continually ruled unconstitutional by the courts. This is another example, it will be ruled unconstitutional, we've said it before and we've predicted it before. It's been ruled unconstitutional before, this one will too. Why don't we stop doing that to ourselves. We can't...we can't stop an abortion in a life threatening situation, how can we allow the husband to do such in a life threatening situation. I would recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LEMKE:

Well, to counteract the other speaker, November 5th, we're going to court before the U.S. Supreme Court. They'll pull one law that we passed in '79. The progress is going through courts. The lower court generally works either affirming or defirming, then we have an appellate court in the system that always rules against us and then we have to go to the U.S. Supreme Court. The last time I was there in 1979...with a bill that Harry Leinenweber and I sponsored, it was declared constitutional. This, too, will be declared constitutional 'cause we have done our work; and November 5th, we will, again, get Illinois Statutes declared constitutional because I'm represented by what I consider one of the best attorneys and law firms in the country, the U.S. Soliciter General, and I think that we will go forward in this situation. And I think this is a good bill and as far as the other speaker, a vasectomy is not the same thing as an abortion. To me, an abortion takes a life; it takes a life of an unborn child in its sixth, seventh, eighth and ninth trimester. My grandson was born four months premature, he's a loving four-and-a-half-year-old child. I think that's life

and I think this is a proper step, if the father can, he should go to court and seek an injunction. If he feels his rights are...are...are better than the wife, then he should get that injunction. And that was the ruling in Iowa by the Supreme Court and I think that's...would be the case. This is the case, I think the...the bill should be overridden, we should pass it, we should take our course as usual through the courts and finally rid ourself in rich society of this terrible thing of murdering young born infants. I ask for an override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 887 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 14, none voting Present. Senate Bill 887 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Joyce, 640.

SECRETARY:

I move that Senate Bill 640 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill is a bill that we passed in both Houses. It...it would require...it would increase the amount of nonfat solids in milk. This provision would go into effect at the same time that all adjoining states would adopt this measure. This increases the...nutritional value of two percent and skim milk...and California has this law and it has increased the sale of milk in that state. It also improves the taste of the milk and ninety percent of the dairy farmers in this State are in favor of it, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill. If...if we vote for this motion to override, what we're doing is to increase the cost of low-fat milk from ten to fifteen cents per gallon. I don't want to go home and...and tell all of my constituents that...that I'm the one who is responsible for increasing the cost of their...their milk products by voting for this bill when there's no reason for us to do this. I think that this is a totally unnecessary piece of legislation. I think that we...we ought to vote this motion down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I would like to

associate my remarks along the lines of Senator Etheredge and certainly agree. Frankly, I have been told by the dairy in...in my...specific area, as I related, I think on the Floor of the Senate during the debate on this bill when we had it originally, that they claim that this particular proposal would increase the retail price of low-fat milk from at least, oh, ten or fifteen cents per gallon and whole and skim milk from at least four to six cents a gallon, well over the fifty percent fluid milk consumed in Illinois which is low-fat. It would also, I am told...require us to purchase from outside sources...outside of the State of Illinois, nonfat solids which...according to the information I have is that there are none manufactured in Illinois to date. So, I've gotten several letters from consumers relevant to this issue that...from consumers in my area that this, in fact, would increase the...the price of milk and, in fact, seems to me that they don't want to pay a higher price and is really no...not necessary that this bill pass and I would concur with Senator Etheredge and ask that we get a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, this is an interesting...subject. I asked the House sponsor if changing the requirements for milk nutritionally helps the milk. He told me that he thought it did. There is a letter floating around from the FDA that said it doesn't help the nutritional value of milk one iota. All you're doing is increasing the cost of milk. It's probably not a good idea...and we ought to vote to sustain the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

In our Calendar, on our desks, it talks about the acceptance of this definition by other states. Is our...is this contingent on that or are we doing this on our own?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it is contingent on all of the surrounding states accepting this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Can you briefly...how would affect if...if the other states do it and Illinois doesn't do it, how does that affect us?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Then it doesn't go into effect in any of the other states. Wisconsin is doing it now. Wisconsin has passed it. I might point out that...that the average national consumption for milk is twenty-six gallons. We're talking about an increase of three-cents a week and the sales tax...we just removed a eight-cent sales tax, so that's more than made up for that. To increase now...I haven't seen that letter from the FDA. I have a letter saying that the FDA does not study or publish nutritional values. So, I...you know, it...it seems to me that this is going to make it...milk taste better and...and increase the value...the nutritional value of two percent and skim, so for that small amount of money to put a better pride of product on the market for people who consume

milk just seems to me to be worth it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion...the question is, shall Senate Bill 640 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 35, none voting Present. Senate Bill 640 having failed to receive the required three-fifths vote...the motion is declared lost. Senate Bill 890, Senator Lemke.

SECRETARY:

I move that Senate Bill 890 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto on Senate Bill 890. What this bill does is amends the abortion law to prohibit the same of an experimentation upon a fetus produced by...by the fertilization of a human ovum by a human sperm unless such experimentation is therapeutic or...or of benefit to the fetus thereby produced. Nothing in...in this provision is intended to preclude the performance of in...vitro fertilization. Senate Bill 890 is...is in response to those who oppose it and let me present a few facts. The Illinois General Assembly passed a ban on the sale of and nontherapeutic experimentation of fetuses in 1975 in the Illinois abortion...law. So, we have a similar law in effect without terrible consequence up until around 1983. At that time, efforts were made to revise the law to conform to Federal and Supreme Court terminology, but it was met with opposition from some legislators who feared that the revi-

sions would prohibit in...vitro fertilization, so the law was repealed in 1984 and this bill was introduced to protect human fetuses from nontherapeutic experimentations, while clarifying that we are not prohibiting in...vitro fertilization. Thus, this isn't a new bill or a new concept for us. The Governor, in his veto message, stated that the word experiment is vague, but...researchers know quite well that what is meant by this word. Common usage is...is quite prevalent in the courts. This is similar to the term medical emergency. The courts recognize doctors know what is meant by that term without defining it in law. Practice in...in life teaches us what experimentation is. The Governor also stated that treatments of a pregnant woman with cancer with the combination of drugs and radiation therapy could be considered as experimenting on the fetus. Obviously, this is not experimenting on the fetus, but in anything...experimenting on the woman and keeping her alive, and I think we have established that in Illinois that when the...woman's life is in danger, she can have the abortion or do what she wants. I think this is a good bill. I don't know why the Governor vetoed it, because I think we should prevent the sale and use of fetuses. I hate to go to a circus or a carnival and see a glass bottle with a human child in there as a fetus being sold and people looking at it. I think it's wrong and I think we should prevent this, and I ask for an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 890 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 46, the Nays are 8, 2 voting Present. Senate Bill 890 having received the required three-fifths

vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 915, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

I move that Senate Bill 915 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 915 is a relatively simple bill. During the session there was language that had...been recommended by the Joint Committee on Administrative Rules be removed from...the Statute and that was contained, according to the Governor, in another bill that he signed, I think Senate Bill 211, if my memory serves me correct. So, all in fact that...what Senate Bill 915 does at this point is provide a fee of one hundred dollars per board meeting compensation for the members of the Illinois Farm Development...Board and...and sets out that that fee will now be...will not exceed fifteen hundred dollars on an annual basis. There's no revenue impact because the...the fees, in fact,...compensation will be paid for out of the fees that have been derived by the Illinois Farm Development Authority through other programs, and I would seek your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 915 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays

are 24, none voting Present. Senate Bill 915 having failed to receive the required three-fifths vote is declared lost. (Machine cutoff)...Bill 1032, Senator Joyce.

SECRETARY:

I move that Senate Bill 1032 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill is a bill that I think we...we are all aware of. It will give people in our agriculture community, the farmers in this State...the right and option to have legal assistance in bankruptcies that are happening all too frequently in this State. It is a bill that...that is very difficult for a farmer to sponsor in that we are foreclosing on other farmers in this State, but there is a very substantial need for this type of legislation. These are very cruel, hard times for agriculture in this State, and it seems to me that the very least we can do is provide farmers with a way to be represented when they go out of business through foreclosure. This bill came about because the Rural Route Program in this State suggested it.

This would fund the legal assistance groups in this State who are already in place, who farmers could go to and receive help without having to form some other bureaucracy, if...if you will, to deal with this problem. So, I would ask your support and your sympathy, if you will, for the farmers in this State and help us override this veto. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair would like to recognize one of our distinguished State officers, our Attorney General, on the Floor, Neil Hartigan, on the Democratic side. Is there discussion?

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, we feel there's a better way to go about this. We're not debating the need for legal assistance for some of the farmers who are facing some difficult circumstances. The Governor recently had a press conference in which he said that he was preparing to introduce legislation that will place the responsibility for this under the Rural Route Program. For those of you who are not familiar with the Rural Route Program, that is one that is operated by the University of Illinois Extension Service. I think it gets it out of the political realm. I think it's probably a logical extension of their function to follow through at that juncture and to provide this type of legal service. Legislation is being prepared. Amendments are being drafted that will do this very thing. So, the only thing that I would say to you...for those of you that want to vote for this kind of program, you're going to have the opportunity to do so. It's going to be coming along here in a couple of days, but I do not think it's going to be wise to override the Governor at this time, so I ask for a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to speak in behalf of overriding the Governor's veto. It seems to me that the point that should be made is that the Rural Route Program doesn't provide legal services to anybody at this time, and if the Governor has what appears to be his way in his veto message, the Rural Route program will have to hire several lawyers, train them in farm foreclosure law and then send them out on the road. It seems to be...to me to be much more feasible to use existing legal aid structures already in

place to give legal advice to...farmers, to help them intervene in presently existing mortgage foreclosure lawsuits. You know, you can give a person just so much advice and at some time you have to take action. The Rural Route Program can't take that action that the farmer needs. What he needs is legal intervention on his behalf. That's what this bill allows for and it allows for it now, not next spring when this bill finally comes to our session to be voted on, not next June when we finally get all the amendments added and...and all of the other programs refined, but now, this year as farmers are being foreclosed on, this bill can go into effect. The longer we wait, the more farmers are going to be out of their home, and I think that this is too important a bill to put into the political realm between either of the candidates, either of the parties. What we're talking about here is people being thrown out of their homes, and I think that in this instance we should go to override the Governor's veto. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of the motion to override and would point out for those of you...we had an awful lot of material to read, but you ought to read the Governor's Veto Message. It says all the things that we have been saying, he just comes to a little different conclusion, but he says, "I assure," and the word assure is underlined, "Illinois farmers my support for legal assistance." What he quarrels with is the mechanism and I think the point that Senator Welch made was a good one. This bill has a mechanism already in place, and if, indeed, we wish to expand the program at some future date, sure, we can include the Rural Route Program. But the fact is, Senator Rigney, you and I both know that those

interested in Farm Aid and the component part of which is this provision met earlier this week and arrived literally at no conclusion, and I am reliably informed that the House has now formed another task force, and with three or four days remaining in the Session, I'm...I'm not so sure we're going to be presented with anything to vote upon. So, I think while this issue is alive, and it is alive only if we get it out of the Senate, I would ask you to consider that if, indeed, you want to provide some legal assistance to the farm community in the State of Illinois, Senate Bill...1032 is the way to do it. It'll be over in the House ten days from now and we can argue it again, but in the meantime, this is the only game in town, and I would urge those who wished seriously to provide legal services, legal assistance to Illinois farmers, as the Governor says he does, this is the way to do it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The individuals who speak in favor of this bill are...are good intentions and have a sincere desire to help the Illinois farmer and I don't quarrel with that at all. But the fact of the matter is, one of the things that have gotten farmers into trouble over the years has been government's involvement in their everyday life, and I would suggest, as others have said in opposing this motion, that for those farmers who truly need the legal attention, and there are those, Senator Welch, I would agree out there that do, there is an appropriate vehicle now to deal with that issue, there's no question, no one will argue about that issue, and by killing this motion, you get politics totally out of what is a very serious situation in Illinois and allows us to deal with it on a sound and businesslike basis.

I urge support of this motion...defeat...motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I believe...Senator Maitland, did you say you urge support of this motion? You...you say you're safe? Well,...let...let me...let me tell you that...getting us...out of it...politics out of it, I think politics just got in it. This is a program that was called for by Rural Route, and I'll read a statement from Joe Dailing, the Director of Prairie State Legal Services. He says, "It is important that legal services provide the legal help to farmers because of the government's involvement in the current agricultural crisis. Besides the individual problems that farms are...farmers are faced...facing, system problems dealing with governmental agencies such as the Farmers Home Administration, the farm credit system and other government bureaucracies because of that, Senate Bill 1032 would provide immediate legal assistance to many farmers facing bankruptcy. Four thousand farmers went under last year, and some could have been helped if we'd had...a Legal Assistance Act in place. So, if we have Senate Bill 1032 in place, we can perhaps save some of those farmers who are in need of that service that we can provide," and that is a statement from the Director of Prairie State Legal Services. I sat in on a meeting with the people who were designated from the...how the...the minority leader in...in both Houses and the...the Speaker and the President, and I'm not sure that the House is ever going to come up with a proposal. The proposal that they've got ties in so many things from the Arts Council on down that perhaps that will never get out of the House. So, I think, as Senator Rock pointed out, the only thing we have right now is this vehicle. Let's pass it

to the House and then let's see if they come up with something. If they don't, we are playing politics with the future of agricultural...agriculture in this State like we have done in the past and like is happening at the Federal level. Let's get that out of our system and let's do something that will help right now. I would urge an...an Aye vote on this. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1032 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26, 1 voting Present. The motion on Senate Bill 1032 having failed to receive the required three-fifths vote is declared lost. Senate Bill...Senate Bill 1129, Senator Newhouse. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1129 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this bill passed out of both the House and the Senate. The override message has two problems that it points out. One is that it is a special business incentive to certain districts, and the second is that it...gives a...which means that it gives an advantage to those particular districts as opposed to others, and it suggested that...it suggests further that a solution to these problems that the Governor has is an overall economic development policy. I would posit to those of us here today that the fact is that these are extremely deprived

areas and it does give a specific advantage. I would have had no problem having added areas from...added other areas to this bill in order to satisfy that objection. But secondly, if there is going to be an overall policy, and I think there ought to be that too, then I should think the Governor ought to get busy with that. In view of those responses to this...to these Governor's Override Message, I would urge a favorable roll call on this bill and ask your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it my understanding that there are only four areas involved; East St. Louie, Chicago, Alexander County, or Pulaski...and Pulaski County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have a distressed area in my area...my county and I can tell you we've had a lot of unemployment. I don't think this is a fair bill if we're going to only give some help to four counties, Chicago...to four areas, Chicago being a big city, and yet my little district gets none. I don't think it's a fair bill. I think it's unconstitutional, but you're... 'cause you're limiting to four areas instead of the

whole State and, therefore, I'm...I'm constrained to vote...rise and speak against the override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Only in a sense to echo what Senator Geo-Karis has said. I think the principal flaw in this approach, well-intended as it may be, is its limitation to certain...geographical areas of the State. Our Constitution does provide against singling out specific areas and treating them in this manner. That seems to be the major thrust of the Governor's objection, I think it's a valid one and I think that one that we should take carefully into consideration before we vote for this. So, I would urge, too, not to...also not to override the Governor in this case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Newhouse's bill. Two of these counties are in my district. I recognize...I realize that we are singling out specific areas of the State in this bill. But let me point out a couple of things about the areas that are singled out in my particular district in this bill. First of all, Pulaski and Alexander County have upwards of twenty percent unemployment right now; twenty-eight percent in Alexander County has been a constant level of unemployment now for a number of years. There are many people there, small businesses, who need help. We need help down there in terms of bringing more industries into the area to try to put...our people to work. Sure, it's singling out areas. It's singling out areas that are crying out for assistance in order to be able to help themselves. This isn't

welfare. This is money that people can use to build their business that is there, to bring in other businesses that we hope to get there. It's for poor people who don't have the chance to do it unless we single them out and help them. So, this is a good bill. I would ask for your support for the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and the...Gentlemen of the Senate. You know, it's very amazing around here, and I've been hearing it for years, when you're looking for an excuse not to support something, the things that I hear is that it's...admirable, good intentions and all these other things. The good intention is that you're trying to take people who cannot afford the expense of having decent living, people who are relegated to the lowest form of our society, and you steadily stand up and say, oh, how I sympathize. You sit there and eat at a table full and you let another poor sister or brother sit beside and say, don't worry, you're going to eat; and every day you're eating, he's going to telegraph his stomach by saying, I don't need this, and what do you do? The subject finally dies. It's like all these other things around here. You don't adequately fund these different things around here. I look...as chairman of the appropriation, we can find money for every doggoned thing around this place, high salaries, overpaid so many of these people and you turn right around here. It's amazing to me in this country today and in this legislative body...that's not the American way. Many of you sleep in red, white and blue pajamas, salute the flag every day and night and you turn right around here when we're trying to do something to help people who cannot help themselves. The reason these areas were picked because many of you complain about people, we got

to give them assistance, we got to give them aid. What we're saying, let's get a...an opportunity for these people to earn a living and that's all we're simply asking about. You complain about all these things around here, many of you. You should be holding your head in shame to get up and say something like that, it's a good intention. Yes, it's a good intention and then you sit up here and vote. This should be passed. This is an opportunity to give people who cannot help themselves get off of these rolls. Nobody wants to be on that. Every citizen in the United States should have the dignity. It's a shame. It's a disgrace. And anyone that pushes a red button or doesn't push at all for this, let that be on your conscience. I strongly support this bill and I hope it gets the thirty-six votes necessary for an override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill #129 because it's a long time due, the concept is great. However, the sister county of St. Clair County is Madison County, one of the...one of the greatest...of the highest population counties in the State of Illinois with a tremendous population...minority population...was left out. I believe that somewhere down the road that this county should be included with St. Clair County. It's a good concept. It should deserve our vote, but don't forget a county that has a great population of minorities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder if I could have your attention for just a moment. This bill is represented as

being exclusive in some fashion. The fact of the matter is, it's not exclusive. What we've attempted to do here is to catch those pockets of poverty where we're spending great deals of money in public aid, where there has been a drag on the State's economy for a number of years, the impact of which is not confined to local residents, the impact of which is felt not only in southern Illinois but in DeKalb and as far up north as you can go. Everybody understands when we start talking about raising taxes and when the allocation of those taxes is proportioned so that we'll get taxpaying citizens in the long-term. In the long-term it'll mean so much more to this State. We talk about entrepreneurs, we talk about business opportunity. That is precisely what this bill does. This bill will make it possible for people in deprived areas to put people to work, to reduce the rolls, to reduce those rolls that we constantly cry about. That's the purpose of this bill. Now, as to the Governor's veto reasons; had the Governor been sincere, it would have been very simple for him to make this bill apply to all deprived areas. As sponsor, I would have had absolutely no objection to that, but what seemed to me to be a good idea was to at least put together an experimental program so that we could see how it worked in certain areas and then expand it. It seems to me that makes ultimate sense because in that regard, the initial investment would be fairly low, and if that investment proved to be what I think it will be, then we could spread it to other areas. So, it is that kind of an opportunity, and I would ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1129 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 34, the Nays are 25, none voting Present. Senate Bill...the motion on Senate Bill 1129 having failed to receive the required three-fifths is declared lost. For what purpose Senator Newhouse arise?

SENATOR NEWHOUSE:

I'd like to postpone consideration, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse seeks...that consideration be postponed on Senate Bill 1129...the motion on 1129. Is leave granted? Leave is granted. 1322, Senator Berman. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1322 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was very surprised to see that the Governor vetoed this bill. It moved through the Senate Committee on Higher Education without a dissenting vote. It...was voted out of the Floor without a dissenting vote and the same kind of treatment in the House, not one dissenting vote on this bill all the way through the system. The bill is a very simple one. The purpose is to encourage utilization of the creativity that's within the borders of the State of Illinois. It provides for an inventors in residence program. It says that the State Board of Higher Education should...develop a program of matching grants to public and private colleges to encourage inventors in the State of Illinois. That's all it does. There's a cap as to the match, thirty thousand dollars per college per year per person. I don't know why he vetoed it. There's some explanation

regarding the Board of Higher Education, but if they had a problem, they could have talked to me or to anybody else as it moved along in this process over several months this Spring. It is a good program. I've got statistics here as to the dramatic decline of patents that are issued to Illinois residents and Illinois companies. The purpose of this bill is to encourage more inventions, more patents to...increase our economic productivity. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Would the speaker yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator, are you talking about all higher institutions of...I mean, all institutions of higher learning, all colleges and universities or just our State universities and...and colleges?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Public and private.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Do you know...approximately how many people would...how many colleges would be taking advantage of this and what...what the cost would be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

We have provided in the bill that there would be an

SB 1370  
Committee

appropriation, and the appropriation, in fact, would be the cap of the expenditure. The appropriation this year was a hundred and fifty thousand dollars. We felt that that's certainly a very modest undertaking to see if this program would work or not. The Legislature will determine the amount of the money we wish to spend, and that's all we appropriated for this year was a hundred and fifty thousand dollars.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

I solicit an Aye vote for the inventive genius of the people of the State of Illinois.

PRESIDENT:

Question is, shall Senate Bill 1322 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 22 Nays, none voting Present. Senate Bill 1322 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Poshard on 1370. Mr. Secretary, read the motion, please.

SECRETARY:

I move that Senate Bill 1370 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1370 creates the Regional Correctional Facilities Act. This bill would allow two or more contiguous

counties with a combined population of thirty thousand or more to form a regional correctional facilities advisory board. This board would have the responsibility of providing a comprehensive plan for the construction and operation of a corrections facility which may be shared among the cooperating counties. Now we have mandated laws in this State which require our counties to come into compliance by January 1, 1986 in renovating or building jails to certain standards, standards which are needed, standards with which the counties are trying to comply, but standards which are expensive to meet, standards, in fact, which cannot be met on an individual county-by-county basis. A recent county study finance committee meeting in my district concluded that help in building jails was a top priority for State assistance. Seven of eleven counties which I serve in my district cannot meet State mandates for upgrading or building the jail facilities which the State is requiring them to build presently. Lawsuits are being prepared, not as an attempt to escape responsibility, not in anger toward the State but because counties simply cannot meet the mandates. They have no recourse. These are counties primarily with a low tax base. We say build schools, we say provide education, build roads, build jails, they're overloaded. This is...the...the loss of Federal revenue sharing funds to these counties is going to increase as time goes on. In Fiscal Year '86, counties in this State will lose twelve million dollars in Federal revenue sharing funds and in Fiscal Year '87 that quadruples to forty-five million dollars, funds which counties needed for these kinds of projects. This is a cost effective measure when several counties can come together to build a common facility to meet a State mandate, to save money; this is the kind of thing that we need to encourage in this State, not to discourage. Let me give you a for instance. A regional jail can be built for five of my coun-

ties for 1.7 million dollars. If those counties have to build separately and meet the State mandates by January 1, '86, which they can't meet anyway, it's going to cost them 5.5 million dollars. That doesn't make economic sense to me. So, this bill passed the Senate committee by a 9 to nothing vote and passed the Senate in the Spring Session by a 56 to 3 vote. I'm asking that your...your...your support...for your support on this bill. Thank you, very much.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senator Poshard has said makes sense. The Federal Government, as all of you know, that...that they required the states to come up with living space for inmates. It's a shame that our jails today are overcrowded, but we should have expected that when they come up with the Crime X Package, they were going to lock up everybody for everything, but the point is that the money could be found. Department of Corrections lapsed twenty million dollars just in the last. This could be done. There's no reason why this should not pass. The Governor was in error when he vetoed this. I'll tell you this, he was a great framer of all of this in saying that we should Crime X and do this. Senator Poshard is absolutely right. That's the only way to go. It's a mandate and those counties that are all doing deficit financing...they have no other recourse than to appeal to the State for help. I strongly support and ask you if you would give this an Aye vote.

PRESIDENT:

Any further discussion? Further discussion? Senator Donahue.

SENATOR DONAHUE:

Just a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Is there anything in...in the Statutes now that prohibits our counties from joining together to have a regional facility?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Donahue, in our search of the Statutes, we find nothing to permit the counties to come together. That's the debate...it's...it has engendered considerable debate in my district which would account for a lot of legal fees and so on to be paid to the lawyers to find out if we can do that. This would simply clarify that counties can now join together. The bill is very...specific as to how they can to that in terms of forming the regional advisory board and getting all the legal ramifications out of the way.

PRESIDENT:

...Senator Donahue.

SENATOR DONAHUE:

I don't...I don't think I have a problem...at all with what you're...you know, the concept of that because I have problems in my area too. I think...I question the twenty million dollars of unbudgeted funds that this will possibly put the State liable for.

PRESIDENT:

All right, Senator Poshard.

SENATOR POSHARD:

I think the twenty million is a misstatement. What...the Governor's Veto Message says is that right now for all of those counties which are being required to come up to standards, it would cost two hundred million dollars. Now that's assuming because this bill covers ten percent of that, that's

assuming that this bill is going to amount to twenty million dollars. Many counties are up to mandate already. They've come up...they have the money at the local level to do it, many counties do not and they're under pressure. So, this...this I don't think will come anywhere near the twenty million dollars that's in the Veto Message.

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard, you wish to close?

SENATOR POSHARD:

Thank you, Mr. President. I would just ask for your considerable vote for this bill.

PRESIDENT:

Question is, shall Senate Bill 1370 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 33 Ayes, 24 Nays, none voting Present. The motion fails. Senators Bloom, Poshard and O'Daniel are next on the list. We will move to the order...with leave of the Body, to the Order of Motions in Writing to Override Item Vetoes. Mr. Secretary, the motion on Senate Bill 453. By the way, with...Associated Press has requested leave to take photographs. Sam, are you ready? Okay. Leave is granted. Mr. Secretary, motion on Senate Bill 453.

SECRETARY:

I move that the item on page 2, lines 21 through 26 of Senate Bill 453 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Bloom.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

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

Senate. This particular item reduction cut out 3.5 million to construct a new animal disease laboratory where the present one exists in Galesburg. Basically, this is best characterized as a difference of opinion between the Department of Agriculture and the Bureau of the Budget. Obviously, I would not have filed the motion had the Bureau of the Budget lost but they won. So, at this point, I would seek to have this amount restored. I'll try and answer any questions, otherwise, seek a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 2, lines 21 through 26 of Senate Bill 453 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 7 Nays, 1 voting Present, and the motion fails. Motion on 467, Mr. Secretary.

SECRETARY:

I move that the item on page 26, lines 6 through 15 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think one of the problems that has been indigenous to our area in southern Illinois is that in order to get business and industry into our area, we need to collect data on industrial and possible industrial sites. We need to put together industrial site handbooks. We need brochures. We need slide tape presentations to sit down with industries who may be looking to move toward our part of the State. We've

never collected data. We've never put any kind of comprehensive plan together to try to go out and get the private industrial sector...interested in our area. We're doing that now. We've formed a marketing strategies committee in cooperation with Southern Illinois University. We're trying to put together an industrial site handbook. We need people from the university to go out and look at these sites, to draw them up, to put them together in...in a way which is comprehensible to outside business and industry which may choose to look at us. This twenty thousand dollars would help us accomplish that purpose. We're trying to help ourselves. We're trying to get people...interested in an area that has fifteen to twenty-eight percent unemployment. Twenty thousand dollars is not a lot of money when you compare it to the millions that we spend here for everything else in the world. We need this assistance. I just simply ask you to give us this tool so that we can begin to get some folks interested in our area in the area of economic development. Thank you.

PRESIDENT:

Any discussion? Senator Karpziel.

SENATOR KARPIEL:

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

PRESIDENT:

Sponsor indicates he'll yield, Senator Karpziel.

SENATOR KARPIEL:

Senator Poshard, I...in...in our analysis book it just gives us lines 26...the types of things. So, I really am not aware of what are the items that you mean to keep in...in this bill? Are you still...does the bill still have it...or with your override motion, would it still have money for the tee ball sports park?

PRESIDENT:

Senator Poshard.

SENATOR KARPIEL:

That's the wrong bill. Does it still have the money in there for the Minority Controlled and Female Controlled Loan Program?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

That has nothing to do...this is a line item and a much larger bill...an appropriations bill from the Department of Commerce and Community Affairs. That's doesn't pertain to my area whatsoever. The only thing that we're looking to restore here is a line item, 6 through 15, which relates to a twenty thousand dollar appropriation to Southern Illinois University School of Technical Careers to help us put together an industrial site handbook that we might present to prospective industry.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you. Well, that's what I wanted to know. By the way, the tee ball park was in this bill. I wasn't wrong, it was in this bill. And there were all kinds of things in this bill which I would not be able to vote for but I just wanted to make sure that all you're asking for is what you mentioned. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. All that he's asking is twenty thousand dollars. When you think...if you would spend a thousand dollars every day since Christ walked upon this earth, one thousand nine hundred and eighty-five years ago, you would not have spent a billion dollars. Just think about that. You could spend almost two and a quarter million dollars every day for a year

and you would not spend a billion dollars. With a budget of nineteen and...point five billion we can't find money to give such a worthwhile cause, something that's going to bring aid and help to an area, twenty thousand dollars. It's unbelievable. Would you, please,...that's why it was placed in that, twenty thousand dollars around this place and here you say we can't afford it. It's pocket change, as I said, and that's all it is when you think about that. Please give an affirmative vote. It's needed.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm a little bit surprised by the veto. I thought the Governor had supported economic development in this State. Yes, I agree, this is not the hundred and twenty or two hundred and twenty million it took to get Mitsubishi, it's only twenty thousand dollars, but twenty thousand dollars to help an area promote itself to create jobs and economic development. I had thought the Governor was going to sign this section and think we in the General Assembly should, in fact,...restore this money by rejecting the Governor's Item Veto.

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard, you wish to close?

SENATOR POSHARD:

Thank you, Mr. President. I would just ask for a favorable vote on this consideration.

PRESIDENT:

Question is, shall the item on page 26, lines 6 through 15 of Senate Bill 467 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 20 Nays, none voting Present. The item on page 26, lines 6 through 15 of Senate Bill 467 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Motion in writing on Senate Bill 472, Senator O'Daniel. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 11, lines 26 through 30 of Senate Bill 472 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I move to override the Governor's Item Veto on Senate Bill 472. This appropriation would appropriate one million dollars to improve the county road from U.S. 50 in Lawrence County to the old George Field Airport. There's a twenty-five hundred acre industrial park there and there's been several industries indicate an interest in locating there providing it was an all-weather road. This...George Field is...is very important to Lawrence County. You know, we just recently lost the Texaco refinery there that employed three hundred and seventy-five people and this...this piece of legislation is...is very important to that area of...of the State. We have nearly seventeen percent unemployment there and this would...would be very beneficial to our area and I'd appreciate your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 11, lines 26 through 30 of Senate Bill 472 pass, the item veto of the Governor to the

contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, 1 voting Present, and the motion fails. Continuing on page 17, the next heading was in error, so we will pursue motions in writing to override item vetoes. Senator Netsch on 467. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 29, lines 5 through 9 of Senate Bill 467, the item...be...restored, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The sum of money involved is two hundred and fifty thousand dollars and this is one of those somewhat unusual situations where the Governor did, in fact, approve the substantive bill which we passed, which was House Bill 1849, but then eliminated the appropriation so that the substantive bill really has not much meaning as it stands. This was the program for local land resource management plans. It's something that was very strongly oriented toward local governments because it...it enabled them to get together and to develop their own plans and methods for managing their own local resources, water...land, whatever it might be. In other words, it wasn't Big Brother's heavy hand, it was you, the local people, ought to have the first crack at managing your own local resources. The money involved...and as I say, the substantive bill, House Bill 1849, was approved. The money involved was for grants to cities and counties, particularly those two, to enable them to carry out the very kind of...of resource management plan-

ning that the substantive bill authorized. I think it's something that everyone feels is a very good idea. It deals with our most precious resources and it does it at a local level which I think many people feel is very desirable. The unfortunate part is that without this two hundred and fifty thousand dollars, the substantive bill is meaningless because they have no way to get their work started. It is for that reason that I would move to override the line item veto to Senate Bill 467.

PRESIDENT:

All right, any discussion? Is there any discussion? If not, the question is, shall the item...on page 29, lines 5 through 9 of Senate Bill 467 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 28 Nays and 1 voting Present, and the motion fails. 476, Senator DeAngelis. All right, the next order of business is motions in writing to accept the specific recommendations of the Governor for change. Senate Bill 113, Senator Joyce. All right, bottom of page 17, motion in writing on Senate Bill 113, Mr. Secretary.

SECRETARY:

I move that the specific recommendations of the Governor as to Senate Bill 113 in the manner and form as follows. Signed, Senator Jeremiah Joyce...no, Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I move to accept it...if you want to.

PRESIDENT:

All right, the motion is to accept the specific recommendations of the Governor. Is there any discussion? If

not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 113 in the manner and form just stated by Senator Joyce. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 113 having received the required constitutional majority vote of Senators elected are declared accepted. Top of page 18, motion in writing on Senate Bill 158, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 158 in the manner and form as follows. Signed, Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, in case anyone is interested, apparently when we drafted this bill which deals with the historic museum districts we had...inadvertently stepped on someone's turf when we made a reference to the museum district looking at archaeological digs and...and that sort of thing, and the Governor has taken that language out and that was never important to us and we're more than happy to go along with it.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 158 in the manner and form just stated by Senator Schaffer. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 158 having received the required constitutional majority vote of Senators elected are declared accepted. Motion, Senator Dudycz. On Senate Bill 190, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 190 in the manner and form as follows. Signed, Senator Dudycz.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. The Governor's recommendation clarifies the intent of the bill, and I move to accept his recommendations.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 190 in the manner and form just stated by Senator Dudycz. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 190 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing, Senator Sangmeister on Senate Bill 413, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 413 in the manner and form as follows. Signed, Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, this bill was part of the gang crime package, and in this particular one we increased the penalties for selling a firearm to a minor. The Governor expanded it by saying not only selling but also giving, which, of course, I would agree with; however, he did turn around and reduce the penalty from a Class 3 to a Class 4 but we're willing to accept one on the other, and my motion is that we accept....accept the recommended changes of the Governor.

PRESIDENT:

I have just pointed out to the Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, I...I'm following the Calendar and 206 was the next bill up on the Calendar and all of a sudden you went to 413 and I...

PRESIDENT:

No...no, now wait. We started...we started according...in accordance with the motions that have been filed. We started on the top of page 16...

SENATOR SANGMEISTER:

All right.

PRESIDENT:

...we are now on the top of page 18 and...and as the motions are filed, we are calling them.

SENATOR SANGMEISTER:

All right, fine. Then we're on 413. All right.

PRESIDENT:

Senate Bill 413.

SENATOR SANGMEISTER:

Strike everything that's been said. On 413 was the Judicial reapportionment bill wherein the Governor took Iroquois County and put it back into the 3rd Judicial Dis-

*SB 486  
Spec. Recomm.  
of the - New.*

trict. I concur on that and the motion is that we accept the Governor's recommendation.

PRESIDENT:

All right, any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

No, I...I was...going to comment he had the wrong bill.

PRESIDENT:

I understand. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 413 in the manner and form just stated by Senator Sangmeister. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 413 having received the required constitutional majority vote of Senators elected are declared accepted. Middle of page 18, Senate Bill 486, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 486 in the manner and form as follows. Signed, Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 486 when it left this august Body on its way to the Governor was a good idea, and it said that for low-income families, if they pay twelve percent of their income toward their gas and electric bills, the utilities would have to accept that proposition and they couldn't shut off their energy usage; but it had some minor flaws in the bill, and I must say this outright, the Governor spent many hours with staff and with a coalition of people who presented this bill before this Body and before the Illi-

nois Commerce Commission, many long hours and he labored very hard over this bill, and through his amendatory veto he has effectuated a design to solve the problems that came forth as a result of the bill passing both Houses of the Legislature. Now what...what he did was to say...there was a problem about conservation. They said, if you let people pay twelve percent of their income, they're going to use up so much energy, therefore, there's no conservation mechanism. So the Governor put a conservation mechanism in the bill and he said that anyone who participates in the plan must not use more energy than the average residential usage in the State, and that applies to each individual utility. The Statewide average is for each individual utility participating in the program. Then there was a question about cost of the...cost of this program and who was going to pay for it and how much was it going to cost, and the Governor said, I'm going to put a three-year sunset provision in this program because we don't know what it's going to cost, but I'm going to provide a sunset provision in here so that if the skeptics are correct, we'll repeal this program and that's what we did. He also included in the program the oil refund surcharge money that the Exxon Oil Company owes to the State of Illinois, some ninety million dollars, and he specifically provided that that money must be used for low...for low-income energy assistance, and the Department of Energy and Natural Resources will monitor the program and provide the necessary funds of oil surcharge refund money if there is a shortfall along with the IHEAP money that presently is being administered by DCCA and the Department of Public Aid. We also provided in the bill that any cost to the utilities for conservation provisions for low-income families would be included in the cost of the shortfall. So, they wouldn't have to pay any additional money for this necessary program. There was a question about arrearages, and right now in the State of

Illinois there are sixty million dollars in uncollectables from people whose energy is shut off; and the argument is, how much would this cost if they put them on a payment program? And we're saying, they would...it would cost a lot less than sixty million dollars. The shortfall would be much less because they would be paying part of their income for the energy that they are consuming, and they look toward the Ohio experience, the only other state in this country that has a low-income energy program for people, and I've got the figures from Ohio back from two utilities that submitted the figures to the commerce commission there, and under one program it cost the average residential consumer of that particular utility three dollars more on his utility bill for the entire year...for the entire year; and what we're saying in Illinois is, we're not going to...it's not going to cost any consumer any money because we have more than adequate funds to pay for this program. I know you've been lobbied awfully hard and I understand the utilities' position; but, ladies and gentlemen, let me tell you something, there are ten thousand people today that don't have any heat in the State of Illinois, and when winter rolls around, they're going to have to somehow survive without heat and it isn't fair to those people. Give those people a chance. Let those people feel like decent human beings. Let them feel like they are contributing and don't let them try to live without the basic necessities of life. Ladies and gentlemen, this is a good program. We are in the forefront of energy assistance for low-income people, and the Governor of this State deserves tremendous credit for his efforts on their behalf. And, ladies and gentlemen, I submit to you that we must accept his amendatory veto of this necessary program and respect for ourselves and for the people of this State. I ask you to accept his amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Page 70 - October 16, 1985

All right, discussion? Senator Netsch.

END OF REEL

REEL #3

SENATOR NETSCH:

Thank you, Mr. President. As a hyphenated cosponsor with Senator D'Arco of Senate Bill 486, I rise also to urge that we accept the Governor's specific recommendations for change. I'm not quite as enthusiastic about the substance of a couple of them perhaps, as...as Senator D'Arco indicated, although I think they are on balance fairly reasonable. But I think the critical point is that if they are not accepted, then this bill will effectively be vetoed. We have already removed from Senate Bill 1021, which was the major rewrite of the utility bill this Session, a provision which would have authorized the Commerce Commission to adopt a budget plan for low-income customers. We removed that section from Senate Bill 1021 with the understanding on the part of all of us who were involved in the utility bill rewrite that Senate Bill 486 would be passed. Everyone kept their word, Senate Bill 486 was passed. If the amendatory veto is not accepted there will be nothing, no statutory authorization at all for the Commerce Commission to adopt a budget plan. Now it could be argued that they have that authority in any event but they have taken a different position. That means that for low-income customers there will be no plan, no nothing, and that makes absolutely no sense at all. It was understood by many of us that this bill would become part of the total utility package. It is absolutely essential that the amendatory veto be accepted so that that accomplishment can be realized. Without it, we have no provision at all for the commission to provide for low-income assistance. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I certainly can't improve on what the two speakers...previous speakers said, but I just want to remind you, and can you imagine if you were to wake up in a home today, if we who are sitting on this Floor would not have heat, not have adequate utilities. It's a terrible, terrible feeling. I visit many homes, I know a lot of people and many of them are people who are in the twilight of their life. I'm simply saying that I don't often agree, this isn't the best bill. I'm happy the Governor saw the light, but I tell you this, that we should certainly accept this amendatory veto. So I would ask the most favorable vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Without question, Senate Bill 486 is a better bill now than it was when it left this Chamber some months ago. But I would submit to you that...that there probably is a...is a better way to deal with the issue. To my colleagues on the other side of the aisle and to those who would support this...motion, make no mistake about it, there's not a Senator in this Body who is not terribly sensitive and terribly concerned about the problems facing those less fortunate than we are and we're going to deal with that issue, we intend to ponder that...that concern. But I would submit to you, those of you who think that there will be no cost to the...to the ratepayer on Senate Bill 486, you are probably very, very wrong. A better way to deal with this issue will be submitted to you in Senate Bill 1470. And I urge you to vote against this motion, most of you are aware of the other bill that will be before us, and allow us to address this issue in a sound and businesslike way, placing this burden where it belongs and not on the backs of the ratepayers. I urge you

to defeat this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Well, I want to understand a little more about the program. Is it true that this covers both electricity and heating fuel?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

What about fuel that comes to you in a truck?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

So, in other words, if we're talking about maybe the rural poor out here that they're not along a natural gas line and they buy heating fuel, they would not be covered. The only thing they would be eligible for would be assistance on electricity, is that it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...you know, I'm not...I'm not really sure about that. I'm not sure why fuel...okay...all right, it's not...it's not covered in the bill and it's...it's a very small...majority of people. I mean, it doesn't apply to many people but...I mean, that...that problem can be corrected. I...I don't...you know, that's not the intent of the bill. I...I think a problem like that can be corrected, especially since the Commerce Commission has to implement rules in order to apply the program. So, I don't see that as a major obstacle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I think it's a major problem. I think a lot of the rural poor are, in fact, purchasing heating fuel or coal or, you know, heating substances of this kind, they are not on a natural gas line. Let's say that they also are served by their local electrical co-op, are they eligible?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I discussed that...with...with Senator O'Daniel and we don't have an electrical co-op in the bill. I mean, people on electric co-ops aren't in the bill. And I'm offering...I offered him to...put it in another bill. There's a telecommunication bill floating around that it...it can be put in. The question is, I understand that CIPS doesn't want the ICC to administer a program with electrical co-ops in it, they'd rather have it administered by DCCA, and why I don't know because the ICC really is in a much better position...in order to administer any program of this type or a program with electrical co-ops in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, then I guess my closing comment is that it looks to me like this is legislation that totally ignores the downstate rural poor who are not along a natural gas line. It also ignores those who are served by the many electrical co-ops in this State. I think it's legislation that has quite a few oversights in it, and for that reason, I think maybe we should just let this pass by and not give it our support and attempt to do something different by means of another piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I rise to speak in favor of this bill as amended by the Governor because it does have a sunset provision for three years. I think it's worth trying because right now it...there are sixty million dollars in uncollectibles; perhaps some of that can be reduced and...help people maintain their dignity. I think it's worth a try, I speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. I wasn't going to speak on this but I think something is lost in this discussion and we really have to bear in mind where we are right now. And right, now utilities are writing off approximately forty-four million in residential bad debt each year, right now. And what I think is done with the specific recommendation for change is to say that at least utilities will receive some payment for their services. Now, there are many customers that know their protected status under some existing ICC orders. Under this bill a customer has to pay a portion of

his debt. I agree with many of the points that are made both for and against this bill but come to the conclusion that we probably should support the specific recommendations for change, realizing full well that this spring we can come...next spring we can come back and make further refinements. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you. Mr. President, you handed me this copy of a Jacksonville Journal Carrier and it said, "Demuzio Should Help Block Twelve Percent Bill." And you just wanted to test me I think, right? But...but in this article it says that this bill is going to cost the taxpayers sixty million dollars. Now...I don't believe that's true and I don't think many of you in this Chamber believe that's true. And that's why that sunset provision is in that bill, because in the worst case scenario we are saying that we will not allow the bill to go into effect if it costs sixty million dollars or forty million dollars or thirty million dollars. We don't want that to happen, we don't want to put the burden on the average residential consumer. That's not what we want to do. We want to help the low-income family and we can do that under this bill. There will be energy resource money available for that purpose without raising rates. There is every reason to vote for this bill and I ask your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I assume that was a close. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 496 in the manner and form just...stated by Senator D'Arco. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 36, the Nays are 18, 3 voting Present. On that...on that question, the Ayes are 36, the Nays are 18, 3 voting Present. The specific recommendations of the Governor as to Senate Bill 486 having received the required majority vote of Senators elected are declared accepted. Senate Bill 653, Mr. Secretary. Could we have some order, please...will our...will our guests who are vacating please...do so in a quiet manner. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 653 in the manner and form as follows. Signed, Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you...thank you, Mr. President and members of the Senate. Senate Bill 653 addresses the...amends Abused and Neglected Child Reporting Act. It was after seven...July 1, '86, persons hired who are mandated to report are required to sign statements acknowledging their understanding of the reporting requirements. This deals with the abused child, persons who refuse are neglect in reporting any abuse to the child. Now the Governor's action was that he deleted the penalty offense of disorderly conduct for a mandated report who knowingly fails to make a report in instances of child abuse. He felt as though that this was not strong enough because in House Bill 1535 is a stronger provision made that calls for a Class A misdemeanor, one year incarceration and one thousand dollars. I ask that the Senate accept the motion and the amendment of our government...Governor for Senate Bill 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not...discussion? If not, the question is, shall the Senate...accept the specific recommendations of

*AB 844  
Spec. Recommen.  
of the Gov.  
P*

the Governor as to Senate Bill 653 in the manner and form just stated by Senator Smith. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 653 having received the required majority vote of Senators elected are declared accepted. 844, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 844 in the manner and form as follows. Signed, Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. The Governor's recommendation adds into the escape offense the failure to report to jail after being sentenced. I ask for a favorable vote on the motion to accept the Governor's recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 844 in the manner and form just stated by Senator Dudycz. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 57...the Ayes are 58, the...the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 844 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill...Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

*S.B. 856  
accept. Spec.  
Recommend. of the  
Committee*

For a personal question, Mr. President. On 690 I did file a written motion to accept the recommendations. Does that have to wait until tomorrow's Calendar?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I am told...

SENATOR MACDONALD:

...to accept.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I am told, Senator Macdonald, that there is a Supplemental Calendar No. 1 that...if it's not on your desk will shortly be and it is on your desk and it is on the Calendar.

SENATOR MACDONALD:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

856, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 856 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, the change that was made by the Governor was the effective date and saying, "This Act shall take effect upon it becoming law," and I move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 856 in the manner and form just stated by Senator Geo-Karis. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1,

none voting Present. The specific recommendations of the Governor as to Senate Bill 856 having received the required constitutional majority of Senators elected are declared accepted. 864...Senate Bill 864, Senator Dudycz. You ready? I'm sorry, Senator Donahue, I beg your pardon. Senate Bill 864, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 864 in the manner and form as follows. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I would just say, Mr. President, it's easier to say Donahue than Dudycz. Donna who? All right, thank you, Mr. President. The amendatory veto on Senate Bill 864 that we're dealing with is with the qualifications for the director of Public Health. The original bill stated that the director must be a physician and have five years experience in public health. What the amendatory veto does is to put it back to current law which would give the Governor flexibility in picking a qualified person for this position. I would move for...the...my motion would be to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 864 in the manner and form just stated by Senator Donahue. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 864 having

received the required constitutional majority vote of Senators elected are declared accepted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

For an announcement, Mr. President. After conferring with the President of the Senate, it appears that we will not be done until about four o'clock; therefore, for those of you that have witnesses here for the Executive Committee which was to convene at two, the best we can give you now is that we will convene at four o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1052, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1052 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I move to accept the specific recommendations...change...the changes were put in this bill to correct some errors, technical errors that was made in Senate Bill 730. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1052 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill...1142...I'm sorry, the spe-

*SB 1156  
Spec. Recommis.  
of the Gov.*

cific recommendations of the Governor as to 1052, Senate Bill, having received the required constitutional majority of Senators elected are declared accepted. 1132, Senator Rock. 1132, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1132 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1132 was the omnibus pension bill which passed this Body with fifty-four affirmative votes on the first Conference Committee. The Governor has recommended six technical changes, each one of which...with which I agree. There were technical changes to five different articles that were contained in the bill and finally there was a cleanup of the Mandate's Act exemption language. I know of no objection. The Governor and his staff were kind enough to talk to me before they did this. I agree with what they did and I would urge that we accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1132 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1132 having received the required constitutional majority of Senators elected are declared passed. 1156, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1156 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1156 was that bill that concerned itself with the Prairie State 2000 Fund and the Tax...Increment Financing Act and amendments to the Municipal Code for provisions dealing with job training and the financing of local economic development. It passed this Body with fifty-six affirmative votes and the Governor has with a couple of technical changes accepted most of the provisions of the legislation. The technical changes that he made again were agreed to by me prior to his making them. In addition, he has taken that local financing mechanism for which the State is in part responsible and moved the effective date until January 1, 1987 so that the Illinois Department of Revenue, his staff and our staff would have a chance to refine it and rework it. Again, a change with which I readily agreed and I would urge that we accept his specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1156 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to...as to Senate Bill 1156 having received the required constitutional majority vote of Senators elected

are declared accepted. 1183, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1183 in the manner and form as follows. Signed, Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm delighted at this time to come and to give a report of this bill that has been nurtured and lobbied and of much concern for the State of Illinois, Senate Bill 1183 which created the Infant Mortality Act. It established a grant program targeted to areas in the State which experience high infant mortality rate that required the public...Department of Public Health to participate in the Federal Women's Infant and Children Nutrition Program to the maximum extent. The Governor totally vetoed this and then he came back with an amendatory veto, and he set a task force to work on this bill and I am very pleased to say that the language would now provide for notification to the General Assembly the actions necessary to achieve the full expenditure of the Federal funding. I'm very happy to say that in implementing his amendatory veto that he included the legislation that we had passed here in the Senate, Senate Bill 392, 956, 1183 and 1105 which will be vital in this step-up attack on...infant mortality. I want to say that the money is going to be increased and twelve million dollars for the first year which is half of it is going to be Federally funded and they are going to participate in other areas. I ask that the Senate at this time accept this amendatory veto and vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate

accept the specific recommendations of the Governor as to Senate Bill 1183 in the manner and form just stated by Senator Smith. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1183 having received the required constitutional majority vote of Senators elected are declared accepted. Bottom of page 18, override of specific recommendations, Senate Bill 527, Mr. Secretary.

SECRETARY:

I move that Senate Bill 527 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are on the bottom of page 18, Senate Bill 527, override on specific recommendations, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 527 which was an amendment to the Good Samaritan Act as it related to the donation of food products to the hungry and needy, the Governor had amendatorily vetoed it, I believe in error, and it had not been discussed with us prior to the action of the Governor. The bill provided for some additional categories of food that could be donated to these food pantries and still be within the Good Samaritan Act so that we could get, for example, bread product, other types of items other than produce that were still...wholesome but were no longer available for sale by the producer of the food given to these existing charitable food pantries to distribute to the needy on an emergency basis. What we had put in the bill was to have a coordination by the Department of Commerce and Community Affairs to give technical assistance

to the same agencies they now deal with, these food shelters, these food pantries, these community action agencies that are now at the Department of Commerce and Community Affairs; and at the same time ask their existing personnel when they are out dealing with manufacturers of food product, whether it be job creation, job retention or any other activity, to just identify to those manufacturers, hey, here's a program where you can donate your surplus, maybe get a tax write-off, deliver it here or we'll pick it up or whatever. We specifically said we were not looking to create a division in...in DCCA or any additional manpower but merely to ask those who are already on board to add one sentence to their normal line, to add a sentence when they're going out to a business that produces to say, did you know you could donate? And to add a sentence to the community action agencies to say, did you know company X has day-old bread that you could give away. So I would suggest that the actions were in error and ask that Senate Bill 527 pass, the amendatory veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 527 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Senator...Senator Marovitz.

SENATOR MAROVITZ:

Just a question of the sponsor. How does this juxtapose or coordinate with the House bill that was sponsored by Representative White, the Good Samaritan bill also, about the donation of food?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm not aware of that bill, Senator Marovitz. This was the one that expanded the program that currently exists to

allow for the donation of food products and be under the Good Samaritan Act. I'm not...I'm not aware of what...Representative Jessie White's bill was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 527 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 15, none voting Present. Senate Bill 527 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate Bill 583, Senator Luft. Supplemental Calendar No. 1...Supplemental Calendar No. 1, motions in writing, override total veto, Senate Bill 1, Senator Welch. Mr...Senate Bill 1, Mr...Mr...Secretary.

SECRETARY:

(Machine cutoff)...move to...no...I move that Senate Bill 1 Do Pass, the total veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill did was two separate things. It appropriated money to create an engineering school at Northern Illinois University; that money was also included in a separate bill, Senate Bill 360, which did pass and was enacted into law, and in fact, Northern Illinois University has admitted engineering students this fall. The second part of the bill appropriated one million dollars in General Revenue Funds for an engineering school at Chicago State University. That was vetoed because the Board of Higher Ed. has not reviewed fully the determination as to

whether that school will be allowed to have an engineering school. We're asking to override this particular veto because of the need at Chicago State University and the fact that the school will not be able to get rolling until the following semester or even of September of 1986. So we're asking at this time that the veto of the Governor be overridden.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. I guess I'm the designated hitter on this one and I think that the...I...I would...I appreciate the candor of the maker of the motion, Senator Welch's candor. As a practical matter, Chicago State, the study has not been done on the efficacy of whether or not there should be an engineering school and we're reliably informed that even...if we do override the veto the...the monies would lapse because there's no way that an engineering program could be put on line in time for an academic year to begin with. So, therefore, at the request of the administration, I would ask that this motion be opposed. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Welch, do you wish to close? The question is, shall Senate Bill 1 pass, the veto to the Governor...the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, none voting Present. Senate Bill 1 having failed to...receive the required three-fifths vote is declared lost. Senate Bill 172, Mr. Secretary.

SECRETARY:

I move that Senate Bill 172 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I'm sure by now that we're quite tired of discussing and having more rhetoric about Build Illinois and...and how that's going to affect our individual districts and more importantly the entire State of Illinois. However, Senate Bill 172 was supported overwhelmingly by this Chamber when we were here in June. If we didn't hear enough about Build Illinois during the months of...of March, April, May and June and now in the veto override Session, we certainly heard about it from our constituencies back home, more specifically local units of government who have come to my office, and I am sure to yours, and have asked for an avenue by which they can be placed into the Build Illinois Program. And I constantly told them, as I am sure many of you did, that unless they were specifically named in the Build Illinois appropriations, they, in fact, would not be receiving any Build Illinois dollars. But I also told them that the Senate overwhelmingly passed a bill by a vote of 58 to nothing, along with concurrence in the House by a vote of a 113 to nothing that we did, in fact, have a mechanism by which local units of government could participate in Build Illinois and that was the revolving loan fund or specifically Senate Bill 172. When the bill was introduced I realized that we needed a...a system that these local units of government could, in fact, go to to receive not a handout but a helping hand with some of their infrastructure problems. One of the reasons was because of the subcommittee on infrastructure that we held...we had in

eight cities across this State. So many of the mayors and heads of local units of government came to us and said, look, we don't know if we're going to be specifically named but if we aren't, is there a system by which we can obtain some money...thank you...is there a system by which we can obtain some money so that we can help ourselves with our infrastructure needs? I think it's a good bill, I think it leaves us a safety valve and a ray of hope for every local unit of government that was not specifically named in Build Illinois. Originally the appropriations had asked for one hundred million dollars to develop this loan fund. Realizing and taking the advice of this Chamber, we reduced that to now what I think is a fair and equitable price of twenty-five million dollars to be placed from the Build Illinois money into this fund. I would caution each and every member, specifically those that live outside of the City of Chicago and the suburban area, collar counties and downstate, that if a community in your district was not specifically named in Build Illinois, there will be no dollars available to help that community and help them with their infrastructure needs. I think this is a good piece of legislation. We, in fact, are aiding local communities to help themselves and I would appreciate your support at this time. The Governor's Message, I might add...I think he's in error. He talked about the bill that I had introduced previously that was the National Infrastructure Revolving Loan Fund. If you remember, that bill was in Congress...which would have given thirty billion dollars over a ten-year period to all the states. I realize that that bill has not been passed by Congress. The Governor made specific recommendations pertinent to that piece of legislation, his comments are well-intended but have nothing to do with Senate Bill 172. The twenty-five million dollars we're asking for in this bill is not contingent upon Federal money but is contingent upon State money

and Build Illinois money. I solicit your Aye vote. I think this is a good opportunity for each and every local unit of government to...in some small way participate in Build Illinois.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I just don't understand how you're going to allocate this twenty-five million dollars if it's set aside out of Build Illinois, Senator Zito. It seems like this is probably unnecessary..."the House has done a pretty good job" of distributing amongst their various...pork what? Well, I don't think the Senate had much input into that distribution in the past and I...I just would hate for us to set aside twenty-five million dollars that will be up for grabs in future General Assemblies.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Zito.

SENATOR ZITO:

Senator Weaver, that's precisely and...and I appreciate the arguments in favor of Senate Bill 172. I was not delighted by the wild spending orgy that the House passed over here in...in the amount of three billion dollars for Build Illinois. The reason we created Senate Bill 172, if you recall, and I appreciate your support the first time it came before this Chamber, was so that we would not politically dictate and spend that Build Illinois money. Senate Bill 172 will allow the local head of government to go directly to this fund and apply through a grant procedure to obtain some money for Build Illinois. All the General Assembly would do and us as Senators would do would be to provide that revolving loan fund. We would not dictate then as we have with the Build Illinois money now how that money is going to be spent. I wanted to eliminate the politics of

Build Illinois, take out the political pork barrel projects and leave it up to the local units of government to apply for a grant from the Department of Commerce and Community Affairs and to obtain the money. I appreciate your comments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 172 pass the veto of...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 26, none voting Present. Senate Bill 172 having failed to receive the required three-fifths vote is declared lost. 291, Senator Welch. Senate Bill 291, Mr. Secretary.

SECRETARY:

I move that Senate Bill 291 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this bill was to prohibit retroactive laws being enacted against those who have constructed dams on various lakes throughout the State of Illinois, such as Lake Holiday, Lake Geneva and other recreational lakes. What had happened was the Department of Transportation decided after the fact to change the system for awarding permits so that those people who in good faith had a permit to create a dam and build one spending millions of dollars were later told they had to change. Even though they met the standards in effect at the time, they were told that they had to start and build a new dam costing millions of dollars to homeowners along these lakes and for what

reason, because of a bureaucratic change by the Department of Transportation Water Resources Division. And, Mr. Chairman, I would move that we override this veto; it is unfair, it is changing the ball game, changing the rules after the game has started and it's going to cost millions of dollars to...homeowners throughout the State of Illinois and I would urge that we override the Governor's veto on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 291 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, none voting Present. Senate Bill 291 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 343, Mr. Secretary.

SECRETARY:

I move that Senate Bill 343 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The original bill requested by the Supreme Court and part of their report simply was a reshuffling of the authority to appoint court reporters which was consistent with the constitutional requirement. What was added in the Legislature was a provision which allowed the administrative office of the courts on behalf of the Supreme Court to retitle their administrative secretaries to administrative assistant and to provide their own salary schedule rather than having it set out in the law which is not the

usual pattern for salaries of other than State officers. I would like first of all to point out that I have just today received a copy of a letter which the Governor wrote to Judge Gulley in which he makes it clear that he would have no objection to overriding his veto on Senate Bill 343. And specifically he said, "In light of my signing of an extensive driving under the influence package and the medical malpractice legislation creating new duties...creating new duties to those contained in Senate Bill 343, I would have no objection if the sponsor filed an override motion on this legislation. My signing of these two packages of legislation during the summer has altered my position on Senate Bill 343." I would be happy to answer any questions; if not, I would request that we do as the Governor requested and override his veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 343 pass,...well, Senator...Senator Keats, all you have to do is turn your light on, you don't have to beat the desk to death.

SENATOR KEATS:

I...I couldn't get it to go on, the...the thing is trying to outsmart me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Keats.

SENATOR KEATS:

It didn't take any work. I did so much weight lifting this morning my arms weren't strong enough to push a button. That's true, I did this morning, but...I...I just want to rise and say I appreciate these explanations that the Governor says, well, gee, I vetoed the bill but let's go ahead and override and all this sort of stuff. There were some very legitimate reasons for vetoing the bill and despite the fact that a certain couple of judges beat the Governor to a pulp on the issue, the Governor was right the first time. And I

personally was just going to say, take a look at the Message, take a look at the problems, and I think we ought to just sustain the Governor's position. Just 'cause a couple of judges gave him the dickens about it doesn't mean he was wrong to begin with. Take a look at it and see if you agree with his initial Message. I do and I intend to vote to sustain the veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

I had a feeling you might feel that way, Senator Keats, so let me just briefly address a couple of those points. One, the Governor had said that the salary schedule for the Judicial employees should be set out by Statute as it was generally done and that is actually inaccurate. The only Judicial...actually no Judicial employees are set out by Statute. The Judicial officers themselves, of course, are because they are State officers. So this actually treats differently these twenty administrative assistant secretaries differently from all other Judicial employees, so I think he was actually wrong on that point, Senator Keats. Secondly, he said that, well, if you're going to do this to their category, you ought to do it to all others and, in fact, these twenty employees are, as far as we know, the only twenty employees in the State of Illinois at this level or any other who have had no pay adjustment since 1980. So that, I think, is the second way in which he was actually in error. And third, he said that there was no appropriation; in fact, the amount available for making this adjustment to the administrative assistants to the...the judges was included in the appropriation that has, in fact, been approved. So actually all three of the objections have been met and I think that probably was also a factor in the Governor's change of heart.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 343 pass, the veto to the...of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 17, none voting Present. Senate Bill 343 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. I am told, for those of you that are interested, that it's...the score is two to one, bottom of the third inning and the Dodgers are on top. And next case. Senate Bill 507, Mr. Secretary.

SECRETARY:

I move that Senate Bill 507 Do Pass, the total veto of the Governor to the contrary notwithstanding. Signed, Senator Vito...Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President, members. This was the appropriations bill to the bill that we just did not override the Governor's veto on, Senate Bill 172. I will adhere to the decision of this Body and withdraw this bill at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito withdraws the motion on Senate Bill 507. Senate Bill 957, Senator Joyce. 1404, Senator Collins. Senate Bill 1404, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1404 Do Pass, the veto of the Governor the contrary notwithstanding. Signed, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1404 is as you recall is the...created the Illinois Job Development Corps for hard core...unemployable youth in the State of Illinois. The Governor found in his wisdom to veto the bill and his basic rationale was that the bill would be a duplication of the existing job training programs in the State and that is simply not the case. As you recall, we passed an almost two billion dollar...well, two billion dollars if you include 2.3...if you include IHDA in the Build Illinois Program this year which was basically a public works program. Senate Bill 1404 would have provided a great opportunity for this State to have put forth a comprehensive effort that would have assured the training and development of those persons who are left out of mostly all of the existing job training programs in this State, because as you know that the...under the Job Training and Partnership Act that private employees have an opportunity to select those persons that they wish to participate in those programs. We're talking about young men and women who have gotten out...dropped out of school for the most part or who have finished high school and not continued on to a higher education, who lack the basic skills to go out in the job market today and compete for employment, and the probabilities that they will ever get a job, ever in their lifetime, is very, very slim. We, the State of Illinois, must...must provide for public work projects to train those persons in the basic skills and some of the skills to go forward and to go out in the private market and get a job to support themselves and their families. And if we don't, we're going to take care of those persons in the prison systems, on the public welfare rolls for the rest of their lives and we're going to take care of their children and their children for the rest of their lives. This is a good concept, it is not a duplication

of any program that currently exists within the State. And I would just ask you, all of you, to seriously consider overriding the Governor's veto. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? I would like to point out, ladies and gentlemen, there are three pages that we still have to get through. So, Senator Hudson, that's no reflection on you, of course, you have not spoken at all today. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll make this very brief, but I would call your attention to the fact that there have been a few changes since this bill was considered originally. And the Governor did...did veto this measure because it, in his opinion, and I think he is justified in...in his reasoning, in his opinion it does duplicate several other existing job programs such as the Job Training Partnership Act which has been mentioned. Also, the Governor makes the point that he has signed legislation which would fund and implement a job training program as part of the Prairie...Prairie State 2000 program. I think that as we consider this we should keep the Governor's considerations in mind and vote to sustain his veto in this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. This is a sound concept. You know, there are always some people that, what we call, fall through the net. This will pick up these people. You know, any training that you can give today, and it doesn't matter of what race, creed you are, or nationality, the thing is that

we have many young people who are...have moved into areas and their fathers have been laid off and other members of their family because of the loss of jobs. This is a program that needs to be implement, we can't have too many of these. And I'd...I'd urge you to be sure and give this an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Yes, let me just say that my colleague on the other side, Senator Hudson, was in error in reference to the...the Prairie State...the monies that were put into Prairie State. Prairie State 2000, that money was...was given to an authority, it...it did not...which does not have an active job training program, it does not exist. So we're...we're talking about...while I'm not saying that the Prairie State 2000 authority is not a worthwhile project but it does not address itself to actually providing for public works that would give these people an opportunity to be trained in some of the basic...skills, and I think that probably the construction and the building industry will probably have more jobs available in that segment than any other segment in society in addition to some other service type jobs. So this would really provide an opportunity for the State to take a leadership role and create in some jobs and at the same time helping to rebuild the State, because that's what...Build Illinois was supposed to be about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1404 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none

*SB 957  
override*

voting Present. Senate Bill 1404 having failed to receive the required three-fifths vote is declared lost. With leave of the Body, we'll go back up and pick up Senate Bill 957, the bill right before this one. Is leave granted? Leave is granted. Senate Bill 957, Mr. Secretary.

SECRETARY:

I move that Senate Bill 957 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. 957 prohibits the financial institution from imposing a fee for a returned check to anyone other than the issuer of the returned check.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 957 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 38...39, the...the Nays are 9, 1 voting Present. Senate Bill 957 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1410, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1410 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

This time because the bill failed, 1404, this was the appropriation. So I would just withdraw.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins seeks leave to withdraw...the motion on 1410. Is leave granted? Leave is granted. Motions in writing, override item vetoes, Senate Bill 356, Senator Berman, you ready? All right. Senate Bill 356, Mr. Secretary.

SECRETARY:

I move that the item on page 3, lines 1 through 4 of Senate Bill 356 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A short time ago we overrode the Governor's veto on Senate Bill 1322. That was the inventor's bill for matching...a program for matching grants between the State and colleges and universities in Illinois for persons who are inventors to encourage our economic development. This is the appropriation for that. It's a very modest a hundred and fifty thousand dollars. I urge your support to override the appropriation, a hundred and fifty thousand dollars for matches to inventors in the universities of our...of our State. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page...page 3, lines 1 through 4 of Senate Bill 356 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 15, none voting

Present. The item on page 3, lines 1 through 4 Senate Bill 356 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senate Bill 453, Senator Joyce. J. J. Joyce. Senator Joyce on the Floor? All right. Senate Bill 453, Mr. Secretary.

SECRETARY:

I move that the item on page 21, lines 28 through 35 of Senate Bill 453 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. This is for a school in Iroquois County that the...that has been condemned and the statement on the Governor's veto is that alternative use for the facility has been proposed, and that has fallen through. So I would ask for an override of this amount.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 21, lines 28 through 35 of Senate Bill 453 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, none voting Present. The item on page 21, lines 28 through 35 of Senate Bill 453 having failed to receive the required three-fifths vote is declared lost. Senator Poshard wishes...Senate...Senate Bill 456, Senator Poshard seeks leave of the Body to withdraw that motion. Is leave granted? Leave is granted. Senate Bill 467, Senator Newhouse. Senate Bill 467, Mr. Secretary...Senator Poshard wishes to withdraw the motion on Senate Bill 458. Yes...I'm sorry, 458. Senate

Bill 467, Mr. Secretary.

SECRETARY:

I move that the item on page 17, lines 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Would you come back to that please, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to take it out of the record and return...all right, leave...take it out of the record. Senator Newhouse, I assume the same motion on...on the next one, all right. Senate Bill 467, Senator Mahar. All right. Senate Bill 467, Mr. Secretary, he's ready.

SECRETARY:

I move that the item on page 26, lines 26 through 31 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. As you will note by the Message from the Governor, there is no reason for this veto. I think there was some confusion. I offered an amendment in committee...in Appropriations Committee to fund...or to appropriate five thousand dollars for the Municipal Clerks Institute. This was at the behest of the municipal clerks. The institute is mandated by the State of Illinois to be held annually at the University of Illinois. Since this mandate went into effect the State of Illinois has never...never forwarded one dime. The clerks have asked for a partial or one-seventh appropriation of five thousand dollars to help in

their...their cost. The problems, and they've been able to demonstrate this, that they have had fewer and fewer members attending their institute because members from the smaller towns are not getting reimbursed for their tuition. And I would urge your passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 26, lines 26 through 31 of Senate Bill 467 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. The item on page 26, lines 26 through 31 of Senate Bill 467 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senate Bill 468, Senator Donahue. 468, Mr. Secretary.

SECRETARY:

I move that the item on page 16, lines...7 through 12 of Senate Bill 468 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. What this is is seventy thousand dollars that would be in the Department of Agriculture budget to help defray the cost of the...the corporate form data collection which we passed in substantive legislation in House Bill 582 which was passed and signed. And what they're saying...as I understand it, is that the Department of Agriculture should absorb these costs to do this. I think it's important legislation and I think this seventy thousand dollars is needed to have this data collection done properly. I would move for...the motion would be to override the

Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well, I...I don't have any strong feelings on this but it's seventy thousand dollars to find out if corporations are owning farm land. I think probably right now anybody would sell anything to anybody if they could...it's not worth anything. So...you know,...I just think that we could probably do without it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield? Senator Donahue, didn't the Governor veto or amendatorily veto...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue...excuse me, Senator...Senator Dunn is...all right...Senator Dunn.

SENATOR DUNN:

Fine. Thank you. I was going to ask Senator Donahue if the Governor didn't amendatorily veto that bill and take most of the main thrust of it out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

No, Senator Dunn. As I understand it, he's...made it where the corporations would file only when they...when a transaction happens. If...if...they wouldn't have to file every year if nothing has changed, only when a transaction happens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you. I...I would also urge that we...or I would

urge that we vote against this, it was an unnecessary bill and unnecessary filing taing that we voted. This is one of those bills that I hate to get caught in the switches on. It's one of those four hundred bills that...that we all voted for at one time. I've been voting against that bill for about twenty year...ten years at least. And I'm going to vote against the appropriation, I...I don't think it's needed, I'm going to support the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue may close.

SENATOR DONAHUE:

Thank you. I think what we need to keep in mind, this was a...an effort by many of the farm organizations across the State to be able to...keep...get the data to know whether or not we have a problem with corporate farms. The...the next step is to prohibit this, and I'm not necessarily in favor of that but we don't know if we have a problem till we collect the data. This seventy thousand dollars is needed to do that. The substantive legislation is already on the books and the way it's written, the Department of Agriculture must do this. So I don't think if we...we don't accept this seventy thousand dollars...if we don't get the seventy thousand doliars, it's still going to happen. And I think that's what we have to keep in mind. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 16, lines 7 through 12 of Senate Bill 468 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record.

On that question, the Ayes are 31, the Nays are 15, 1 voting Present. The item on page 16, lines 7 through 12 of Senate Bill 468 having failed to receive the required...three-fifths

vote is declared lost. Page 2 on your Supplemental Calendar  
No. 1, Senate Bill 472, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

I move that the item on page 36, lines 28 through 33 of Senate Bill 472 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This line item would appropriate eight hundred thousand dollars to the Department of Transportation for the upgrading, repair and renovation of several county roads in the southern Illinois counties of White, Saline, Johnson, Massac, Pulaski, Alexander, Pope, Hardin and Gallatin Counties. The reasons for this is very clear if you have traveled through those counties, most of them are mountainous terrain. Last year in three of these counties, we had school children out of school because the roads were absolutely...impassable for a total of thirty-five straight schools days. That costs a lot of money to keep...kids out of school for that long. We had the Emergency Services and Disaster Agency on the ready with helicopters because there were several people along those county roads that had severe illnesses, that on a moment's notice had to be transported out of that area. This is a very crucial area. The county tax base down there is just negligible, the roads fall through every winter costing us a lot of money. What we're trying to do here, we got the county board members together, the county superintendents of highway and we said, what do we need to put a base on these roads to keep them from falling through so that we don't have to go through this every winter

with our school kids not being able to get to school, with people not being able to get to their jobs, with people with severe illnesses put in danger of life threatening situations? This is what we came up with, we...very much appreciate your support of the override of this line item veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I guess I'm the designated hitter once again in a task I don't particularly relish, 'cause I...I do understand what the gentleman is saying. However, for White, Saline, Johnson, Massac, Pulaski, Alexander, Pope, Hardin and Gallatin Counties already has been appropriated three million five hundred and seventy-six thousand dollars. These particular roads are not State responsibilities and if there is this, indeed, total appropriated, it then becomes not only a bad precedent but it then makes the process of appropriating and the process of...of establishing rankings and listings on...on how we're going to go about this in providing resources, really a bit of a sham. And, so, at the request of the administration, I would urge that we sustain this particular veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

All right. Thank you, Mr. President. Just to reiterate what Senator Bloom has just said, three million dollars for nine counties in southern Illinois, three million dollars in State funds for State roads. Isn't that incredible? What does three million dollars buy in the way of funding to repair State roads for nine counties and that's State roads?

Here we're talking about county roads where people live, where the great majority of the counties is national forest land for which the counties are reimbursed eighty cents per acre for a year to meet their obligations for roads, for schools, for everything else. It's an impossible situation, a small amount of people, no tax base, all kinds of obligations which they cannot meet year after year after year, life threatening situations developing because roads fall through every year. We can't get our kid...thirty-five days in a row kids were out of school this past year because the buses can't run. This is a one-time effort to try to build this...these roads up so our buses can get our kids to school and our people can get to work. Ask for your support of this. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 36, lines 29 through 33 of Senate Bill 472...Senator Poshard.

SENATOR POSHARD:

Mr. President, can...can we hold up on the vote on this for just a...a couple of seconds? We're checking some...some...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've got tomorrow, the next day and maybe the day after...sure, take it out of the record. Next case. Senate Bill 472. On the next motion, Senator Poshard? Senate Bill 480, Senator Carroll. Senate Bill 4-8-0, Mr. Secretary.

SECRETARY:

I move that the item on page 20, lines 17 through 22 of Senate Bill 480 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

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

Senate. This is the appropriation legislation, the substantive bill being debated currently over in the House that would have provided...or would provide for reimbursement to the local county governments for the days in which they have to maintain a prisoner in the county jail until the State accepts them after sentencing as a member of a State institution. Now, what we have learned is that in many cases the State in effect asks the county to hold the prisoners for a number of days so that they can have an orderly arrival into the State penal system. Again, this is after sentencing. The State is therefore not at that point accommodating these prisoners as part of their system but rather the county is paying the cost of incarcerating what is then a State penal institution offender so ordered by a court. This bill would provide for a reimbursement for those counties. We have capped in the substantive bill the number of days, so that Cook County would not be absorbing all the money potentially available, cap the number of days for which a county would be reimbursed. The appropriation is for two million one hundred and fifty thousand and would impact some twenty counties throughout the State. In addition to the County of Cook, it would provide additional funding to the county governments because of their holding these then State prisoners in Alexander County, in Champaign County, in Henry County, Kane County, Kankakee County, McLean County, Macon County, Peoria, Pike, Rock Island, St. Clair, Sangamon, Tazwell, Vermillion and Winnebago. These counties would all receive some reimbursement that they are now not getting for, in fact, accommodating, taking care of room and board and guard for prisoners who are then truly prisoners of the State system. I think this is just fair and equitable since the counties are, in fact, at that point really holding a State prisoner; and this would be a modest reimbursement to those counties for what...should have been a State expense, and I would ask that

the veto of the Governor to the contrary notwithstanding, this line item be approved by the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

You mentioned the substantive bills, I understand what 691...House Bill 691. Is there any other bill besides...yeah...go right ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't have the other numbers, Senator Watson, but I understand that the substantive language was in two bills that is over in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And at this point, you...you don't know exactly where they stand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

As...I talked to the sponsor a few moments ago, call it fifteen minutes to a half hour ago, and at that point in time the House had not overridden the Governor's veto of the substantive language. It was still pending and on the Calendar in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

At what rate will the counties be reimbursed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It's at a...a total of thirty dollars per day with a cap which only applies to Cook on the number of days, that would be the rate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR CARROLL:

...somewhat reduced, I'm sorry, 'cause we used the lesser amount.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Are there any estimates as to how much will end up going to Cook County versus the rest of the State, or do...do you have any figures in regard to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Watson, the Department of Corrections when they gave us the original said approximately, if I remember, 1.2 million of the then three million...I'm sorry, 1.050 would have gone to the County of Cook; a hundred and six thousand to DuPage, sixty-five thousand to McLean and so on. Now, again, we did tailor that money down somewhat so those numbers are a little bit high, assuming the Department of Correction's figures of their memorandum of June 20th was correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. Well, to the...to the motion and to Senate Bill 480 and the attempt to override. The Senator is quite correct in regard to...at one time, the Department of Corrections refused to accept prisoners except on certain days but that is no longer the case, and I have a memorandum here from the Department of Corrections which says that they will accept prisoners at the reception centers and...for which there are four in Illinois, on Monday through Friday from 8:00 a.m. to 4:00 p.m. All that Cook County has to do is simply bring their prisoners to those particular receptive areas and the Department of Corrections will administer and admit the prisoners at that time. The...the other problem, of course, with it is the fact that we are now reimbursing the sheriffs' departments for transportation costs involving transportation of inmates. Cook County is reimbursed at the rate of thirty-five cents per mile one way per inmate and...I'm sorry, that's not Cook County, that's all the rest of the counties in the State but Cook County is reimbursed at a rate of fifteen cents per mile for the first inmate, ten cents per mile for the second and five cents per mile for other inmates. The Department of Corrections and, in fact, has a what is called the transfer coordinator's office. So if there is a problem in...accepting prisoners, the...the county, all they have to do is contact this particular office and prisoners would be accepted on other days than the ones that are already established. So I think at...at this time, I don't believe this is a good idea. I believe what we're seeing is possibly some counties of the State trying to raid the Department of Corrections' appropriation for additional monies which I don't know if they're necessarily deserving. I think a No vote is most appropriate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just say to Senator Watson and the other members, obviously, we don't know what the House is going to do as to the substantive legislation. I would presume it is going that the veto of the Governor will be overridden, I could be wrong. Obviously, should we override, which I would hope we will, the House will not call because the action would be of...of no legal effect inasmuch as the substantive bill had failed. The only way to keep this thing moving though because of our time constraints versus theirs is to override at this time. Let me just say that, in fact, many counties of this State have been acting as State wardens, as State holders of prisoners; and if something has changed since June, at least I am not aware of it and I don't think we are, but at that point, the coordinators from the Department of Corrections would tell the counties what days they could easily accept these prisoners and nothing is wrong with that system. You don't want an influx of people into the prison system in a disorderly fashion where they cannot absorb them in...in a safe way in order to make sure that the...the system is safe. So there's nothing wrong with them saying, all right, send us on Monday or send us on Tuesday. The point is, if they say send us on Tuesday, who should be paying for Monday? And you're talking about an amount less than thirty dollars a day for taking care of these prisoners' food, lodging, guards et al. I do not believe any county in this State would be making money holding these State prisoners at thirty dollars a day. I think they would rather get them out of their jails and into the State prison system but they have no choice, and, therefore, for places like Peoria County to lose about a hundred and fifty thousand dollars or Winnebago or DuPage or Kane or any of the others I mentioned, I don't think is fair. They're providing a service to the State at that point and we should be making this at least

token reimbursement. Again, this is merely the appropriation; should the substantive bill fail, at that point this would be of no effect but, at this point, I would move that the line item of the Governor to the contrary notwithstanding, that we do appropriate these funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 20, line 17 through 22 of Senate Bill 480 pass. Those...the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 21, none voting Present. The item on page 20, lines 17 through 22 of Senate Bill 480 having received the required three-fifths vote is declared passed, the item veto of...of the Governor to the contrary...to the Governor to the contrary notwithstanding. Senate Bill 483, Senator Schaffer. Senate Bill 483, Mr. Secretary.

SECRETARY:

I move that the item on page 9, lines 4 through 7 of Senate Bill 483 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is an appropriation for some fifty-seven thousand dollars to the Crystal Lake Senior Citizens' Center. I could take about a half an hour of the Body's time to explain the litany that's taken place over the last ten years, but the long and short of the story is that our senior citizens' services in my major county, McHenry County, almost came to a screeching halt a number of years ago due to some serious financial management problems. They have been grad-

ually pulling themselves out of the hock and putting their programs...back in place. This amount is a fraction or a part of that total financial problem and in part reflects the duplicity of our State agencies. I wouldn't be before this Body if the State had not a responsibility and it...it does in this case, and the locals have paid the price also, and it seems fair that since our people were alleged to be overseeing this, that we should bear some responsibility and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you. I'm not sure if the sponsor will yield. What...what is the money for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFER:

Basically, Senator Rock, at the urging and recommendation of the agencies, the area agency in our Department of Aging, the seniors became involved in a major senior citizen center which subsequent to cutbacks and programs they were not able to continue, and the resulting financial loss on that is a debt carried by the organization which they have been paying off. This is a portion of that debt for that payback.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I would just point out, and I, frankly, don't have anything obviously against senior centers anywhere, my recollection is that during the course of the appropriation's process there was this money and a similar amount to three or four others; and the fact is, I suppose if we each in our own districts started asking for money for senior centers, we could surely drain the General Revenue Fund. This is the

only one now yet alive, I am told, and I just think, again, as well-intended as it may well be, this is a bad precedent. I've got senior centers all over my district and if you get one in, we're going to have serious trouble.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schaffer may close.

SENATOR SCHAPPER:

I can certainly agree with Senator Rock and just happens to be the one in my district and I think everyone in this room can relate to my feelings and my motivations. I'd like to help my seniors. Appreciate a vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 9, lines 4 through 7 of Senate Bill 483 pass, the...item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 18, 5 voting Present. The item on page 9, lines 4 through 7 of Senate Bill 483 having failed to receive the required three-fifths vote is declared lost. Senator Chew, do you wish recognition? Your light is on. All right. Senate Bill 1368, Mr. Secretary.

SECRETARY:

I move that the item on page 33, lines...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait...wait...wait, Mr. Secretary. Senator Carroll, you want that hold...held? All right. Let's take it out of the record. All right. The middle of page 2, motions in writing, restore item reduction, Senate Bill 472. Senator Luft, are you prepared? Whoops...all right. Mr. Secretary, would you read the motion, please.

SECRETARY:

I've corrected this motion. It is an item veto, not an

item reduction. It...the motion will read as follows. I move that the item on page 38, lines 18 through 22 of Senate Bill 472 Do Pass, the item reduction of the Governor to the contrary...the item veto of the Governor to the contrary notwithstanding. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. It's a rare occasion when I get up to try to put pork back since I don't deal in that very often. However, this was a three...however, this was a three hundred thousand dollar appropriation for lake in Canton. That lake is the water supply not only for the City of Canton, for...but about for four or five other communities around that area. Without this money to repair that lake, it is fearful that the water supply may be in danger, so I would ask for the restoration of the three hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Point of inquiry. Are we talking about six...1368 or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon...

SENATOR FAWELL:

I...you got...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, we have...it's Senate Bill 472. The Secretary will correct the board. All right. Senator Fawell, did you seek recognition on Senate Bill 472? All right. Further discussion? All right. If...if not, the question is, shall the item on page 38, lines 18 through 22 of Senate Bill 472 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye.

Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 20, none voting Present. The item on page 38, lines 18 through 22 of Senate Bill 472 having received the required three-fifths vote is declared passed, the item veto to the...of the Governor to the contrary notwithstanding. Senate Bill 481, Mr. Secretary.

SECRETARY:

I move that the item on page 1, line 29 of Senate Bill 481 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Earlier in the Session, we passed Senate Bill 9 over the Governor's veto. This item in the State Police budget is for the funding to execute the policy for reimbursing counties for extradition costs in all criminal cases. As we passed Senate Bill 9 only shortly earlier by a 44 to 9 vote, I ask for the same action to restore the three hundred and ninety thousand dollars in Senate Bill 481, the item reduction of the Governor notwithstanding. By resolution, again, the sheriff's...the Illinois Sheriff's Association by its president, George Kramer, and it's secretary-treasurer, Quinton Durst, passed by resolution in support of...of this measure, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, Senate Bill 9...by virtue of Senate Bill 9, the Governor was overridden, that

SB 207  
Spec. Recommendation

was the substantive language. This to a degree is...the funding language. I don't think I ordered the meal but that's not to say that perhaps we should not pay for it.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the item on page 1, line 29 of Senate Bill 481 be restored, the item reduction of the veto to the...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 17 Nays, none voting Present. The item on page 1, line 28 of Senate Bill 481 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. (Machine cutoff)...right. We're going to try to move rather rapidly through the motions in writing to accept the Governor's specific recommendations for change on the Supplemental Calendar. Then, we will return to page 2 on the regular Calendar for the six bills that members have indicated they wish to move and that will effectively, I think, conclude our business for today. All right. Page 2 on Supplemental Calendar No. 1 is the motion in writing to accept specific recommendations on Senate Bill 207. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor of Senate Bill 207 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. I would move that we accept the Governor's specific

recommendation for change, Senate Bill 207. This is the bulk of the gang crimes bill and, as I understand it, the changes that the Governor made have to be looked at in conjunction with a House bill that passed which deals with the same subject matter and with the automatic transfer provisions; and so, in essence, no substantive change was made in that area but rather a reduction of the criminal penalties for an adult selling or giving or delivering a firearm to a minor on school property. The bill that we passed made it a Class X felony for an adult to deliver or sell or give a firearm to a minor on school property. Senator Sangmeister and myself both felt that there are very few more heinous dealings that a...that an adult gang member can do but to deliver a gun to a juvenile in school. So, therefore, we made it a Class X penalty. The Governor felt that was too stiff and would hinder prosecution, he reduced it to a Class 3 felony. While I don't agree with it, I'm not going to move to...to override and will reluctantly accept this particular recommendation for change and, therefore, make this motion.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall we accept the specific recommendations...the question is, shall...the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 207 in the manner and form just stated by Senator Marovitz. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 56, none voting Nay, none voting Present. The bill having received the...required majority vote of Senators elected is declared accepted. Senate Bill 244, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of Governor as to Senate Bill 244 in the manner and form as follows. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I rise to accept the specific recommendations of the Governor for change to Senate Bill 244 which amends the Vehicle Code and the Motor Fuel Tax law. Now, the Governor has included in the new language which appears in Chapter 95 and a 1/2 which is the Vehicle Code in Chapter 120 of the Revenue Act. This change will provide consistency between both chapters with respect to exemption of sale vehicles from the...provision. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 244 in the manner and form just stated by Senator Coffey. Those in...favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, none voting Nay, none voting Present. And the specific recommendations of the Governor as to Senate Bill 244 having received the required constitutional majority vote of Senators elected is declared accepted. (Machine cutoff)...Bill 459, Senator Karpziel. Read the bill, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 459 in the manner and form as follows. Signed, Senator Karpziel.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move that we accept the...specific...change recommended by the Governor for Senate Bill 459. This is the appropriations for the EPA Trust Fund. In the past, the monies that...in this fund have been used for...right now, the Waukegan cleanup...Waukegan Harbor cleanup has been put on hold, but this money in this fund is to be used for extraordinary type projects such as that and the Maryland Manor Water Main Project that is now going on in Chicago. In the changes that the Governor made, he took money for an ongoing program out of the trust fund and put it into the General Revenue Fund because he felt that it was a better revenue source for an ongoing program, to leave the money free in the trust fund for some of these extraordinary type projects, and I ask for your approval.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll.

SENATOR CARROLL:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. Over the past several weeks a number of changes have occurred in the financial outlook for the State of Illinois. The impact this year will be to bring our year-end balances below the two hundred million warning zone. The two-year impact of these changes jeopardizes the multiyear funding commitments to education. Revenues originally assumed in the budget of Fiscal Year '86 are now lost and need to be restored. Now, I can read you the rest of the letter the Governor sent us today but I think Senator Philip had it distributed so we could all read it. Here's a case where we have over a million dollars in an environmental trust fund. This General Assembly in attempting to preserve general revenue funds for those things for which only general revenue funds can be used for decided to use into this trust fund that has been building up money over a ten-year period,

unused, and use it for this important environmental project. To suggest now, the general revenue is suddenly available, at the same time the Governor tells us that our general revenue is in jeopardy does not make sense. I believe the General Assembly in its wisdom chose the correct fund in June and that that the decision is one in which we should now concur. I believe we should object to and oppose this specific recommendation for change which is changing the source of funds. Let us preserve the general revenue funds for those for which no other sources are available, and I believe, therefore, we should reject Senator Karpriel's motion and then go about our business of using the appropriate fund for this appropriation.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Karpriel, you wish to close?

SENATOR KARPIEL:

Yes, I would. First of all, I would like to ask the previous speaker if he would then, in fact, support a total override of this bill.

PRESIDING OFFICER: (SENATOR LUFT)

...Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpriel.

SENATOR KARPIEL:

Well, it might come to that. I would like to make...make it plain to the membership that this million dollars is not just sitting there doing absolutely nothing. We have in it two hundred and fifty thousand dollars for...which would allow the extension of a water main to Maryland Manor, a small neighborhood in Chicago which is located between the...Gardens Housing Project and the Calumet...River. This

area has no city water service and a number of health threatening contaminants have been identified in the well water. Three hundred thousand would fund an intensive study of ground water contamination in the Rockford and Loves Park areas of Winnebago County. The area is known to have serious ground water contamination problems. Those are the kinds of projects that this trust fund is...is there for. It was never set up for the...for a...money to fund an ongoing program of the EPA. This program is...is said to be three hundred thousand this year from the State's portion, next year it will be six hundred thousand and the following year, nine hundred thousand. There is only about nine...about a million dollars in the trust fund now. We still have the problem with the cleanup of the Waukegan Harbor. This money is not for ongoing programs, it was never intended that and I don't think we should let political considerations and the gubernatorial race coming up and all these kinds of things influence good...you know, good economic and good efficient practices and you should not fund ongoing programs with a...a fund that is not a...stable revenue source. I ask for your Yes vote.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman, she was closing. Senator Schuneman.

SENATOR SCHUNEMAN:

I apologize, Mr. President, I didn't...I wasn't aware that you had asked her to close. I...I had a question of the sponsor, if I might address it to her.

PRESIDING OFFICER: (SENATOR LUFT)

Absolutely.

SENATOR SCHUNEMAN:

The Environmental Protection Trust Fund is something that I am not...I'm not certain about, but isn't this the fund that is established through the payment of fees levied against companies that deposit hazardous wastes?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel.

SENATOR KARPIEL:

Well, I don't know if it's specifically only hazardous waste. It's...it's fines and...and fees and that that come into the State because of various...you know, problems.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, my...my concern is whether or not this is the fund that was established a number of years ago under a bill...which I cosponsored in the House that established an environmental protection trust fund, the purpose of which was to pay for environmental hazards that were created and got out of control through the...the operation of hazardous waste dump sites in the State; and if that's what we're...that's what we're raiding here, then we shouldn't be doing this. We should be supporting Senator Karpziel's motion, but I...and I wanted to assure myself of what...actually what we're doing.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpziel.

SENATOR KARPIEL:

Yes, the money was originally intended to take care of these kinds of sites and these kinds of problems in the State.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, thank you, Mr. President. Then I would suggest that...that the...Senator Karpziel's motion is absolutely correct and we should support the motion. This...this fund was not established to take care of projects of the kind that seek to be appropriated out of the fund. The fund was established as a trust to be held for the repair and clean up of

hazardous waste accidents that occur in the future, and if we raid the money for these purposes, there won't be any money in the trust fund when the accident occurs.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 459 in the manner and form just stated by Senator Karpiel. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question,...on this question, the Ayes are 31, Nays 15, none voting Present. The specific recommendation of the...Governor as to Senate Bill 459 having received the required constitutional majority vote of the Senators elected are declared accepted. It has come to my attention that the printing machine is down upstairs, so we're going to be running late as far as anyone receiving any information that they may need, just copies...just copies. Senate Bill 690, Senator Macdonald. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 690 in the manner and form as follows. Signed, Senator Macdonald.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 690 was the bill that we passed out of here and passed out...in the House also which would return in a timely fashion the income tax refunds. The Governor has merely said if the money is available that they can meet this hundred and twenty day return mandate in the bill. I think that's...goes almost without saying, I don't know why he had to put it in writing but, of course, if we didn't have the money, we couldn't return...the

AB 758  
Spec. Recomm. of  
the Gov.

refunds within a hundred and twenty days. So I ask for your support of the...his recommendation.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 690 in the manner and form just stated by Senator Macdonald. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 52, Nays 2, none voting Present and the specific recommendations of the Governor as to Senate Bill 690 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 758, Senator Davidson. Senator Davidson. Read the motion, Mr. Secretary.

SECRETARY:

I...I move to accept the specific recommendations of the Governor as to Senate Bill 758 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we accept the...specific recommendations for change. They're basically are mostly technical and to correct one part which they thought could been some debate, whether a team...visiting team, professional or amateur, otherwise coming to Illinois could have their own athletic trainer and that has been corrected in his amendatory veto. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 758 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr...Secretary. On that motion, the Ayes are 56, none voting Nay, none voting Present and the specific recommendation of the Governor as to Senate Bill 758 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 785, Senator Fawell. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 785 in the manner and form as follows. Signed, Senator Fawell.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is the Senate bill that allowed the local liquor license commissioner to require fingerprints of the local liquor license applicants. The changes that the...that the Governor recommended are basically technical changes. It includes changing the Department of Law Enforcement to the Department of State Police and it also requires that the fingerprints of the local liquor license applicants be forwarded to the Department of State Police through a local police agency. I move that we accept the recommended changes as specified by the Governor's veto.

PRESIDING OFFICER: (SENATOR LUFT)

Any...is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 785 in the manner and form just stated by Senator Fawell. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present...and the specific recom-

mendations of the Governor as to Senate Bill 785 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 829, Senator Topinka. Read the motion, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 829 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, basically, the Governor's suggestions are technical in nature. The original bill amended the Illinois Medical Practice Act and it basically beefed up disciplinary grounds for physicians. Among the items, however, that inadvertently got left out was professional incompetence as manifested by poor standards of care. We would like to put that...he would like to put that back in and he would also like to make the effective date immediate, and he would also like to put in a provision regarding the use of the term "M.D." which was contained in a Fawell bill which did pass out and was taken care in...in another way. I don't know of any opposition, so I think we ought to accept it.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 829 in the manner and form just stated by Senator Topinka. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 829 having received the required constitutional

*SB 834  
Sen. Keats  
of the Governor*

majority vote of Senators elected are declared accepted. Senate Bill 834, Senator Keats. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 834 in the manner and form as follows. Signed, Senator Keats.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we accept the Governor's amendatory veto...amendatory language even though I don't particularly agree with it. It's...in fact, he's cleaned up a bill that I voted against. He's...chosen my bill to clean up another bill that I was opposed to to begin with, but since in our wisdom, we decided to pass that other bill, this clean-up language does solve when we shifted from three to five facilities for a bank that they can now have five. This cleans up the order in which it can be done and...and it's an administrative problem. It also cleans up an internal commissioner of banks...thing where in 835...Senate Bill...835 we did one thing and in 834 we conflicted it, so he went with 835 and...and cleaned it up here. And the President of the Senate is laughing 'cause the bill I said I voted against was his bill, and that's why they're using my bill to clean up his mistake. So, with that, I would ask for your acceptance of the Governor's changes.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 834 in the manner and form just stated by Senator Keats. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 834 having received the required constitutional majority vote of Senators elected are declared accepted. Now, we'll turn to the last page of the Supplemental...Calendar. Top of page 3, Senate Bill 866, Senator Topinka. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 866 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I move we concur with what the Governor had to state. Originally, the bill worked over some obsolete language and...and handled terminology in terms of breeding for horses in the State of Illinois that would be used in racing. Unfortunately, the way the bill ultimately came out, it did have a tendency to restrict interstate investments, and what this bill does now with the Governor's interaction, is to broaden the residency requirement to allow a transfer of interest in an Illinois stallion to an out-of-state resident as long as such a transfer will not result in the stallion being owned by less than fifty percent Illinois residents.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 866 in the manner and form just stated by Senator Topinka. Those in favor vote Aye. Those opposed Nay. The voting is open.

Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary, please. On that question, the Ayes are 55, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 866 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 897, Senator Davidson. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 897 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move to adopt the specific recommendations for change as recommended in 897. What it does is for...in this instance only would allow the Department of Law Enforcement to be exempt from bidding to be able to purchase the forensic laboratory analytical equipment and the software thereto. It...they're very specialized and only one made, it's a microprocessor. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 897 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 897 having received the required constitutional majority vote of Sena-

*AB 1289  
Spec. Recomm.  
of the Governor*

tors elected are declared accepted. Senate Bill 1029, Senator Lemke. Read the motion, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1029 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lemke.

SENATOR LEMKE:

What this amendment does that the Governor vetoed is to make it conform with another bill that we passed. This is the bill in regards to exemption of...of lumber sold in enterprise zones. And what this amendment does, if my staff told me correctly, it makes this bill conform with a bill that we passed that he also signed...on enterprise zones which is Senate Bill...65. I think the language is good and I think we...it's consistent with our policy...enterprise zones. I ask for a...

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion?

SENATOR LEMKE:

...a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1029 in the manner and form just stated by Senator Lemke. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wished? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 1029 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1299, Senator Barkhausen. Read the motion,

please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1289 in the manner and form as follows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we accept the Governor's specific recommendations for change on Senate Bill 1289 which are minor...which are twofold. One is to delete the provision...this bill dealing with crime victim's escrow account to delete the provision that would allow a...a recanting victim, such as Kathleen Webb in the Dotson case, to...to delete the provision that would allow a victim's attorney to recoup fees from that fund. The other change is to provide an immediate effective date which is certainly desirable in this case. I would move that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1289 in the manner and form just stated by Senator Barkhausen. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 1289 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1295, Senator Topinka. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the

Governor as to Senate Bill 1295 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Ladies and Gentlemen of the Senate, the original bill amended the Illinois Life and Health Insurance Guarantee Association Law and provided that the association would become primarily responsible for Illinois resident policyholders in all instances. And that was all fine and good but a typographical error in numbering amended this section so that it potentially changed the entire meaning of the Act, and that has to go and the Governor's veto corrects those errors. He also adds an effective date of January 1st of '86. So, it's predominantly technical in nature but a pretty serious technical.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1295 in the manner and form just stated by Senator Topinka. Those in favor please vote Aye. Those opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay and none voting Present. The specific recommendations of the Governor as to Senate Bill 1295 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1430, Senator Darrow. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1430 in the manner and form as follows. Signed, Senator Darrow.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Darrow. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1430 increased the penalty for practicing medicine without a license from a Class A misdemeanor to a Class 4 felony, increased the penalty for subsequent offenses from a Class 4 felony to a Class 3 felony. The Governor's amendatory veto removes two Acts from the unauthorized practice of medicine felony penalty provisions. The first one is that portion of the Medical Practice Act that pertains to the...to regulating the occurrence of false advertising regarding third-party payor systems, he wishes to keep that a Class A misdemeanor because that area is still in a state of flux. The other provision is the section of Medical Malpractice Act that pertains to improper dispensing of medicine and drugs, that's already covered under the Controlled Substance Act. I would move that we concur in the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1430 in the manner and form just stated by Senator Darrow. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 56, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 1430 having received the required constitutional majority vote of Senators elected are declared accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 3 is Senate Bill 1159, motions in writing, override the specific recommendations. Mr. Secretary, 1159.

SECRETARY:

I move that Senate Bill 1159 Do Pass, the specific recom-

mendations of the Governor to the contrary notwithstanding.  
Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This particular bill passed both the House and the Senate unanimously. It is now in a position where the Governor has taken it upon himself to write an amendatory message which has pretty much gutted the bill. What the bill tried to do was create fair trade between university campuses and the local citizens when there's competition by business for items used by students on campus and nonstudents on campus. What we are trying to do is make sure that State universities that perform purely commercial functions comply with purely commercial home rule taxes. This bill only...applies to home rule cities and those with universities located therein. What we are seeking to do is make sure that when a bookstore sells a wide variety of goods, a great many of which are not related to the...of an education, that the gross receipts be taxed. The amendment by the Governor has altered that situation so that there is an exemption for schoolbooks, school supplies and parking spaces. The question arises as to enforcement of this particular amendatory veto. How do you determine what is a school supply? If you buy a T-shirt with Southern Illinois University on it, is that a school supply or is it something collateral? If you buy a pen that you're going to use at home and not in the university setting, is that a school supply or is it a collateral item? If a nonstudent goes on campus, such as myself, and buys a schoolbook for home use, that would have to be taxed under the Governor's amendatory veto. What the Governor has done by his veto is require, number one, a...a cataloging of every item within a school supply store. Number two, he is requiring that those items

then be determined when sold to an individual whether that...whether the intent of the individual is to use those related to the school itself and furthering his education, or whether they are used for a peripheral purpose such as home consumption. Number three, the university will have to determine if the person buying those books is, in fact, a student or a layperson and just happens to be on campus buying something. The overall effect is to make each of the bookstore managers the determiner and arbiter of what the law is, and what it's going to result in is litigation between the universities and the home rule cities. And for that reason, Mr. President, I would urge that we override the Governor's veto and return it to its original form. I would like to point out, however, one of the main purposes of the amendatory veto is to make sure that there would be no sales tax on the sale of football tickets, basketball tickets and other such sporting events on campus and, in addition, the University of Illinois requested that parking spaces not be taxed. I have no problem with that at all; in fact, I intend to introduce legislation that will exempt those specific items from taxation in the Spring. In addition, I would like to say that the attempt of this bill was to settle a lawsuit between the University at Northern and the city itself. We thought that could be accomplished if this bill was signed without being amended. Since it has been amended, that suit is going to continue unless we override this particular veto. So I would urge that we override the specific...recommendations of the Governor on Senate Bill 1159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Well, I don't stand before you saying this is a perfect amendatory veto, but under the existing bill as passed, it's terrible and I think

it needs...I think it needs more work but I think we should accept...we should accept the amendatory veto and refine it in the Spring. So that everybody knows where we're coming from, the Retail Merchant's Association has some concern, the universities has...has some concern. But certainly, I don't think we want to impose a tax to the municipalities of any university community on athletic events and...and ticket sales, rentals of parking space, parking rental at sporting events. I think we should accept the Governor's amendatory language and then work on it in the Spring to...to refine that language a little bit, but to override it would be wrong.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right...further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Mr. President, let me point out that this bill...I'm not going to accept the Governor's amendatory veto, I'm going to let it die if we don't override his veto. So there's going to be nothing to amend in the Spring, because the University at Northern believes we can win our...believes they can win the lawsuit...the city believes they can win the lawsuit against the university, so they do not want to proceed with this bill unless the veto is overridden. So they have no interest in pursuing this legislation and refining it in the Spring. So what I am trying to do here is to settle this lawsuit among taxpayers and make sure that that bill is taken care of. There are three groups supporting this bill. I haven't heard any reservations from them at all. The groups are the Illinois Retail Merchants' Association, the Illinois Municipal League and the Northwest Municipal Conference. They're united in...in believing that the city should be able to tax the same item sold on the university that are sold in the city. It's only fair that a bookstore competing with a

city...a campus bookstore a block away be allowed to have the same advantage or disadvantage as far as costs. Now as far as the amusement tax, the tax on sporting events, I agree, let's not tax those events but let's do that in the Spring. Let's sign...let's pass this bill without the amendment and then we'll pass the bill exempting those from the tax. That's what's fair, not having one person at the University of Illinois write a note to the Governor suggesting what legislation should be after we passed it unanimously and he doesn't even bother to show up to testify. So I would urge that we override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1159 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. Senate Bill 1159 having failed to receive the required three-fifths vote is declared lost. All right. With leave of the Body, we will now go to the regular Senate Calendar, your regular Senate Calendar, page 2, Senate bills 2nd reading. Page 2 on your...regular Calendar, Senate bills 2nd reading is Senate Bill 994. Is Senator Bloom on the Floor? Senator Bloom on the Floor? All right. 1467, Mr. Secretary, 1-4-6-7.

SECRETARY:

Senate Bill 467...or 1467.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 994  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll go back and pick up 994. Is leave granted? Leave is granted. Senate bills 2nd reading is...is Senate Bill 994, Mr. Secretary.

SECRETARY:

Senate Bill 994.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment that I have affixed to 994 is a rather lengthy and somewhat technical amendment. Basically, at the request of the Commerce Commission, what I would like to do is to put the amendment on...I mean...and I'll...I can briefly summarize it, Senator Netsch, 'cause I'd ultimately like to recall this bill from 3rd reading tomorrow if I'm not entirely satisfied with the language of the amendments, and we may not ultimately need to pass this at this time. However, I did represent to the Commerce Commission that I would file and affix this amendment...basically, it does certain technical changes to the Public Utilities Act; for example, it adds phrases like intrastate public utility business which does not appear in Section 502 of the Act itself but does appear in Section 3-121. Those kinds of changes that are made; however, I would represent to this Body that I will bring this back 'cause I have some other...some other language that I...I'd like to affix to this or Senate Bill 1452. But those are those kinds of amendments and I...I believe

that our staffs on both sides of the aisle have them. So I would seek to adopt it now and seek leave to bring it back to the Order of 2nd Reading if I'm not entirely satisfied with it. It also includes some language that I am told is needed from Senate Bill 665 for the Chrysler-Mitsubishi plant. I'll...I'll answer any...any questions. I can...I can run it down, it'll take about three or four minutes to run down the...the various synopsis of the language changes in this amendment, but I...I figure the most expeditious way would be to put it on, move it to 3rd and bring it back to 2nd again tomorrow so it will be in a position to be sent to the House for the second part of the Veto Session. I'll answer any questions, otherwise, seek to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has moved the adoption of Amendment No. 1 to Senate Bill 994. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Although a hyphenated cosponsor of the bill, I have not seen this amendment. So, I...I can't ask any questions about it, I don't know what it does. One of the things that I would ask is, does it make some substantive changes? Because there were a lot of changes that the chairman of the Commerce Commission wanted made in our basic law that were rejected on numerous occasions by this Body, and I would be aghast if they all of a sudden showed up in the guise of technical amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Once burnt, twice cautious. That is one of the reasons why I asked Bill Sheppard on our staff to go over this very carefully, because I do not want to be in a position of presenting things. And that's why I want to be in the position

to...if there is language in there that I subsequently find out happens to be various horses that did not get around the track, I want them excised. So I think we are at...we are both on the same wavelength, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Netsch.

SENATOR NETSCH:

Just one additional point. Would you share a copy of the amendment with me and...it may have been shared with someone else on this side, but I have not seen it and I would like an opportunity to see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Senator Bloom has moved the adoption of Amendment No. 1 to Senate Bill 994. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1468. Senator Maitland on the Floor?  
1469, Senator Rock. 1-4-6-9, Mr. Secretary.

SECRETARY:

Senate Bill 1469.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 2nd reading is House Bill 740, Senator O'Daniel. House bills 2nd reading,...House Bill 740, Mr. Secretary.

SECRETARY:

House Bill 740.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DENUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, the purpose of this amendment is to clarify the intent of the...of the General Assembly in regards to the regulation of the transportation...industry, including trucks, buses, railroads and pipelines. Last June, the Legislature attempted to transfer the regulation of transportation companies from the Public Utility Act to the new Commercial Transportation Act. However, in the legislative process of enacting the new Commercial Transportation Act, all of the same regulations were left in the new Public Utility Act. The amendment completes the transfer of these regulations to the Commercial Transportation Act. The amendment repeals those definitions and sections of the Public Utility Act which relates to transportation matters. Again, these...provisions are covered in the Commercial Transportation Code. The amendment makes clarifying and technical language changes to the Commerce Transportation Code. There's no change in regulatory functions or authority between the two Acts. The Illinois Commerce Commission still retains regulatory authority over transportation companies. The amendment is a technical necessity because both Acts become effective January 1, 1986. The amendment is supported by the Illinois Commerce Commission, the Illinois Railroad Association, Illinois Truckers'

HB 1252  
2nd Reading

Association and the midwest truckers and we know of no opposition. Appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel moves the adoption of Amendment No. 1 to House Bill 740. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1252, Mr. Secretary, read the bill.

END OF REEL

REEL #5

SECRETARY:

House Bill 1252.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 1252 strikes everything in the bill, and the amendment provides for the details regarding the Asbestos Abatement Act regarding our schools. The amendment has been discussed and worked out in cooperation with the Department of Public Health, Capital Development Board, Bureau of the Budget, all of the educational groups and the representatives of the insurance industry. It deals with a formulary for funding of corrective action regarding asbestos, provides for required financial responsibility for contractors dealing with the asbestos problem in our schools. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Berman moves the adoption of Amendment No. 1 to House Bill 1252. Discussion? If not, those in favor indicate by...Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Berman, I know that there's a very serious insurance problem relating to this. Could you just give us a little information as to how your bill affects that problem and the...and the availability of insurance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

We haven't solved the insurance problem in this amendment. What we have...all that we have said is that...there will be a list of approved contractors. They have to post a fifty thousand dollar insurance or other proof of financial responsibility regarding their liability, that's a Floor...I'm sorry, five hundred thousand. Did I say fifty? I meant five hundred thousand. That figure was cleared with the representatives of the insurance industry as far as its...its availability, and...any higher amount would be subject to the requirements of local school districts in the contract that it...that is let. Other questions as far as the tort system exposure liability, we thought would be better addressed in the Spring in a broader context than just asbestos contractors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not prepared to debate the amendment at this time and I'm not sure whether I'd be opposed to it if...if I had studied the amendment, but I think the point needs to be made that we must be very careful about mandating anything pertaining to what schools must do on the asbestos problem, because it is true that insurance is generally not available to contractors who are going to be dealing with asbestos

either for the general liability exposure or for the workers' compensation exposure to their workers and...and I'm...have a concern about that. I hope that we can find a solution, but I...but I'm wondering whether this is it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor. How does your amendment impact the rules that are now being promulgated which should be ready around December 1st regarding asbestos removal in general? Is that going to change them in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This amendment is in line with the promulgation of the rules that DPH is...is moving forward on. It...it certainly doesn't undercut them at all. They're moving along together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman moves the adoption of Amendment No. 1 to House Bill 1252. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAITLAND:

Thank you, Mr. President. I ask leave of the Body to return to the Order of Senate Bills 2nd Reading for the purpose of moving a bill to 3rd reading, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland, if you would sit in your seat, you would know we would be able to go right down the Calendar here. Is leave...is there leave to return? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1468, Mr. Secretary.

SECRETARY:

Senate Bill 1468.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SANGMEISTER:

Yeah, just to announce that the Executive Committee will meet in Room 212 at five o'clock, promptly. We are still planning on handling the entire agenda. So, those of you that have Constitutional Amendments should certainly be there with your witnesses and we'll promptly start at five o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask leave of the Body to have...on Constitutional Amendment SJR 22 that it read Davidson-Sangmeister-Bloom and then the other hyphenated sponsors, and I've checked with Senator Bloom and that is all right with him, and I would appreciate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Davidson that Senate Joint Resolution 22 read Davidson hyphenated sponsor...Sangmeister hyphenated Bloom and...and others. Is

leave granted? Leave is granted. It's so ordered. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

If we have concluded our business, and I believe we have, we'll...we'll reconvene at 10:00 a.m. tomorrow morning with the hope, as I indicated, that we can conclude our business by the hour of noon and be on our way. So, at ten o'clock tomorrow morning, whatever motions are remaining will be handled, the bills that were moved from 2nd to 3rd will be handled if the sponsor calls them and that will conclude our business for this week. We have yet this evening, however, Mr. President, to open and close the Special Session. I understand that the House has not yet reacted to our nonconcurrence motion. So, we'll just open and close it and try it again tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've got some housekeeping things to do here. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you. For announcement. The Joint Committee on Education Reform that was scheduled for Room 400 at 4:00 p.m. will meet for its organizational meeting at 6:00 p.m. tonight in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might, sir, with the permission of Senator Rock, I'd like to be added as the joint sponsor to Senate Bill 1469.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Topinka requests leave to be added as a sponsor of Senate Bill 1469...cosponsor. Is leave granted? Leave is granted. Mr.

Secretary, resolutions.

SECRETARY:

Senate Resolution 510 offered by Senator Berman. It's congratulatory.

Senate Resolution 511 offered by Senators Hudson, Mahar and Topinka, and it's congratulatory.

Senate Resolution 512, by Senator...Savickas, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 94 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Introduction of bills.

SECRETARY:

Senate Bill...oh, that's wrong...Senate Bill 1473 offered by Senator...introduced by Senator O'Daniel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Further business to come before the Regular Session? Senator Rock moves that the Senate...that the Senate stands in...Regular Session adjourn until tomorrow morning, Thursday, at the hour of 10:00 a.m.