

82ND GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 29, 1981

1. PRESIDENT:

2. The hour of ten having arrived, the Senate will please  
3. come to order. Will the members please be at their desks  
4. and will our guests in the gallery please rise. Prayer  
5. this morning by Rabbi Joshua Goldstein, Temple B'Rith Shalom,  
6. Springfield, Illinois. Rabbi.

7. RABBI GOLDSTEIN:

8. (Prayer given by Rabbi Goldstein)

9. PRESIDENT:

10. Thank you, Rabbi. Reading of the Journal. Senator  
11. Johns.

12. SENATOR JOHNS:

13. Thank you, Mr. President. I move that reading and  
14. approval of the Journals of Friday, October the 16th and  
15. Wednesday, October the 28th, in the year of 1981, be postponed  
16. pending arrival of the printed Journal.

17. PRESIDENT:

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

22. SECRETARY:

23. Senator Donnewald, Chairman of the Committee on Assignment  
24. of Bills, assigns the following bills to committee:

25. Insurance, Pensions and Licensed Activities - Senate Bill  
26. 1268; Judiciary II - Senate Bill 1263; Revenue - Senate Bills  
27. 1264, 1265, 1266 and 1267; Transportation - Senate Bill 1269.

28. Senator Carroll, Chairman of Appropriations I Committee,  
29. reports out Senate Bill 1243 with the recommendation Do Pass,  
30. as amended.

31. PRESIDENT:

32. Message from the House.

33. SECRETARY:

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

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

5. House Joint Resolution 61.

6. PRESIDENT:

7. Executive. If I can have your attention, Channel 2 News  
8. respectfully request permission to tape the proceedings. Is  
9. leave granted? Leave is granted. Resolutions.

10. SECRETARY:

11. Senate Resolution 350 offered by Senators Bowers and  
12. Etheredge.

13. Senate Resolution 351 offered by Senators Bowers, Philip,  
14. Rhoads, Etheredge and Friedland.

15. Senate Resolution 352 offered by Senator Maitland.

16. Senate Resolution 353 offered by Senator Dawson.

17. Senate Resolution 354 offered by Senator Bruce and all Senators.  
18. And they are all congratulatory.

19. PRESIDENT:

20. Consent Calendar. Introduction of bills.

21. SECRETARY:

22. Senate Bill 1270 introduced by Senators Mahar, Simms and  
23. Geo-Karis.

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. Senate Bill 1271 introduced by Senators Mahar and Geo-Karis.

27. (Secretary reads title of bill)

28. 1st reading of the bill.

29. PRESIDENT:

30. Senator Newhouse, for what purpose do you arise?

31. SENATOR NEWHOUSE:

32. Thank you, Mr. President. Mr. President and fellow Senators,  
33. I rise to a point of personal privilege. During the lull in the

1. proceedings, I'd like to introduce a distinguished guest who  
2. happens to be sitting behind me in the public gallery. Behind  
3. me is Judge John B. K. Anoni who is a District Judge from the  
4. County of Ghana in West Africa. He's here, visiting this  
5. country, observing our Judicial System and I'd like him to rise  
6. and be recognized by this Assembly.

7. PRESIDENT:

8. Judge, welcome.

9. SENATOR NEWHOUSE:

10. Thank you, very much, Mr. President. I'd just like to  
11. remark as an aside, that Judge Anoni has a distinguished  
12. relative on our staff. Her name is Nia Odeoti who serves  
13. with us.

14. PRESIDENT:

15. Senator Philip, for what purpose do you arise?

16. SENATOR PHILIP:

17. Thank you, Mr. President and Ladies and Gentlemen of the  
18. Senate. I would like to request a Republican caucus. And suggest,  
19. President Rock, that we have our caucuses, perhaps go out to lunch  
20. and come back at one-thirty to continue the business of the Senate.

21. PRESIDENT:

22. That request is in order. Senator Johns.

23. SENATOR JOHNS:

24. Mr. President, there will be a Democratic caucus in Room 212  
25. right now.

26. PRESIDENT:

27. Senator Ozinga.

28. SENATOR OZINGA:

29. Membership on this side of the aisle, Republican...caucus  
30. right now in Senator Pate Philip's office.

31. PRESIDENT:

32. All right. The Senate will stand in recess until the hour  
33. of one-thirty. Each party is requested to go immediately to

1. the caucus. Ours will be in 212. The Senate stands in recess.

2. RECESS

3. AFTER RECESS

4. PRESIDENT:

5. The Senate will come to order. Resolutions.

6. SECRETARY:

7. Senate Resolution 355 offered by Senator Kent and all members.

8. Senate Resolution 356 offered by Senator DeAngelis.

9. Senate Resolution 357 offered by Senators Lemke, Degnan,  
10. Jeremiah Joyce and all Senators.

11. Senate Resolution 358 offered by Senator Lemke, Degnan and  
12. all members.

13. Senate Resolution 359 offered by the same sponsors.

14. Senate Resolution 360 offered by Senators Rock, Philip and  
15. all Senators. And they're all congratulatory or commendatory.

16. PRESIDENT:

17. Consent Calendar. All right. Again, Channel 2 News from  
18. Chicago has...respectfully requested permission to film the  
19. proceedings. Is leave granted? Leave is granted. Resolutions.

20. SECRETARY:

21. Senate Resolution 361 offered by Senator Bruce. It's congratula-  
22. tory.

23. PRESIDENT:

24. Consent Calendar. Introduction of bills.

25. SECRETARY:

26. Senate Bill 1272 introduced by Senators Coffey, Donnewald,  
27. Rupp, McMillan, Davidson and Kent.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDENT:

31. If I can have your attention, with leave of the Body, we'll  
32. move to page 10 on the Calendar. There are Motions filed in  
33. Writing to accept the Specific Recommendations for Change. The

1. members will please be in their seats. On page 10 on the Calendar,  
2. Motions in Writing to accept Specific Recommendations for Change,  
3. there's a motion with respect to House Bill 46. Mr. Secretary,  
4. please.

5. SECRETARY:

6. I move to accept the Specific Recommendations of the  
7. Governor as to House Bill 46 in the manner and form as follows.  
8. Signed, Senator Walsh.

9. PRESIDENT:

10. Senator Walsh.

11. SENATOR WALSH:

12. Mr. President and members of the Senate. House Bill 46  
13. establishes a procedure which would require indigent defendants  
14. under some circumstances to reimburse the county for expenses  
15. incurred through court appointed counsel. The Governor's  
16. amendatory language deletes the provision that...which would  
17. have prohibited the use of bond money, if that bond is...is  
18. supplied by third parties. It inserts in lieu thereof a  
19. provision whereby the court can, in its discretion, consider  
20. whether the bond was put up by a third party or by the  
21. defendant himself. I would move that we concur with the  
22. Governor's Amendatory Veto.

23. PRESIDENT:

24. Is there any discussion? Any disussion? If not, the  
25. question is, shall the Senate accept the Specific Recommendations  
26. of the Governor as to House Bill 46, in the manner and form just  
27. stated by Senator Walsh. Those in favor vote Aye. Those opposed  
28. vote Nay. The voting is open.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. On that question, the Yeas are... (Machine cutoff)...all  
31. voted who wish? Have all voted who wish? Take the record. On  
32. that question the Yeas are 54, the Nays are none, none Voting  
33. Present. The Specific Recommendations of the Governor as to

1. House Bill 46, having received the required constitutional majority  
2. vote of Senators elected are declared accepted. House Bill 76,  
3. Senator Lemke. Read the...read the motion, Mr. Secretary.

4. SECRETARY:

5. I move to accept the Specific Recommendations of the Governor  
6. as to House Bill 76 in the manner and form as follows. Signed,  
7. Senator Lemke.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there any discussion? If not, the question is, shall  
10. the Senate accept the Specific Recommendations of the Governor  
11. as to House Bill 76 in the manner and form just stated by  
12. Senator Lemke. Those in favor vote Aye. Those opposed vote  
13. Nay. The voting is open. Have all voted who wish? Have  
14. all voted who wish? Take the record. On that question, the  
15. Yeas are 52, the Nays are none, none Voting Present. The  
16. Specific Recommendation of the Governor as to House Bill 76,  
17. having received the required constitutional majority vote of  
18. Senators elected, are declared accepted. House Bill 103, Senator...  
19. Senator Netsch. For what purpose do you arise?

20. SENATOR NETSCH:

21. Thank you. I just wanted to state for the record, I did  
22. not realize that my key was not turned on on the first two  
23. votes and I, apparently, was not being recorded. And I would have  
24. voted Aye.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Grotberg.

27. SENATOR GROTEBERG:

28. Thank you, Mr. President and fellow members. There's quite  
29. a shopping list and I was as much of a hurry to get out of here  
30. as anyone. But I would ask that every sponsor of every motion  
31. at least give us two sentences as to why and what and the substance  
32. of the bill was, so we don't have to thumb back and forth between  
33. the Veto Message and the bill itself. And I would appreciate that

1. and I'm sure my colleagues would.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. A point well taken, Senator. House Bill 103, Senator Berman.

4. Read the motion, Mr. Secretary.

5. SECRETARY:

6. I move to accept the Specific Recommendations of the Governor  
7. as to House Bill 103 in the manner and form as follows. Signed,  
8. Senator Berman.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. House Bill 103 dealt with the penalty rate on past  
14. due taxes on the sale of delinquent property. The Governor's  
15. Amendatory Veto clarified it to indicate that the penalty rate  
16. of twelve percent per year applied prior to this, the effective  
17. date of this bill, and eighteen percent after the effective date  
18. of this bill. I move the adoption of the Amendatory Veto.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there any discussion? Any discussion? If not, the  
21. question is, shall the Senate accept the Specific Recommendations  
22. of the Governor as to House Bill 103 in the manner and form just  
23. stated by Senator Berman. Those in favor vote Aye. Those opposed  
24. vote Nay. The voting is open. Have all voted who wish? Have  
25. all voted who wish? Take the record. On that question, the  
26. Yeas are 56, the Nays are none and none Voting Present. The  
27. Specific Recommendation of the Governor as to House Bill 103,  
28. having received the required constitutional majority vote  
29. of the Senators elected, are declared accepted. House Bill 158,  
30. Senator Lemke. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the Governor  
33. as to House Bill 158 in the manner and form as follows. Signed,

HB 430  
Spec. Rec.

1. Senator Lemke.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Lemke.

4. SENATOR LEMKE:

5. What the Governor's Veto did...this is in regards to the...  
6. allowing local governments to allow raffles and to contract  
7. between counties who have contracts between...what he  
8. did is take out the words, "other organizations." So this  
9. does not broaden it, he says if...if any...it should be  
10. specified what organization since "other organizations" was  
11. too general, he took the wording out. I ask for its adoption.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? If not, the question is, shall  
14. the Senate accept the Specific Recommendations of the Governor  
15. as to House Bill 158 in the manner and form just stated by  
16. Senator Lemke. Those in favor vote Aye. Those opposed vote  
17. Nay. The voting is open. Have all voted who wish? Have all  
18. voted who wish? Take the record. On that question, the Yeas  
19. are...48, the Nays are 6, 2 Voting Present. The Specific  
20. Recommendations of the Governor as to House Bill 158, having  
21. received the required constitutional majority vote of Senators  
22. elected, are declared accepted. House Bill 430, Senator Thomas.  
23. Read the motion, Mr. Secretary.

24. SECRETARY:

25. I move to accept the Specific Recommendations of the  
26. Governor as to House Bill 430 in the manner and form as follows.  
27. Signed, Senator Thomas.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Thomas.

30. SENATOR THOMAS:

31. Thank you, very much, Mr. President and Ladies and Gentlemen  
32. of the Senate. House Bill 430 has some new language in it, that  
33. the Governor asked to be in there to clarify some errors in



1. House Bill 438. We did talk about this, briefly, a couple  
2. of weeks ago, and there was a number of questions on the part  
3. of many of us how this handled the matter of consumer credit.  
4. For the purpose of this, and I think everybody in this Chamber  
5. should understand, that we're talking about two different types  
6. of loans transactions. And just for the sake of simplicity,  
7. we will call one, consumer credit, and the other includes all  
8. non-consumer items, like the bond market. The General Assembly  
9. has always provided assurances to consumers that should they  
10. want to prepay their loans, be it a revolving charge card,  
11. be it prepayment of a house, car, boat, motorcycle, vacation  
12. loan, that there would be no prepenalty...prepayment penalty  
13. for that. In the other types of non-consumer loans, there has  
14. always been prepayment penalty charges. When we lifted the  
15. usury rates, in Illinois, through House Bill 438, we inadvertently  
16. allowed language to read that not only would there be no prepayment  
17. penalties on consumer loans, which is the way it should be,  
18. but we inadvertently allowed for no prepayment penalty of the  
19. non-consumer loans, such as the bond market. Let me say, loud and  
20. clear, that the biggest problem any of us have had in this  
21. matter, is whether or not we would still be providing security  
22. for consumers. Senator Demuzio and I have spoken on this and  
23. we are both in accord on what we are trying to accomplish. Like  
24. Senator Demuzio, and I would presume, like fifty-seven other  
25. Senators in this room, none of us wants to go back to our district...  
26. and become known as the person who allowed for prepayment penalties  
27. of consumer loans, and we are not about to do it now. This is  
28. simply to clarify the language, taking that clause out of the  
29. non-consumer type loans and I would be happy to try to answer  
30. any questions.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. Yes, thank you, Mr. President. I'd like to ask the sponsor  
2. a few questions if I may.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. He indicates he will yield.

5. SENATOR DEMUZIO:

6. Senator Thomas, in the old Statute, prior to the...House  
7. Bill 438 becoming law, there...was there or was there not, a...  
8. prepayment penalty provided for in the law on...on all consumer  
9. loans?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Thomas.

12. SENATOR THOMAS:

13. No, there were no...there were no specific...penalties  
14. for prepayment, not in consumer loans. In fact, I might just  
15. add, and I think some of you have seen the sheet, such as  
16. revolving credit, installment loans, consumer finance, Finance  
17. Act loans, consumer installment loans, retail charge agreements,  
18. retail and motor vehicle, retail installment type loans, and  
19. credit...under the Credit Union Act, in all of these areas,  
20. the consumer has and still is, guaranteed no prepayment penalty.

21. SENATOR DEMUZIO:

22. Yes. Let me ask another question. With the enactment of  
23. House Bill 438, is there now an explicit prohibition against  
24. prepayment penalty for both mortgage as well as consumer loans,  
25. in the law now?

26. SENATOR THOMAS:

27. Would you repeat that again, Senator.

28. SENATOR DEMUZIO:

29. House Bill 438, the law, as it is today, is there, in fact,  
30. a prepayment penalty on all consumer and non-consumer definition  
31. that you used a few minutes ago, "commercial business" or et cetera.  
32. Is there, in fact, a explicit prepayment prohibition in the  
33. law as it stands today and...with the enactment of House Bill 438?

1. SENATOR THOMAS:

2. Yes, there is a prohibition against...

3. SENATOR DEMUZIO:

4. Thank you. My third question would be...

5. SENATOR THOMAS:

6. ...prepayment penalties for consumer loans.

7. SENATOR DEMUZIO:

8. That's a subject of interpretation. My third question  
9. will be, if...if we adopt this language, in this bill, we  
10. are now restoring it back to the original Statute, before  
11. 438 became law, and therefore, the law remains silent on the  
12. imposition of a prepayment penalty and only applies to  
13. mortgage rates when they exceed eight percent. Is that correct?

14. SENATOR THOMAS:

15. That is incorrect.

16. SENATOR DEMUZIO:

17. Well, I think that's the subject that is precisely in  
18. the Governor's...language. If I might, let me just point out  
19. to you, that we have raised the constitutional issue here as  
20. to whether or not this bill ought to even be before us. We  
21. feel that the Governor has usurped his legislative power by  
22. adding language to this bill that ought not to be there. He  
23. has, in fact, changed the purpose and the original intent  
24. of House Bill 430, and I think there will be an immediate  
25. constitutional challenge in regard to this legislation, if we,  
26. in fact, concur. And I would ask the President of the Senate,  
27. if I may, on a...matter of parliamentary inquiry, is it...is  
28. this motion properly before us? I am told, reliably, that  
29. this is not the identical language that the Governor had  
30. submitted to the Index Division, and the motion, in...in my judgment  
31. is therefore, incorrect...and...and out of order.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Well, Senator, if you'd point out the differences, we could

1. make a judgment on it.

2. SENATOR DEMUZIO:

3. It's my understanding, that in filing with the Index  
4. Division, that there are certain paragraphs and certain  
5. language that the Governor did not repeat, that is repeated  
6. in Senator Thomas' motion. Specifically, the Sections on  
7. page 4 of the motion lines 2, 2-A and 2-B, are those that  
8. have...were not in the Governor's Message when he filed them  
9. with the Index Division.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President. Just to...to add to the discussion,  
14. if it's possible. In the past, the question of whether or not  
15. it was possible for the house of origin to, in effect, amend  
16. the Amendatory Veto, has, in fact, been discussed, was, in fact,  
17. done on at least two occasions that I'm aware of. The second  
18. House has no other option but to react to what the first House  
19. has done. So, if, in fact, the House of Representatives saw  
20. fit by constitutional majority vote to amend, in some respect,  
21. the specific recommendations as filed by the Governor, we can  
22. do nothing more or less than react to what the House did and  
23. suggest that we do the same thing. We have done that in the  
24. past, in fact.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Demuzio, the Chair, after conferring will rule that  
27. the motion is in order, and reading from the 1970 Constitution,  
28. states that such a bill shall be presented again to the Governor  
29. and if he certifies that such acceptance conforms to his specific  
30. recommendations, the bill shall become law. So, he does have  
31. the final act on certification. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Well, let me just suggest to you that since you have made

1. your ruling, that this bill is riddled with so many inaccuracies  
2. and so many constitutional questions, that I doubt very seriously,  
3. that even if this bill is, in fact, concurred with, it will  
4. be even operational for the operation of government, for the  
5. bond houses or for any of the financial institutions in the  
6. State of Illinois. Let me just summarize and say, for all practical  
7. purposes, that what we are doing...doing here with all...all of  
8. the legal mumbo jumbo is that simply, in the prior Statute,  
9. there was no...prohibition against prepayment penalties with  
10. the exception of mortgage rates when the rate exceeded eight  
11. percent. House Bill 438 in...in addition to taking the interest  
12. rate ceilings completely off, where they made an error, apparently  
13. in drafting that was not caught, they have...effectively eliminated  
14. prepayment penalties on all consumer loans or commercial loans  
15. or business loans and mortgage loans. In effect, what the Governor  
16. has...suggested to us in House Bill 430, if we accept his language  
17. for change, is to put it back into the same posture, the law,  
18. that it was prior to 438 becoming law, and therefore, we are  
19. reimposing..reimposing, by virtue of remaining silent on the  
20. issue, a prepayment penalty clause and that's the subject of  
21. the debate. That's the subject of the interpretation. There's  
22. interpretations on both sides and that's precisely what it  
23. amounts to. We can vote this thing up or down, go back home and  
24. explain it anyway you want to, but that's precisely the way that  
25. we see it. And I would urge that we not concur with the Governor's  
26. amendatory language, as a matter of fact, there's a bill in the  
27. House that was amended, just last night...Senate Bill 143, that  
28. the bond counsel and the Governor's office had suggested they  
29. make an amendment to. They took it off the 2nd reading in the  
30. Spring Calendar in the House last night and amended it, and now,  
31. it happens to be all messed up, and now, they got to bring it  
32. back this afternoon and put new language into it. And this whole  
33. thing has been conducted surreptitiously, this is really a fraud

1. on the...the voters and the taxpayers of this State. This  
2. Amendatory Veto ought to be clearly rejected, we'll deal  
3. with a clean bill in the next Session of the General Assembly  
4. to take care of the bond problem, which is a legitimate problem.  
5. Thank you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bloom.

8. SENATOR BLOOM:

9. Thank you, Mr. President. I enjoy listening to Senator  
10. Demuzio use the editorial, we. Basically, it does reimpose  
11. prepayment penalties in the area of bonds and commercial loans  
12. and that is it. In terms of mortgages...there is no prepayment  
13. penalty. This thing passed overwhelmingly, most of the opposition  
14. remarks were directed against another bill. And I see no reason  
15. why we shouldn't accept the language and get on with our business.  
16. Thank you. I'd urge an...Aye vote.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Mr. President and Ladies...Ladies and Gentlemen of the Senate.  
21. I...I hate...to disagree with my colleague on the other side,  
22. because I'm quoting right now from the language that was added  
23. to House Bill 430 in the amendment...in the Amendatory Veto. It  
24. says, "whenever the rate of interest exceeds eight percent per  
25. annum in any written contract, agreement or bond...providing  
26. for the installment purchases of residential...real estate or  
27. any...on any other loans secured by a mortgage on residential  
28. real estate, it shall be unlawful to provide for a prepayment  
29. penalty or other charge for prepayment." So, this bill is good,  
30. it will help...the consumers and I speak in favor of it.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Netsch.

33. SENATOR NETSCH:

1. Thank you, Mr. President. It seems to me that the appropriate  
2. vote is a No vote, for, if not substantive reasons, at least,  
3. procedural reasons, in this case. I cannot tell, at this stage,  
4. what it does with respect to prepayment on consumer loans. Perhaps  
5. the sponsor of the motion is correct, that it does not affect them,  
6. perhaps Senator Demuzio is correct. What I do find extremely  
7. offensive, if not to say constitutionally impermissible, is that  
8. a bill, which really did not have to do with this subject matter, is  
9. being used to correct a defect in another bill, which had to do  
10. with a hotly controversial subject matter, and it was done, obviously,  
11. because the Governor and those who wanted the...the content of  
12. 438 did not want that bill to be returned to the General Assembly,  
13. in the event that it might not get through both Houses again.  
14. And so, the...this bill, 430, is being used to correct the defect  
15. there. That not only is, it seems to me an abuse of the legislative  
16. process, but I would strongly suggest that it is probably an  
17. abuse of the Amendatory Veto. As the one who,...and, you know, don't  
18. start throwing things at me, colleagues, who was most responsible for the fact  
19. that there is an Amendatory Veto in the 1970 Constitution. I'm  
20. not unconscious of its history and purpose. It is not an...I'd  
21. ask...I'm on...Senator Demuzio, I'm on your side, would you please  
22. not interrupt me...If...but whatever that area of uncertainty  
23. about how the Amendatory Veto can be used, on the one end, it  
24. cannot be used totally to rewrite a bill, on the other end, it  
25. is not just simply to correct absolutely technical errors. But it...  
26. it was never intended to be a means of rewriting the substance of  
27. legislation. And it seems to me that that is exactly what the  
28. Amendatory Veto does in this case. So, whatever the answer to  
29. the question of prepayment penalties on consumer loans is, I  
30. would strongly suggest that this action that is being proposed  
31. now is extremely unfortunate, both in terms of substance and in  
32. terms of the legislative process and that it ought not to be  
33. accepted.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President. I was...had a question I'd like  
5. to direct to Senator Netsch, even though she's not the sponsor  
6. of the motion. I was just wondering, Senator Netsch,..being a  
7. member of the Constitutional Convention, I just wondered why  
8. you ever allowed the Amendatory Veto by a Governor in the first  
9. place?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rock.

12. SENATOR ROCK:

13. Con Con again has no answers, Senator Weaver. No, please,  
14. please, spare us. Thank you, Mr. President and Ladies and Gentlemen  
15. of the Senate. I rise in support of Senator Thomas' motion to  
16. accept the Amendatory Veto...on House Bill 430. It seems to me  
17. that what we are attempting, at least, to do is to restore the  
18. Illinois law to what it was before the enactment of House Bill  
19. 438, which, in fact, everyone now admits, contained a couple  
20. of inadvertent, and I underline inadvertent, drafting errors.  
21. The accidental prohibition of prepayment penalties for  
22. commercial transactions was obviously never intended and there  
23. are, in fact, a number of commercial transactions in the pipeline,  
24. so to speak, that without this change in the law simply may never  
25. take place. We can address, it seems to me, Senator Demuzio's  
26. ultimate question as to whether or not there ought to be prepayment  
27. penalties on consumer loans at all...adequately in the next  
28. Session, or by virtue of some other bill. In the meantime, the  
29. corporate finance and bonding authority of this State or the  
30. State of Illinois law is currently in question. And if we  
31. are to adequately answer that question, it seems to me, we  
32. ought to accept the specific recommendations and allow the  
33. Governor to certify and restore the law to what it was before.



1. And I urge an Aye vote.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Demuzio.

4. SENATOR DEMUZIO:

5. Very briefly, for the second time. I agree with Senator  
6. Rock in terms of the problems that this causes in terms of the...  
7. problems with the bond houses. I would like to point out, however,  
8. that the vehicle bill was extracted out of the House last night,  
9. it was put on the Calendar, it was amended. If there was a  
10. real sincere effort on behalf of the financial industries in  
11. the State of Illinois to correct this problem, it could have  
12. been corrected in this Session. And that we could, in fact,  
13. have the prohibition on consumer loans, and therefore, we wouldn't  
14. be going through this debate today. I think this bill is totally  
15. unconstitutional, I think it'll have many challenges, and I would  
16. hope that we would reject it.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, I...I disagree with...Senator Demuzio about the  
21. constitutionality. I think the motion is most likely in order.  
22. And, in reading all the messages in the different motions that  
23. have been filed, it appears to me that all we are doing is  
24. putting back the Statute in the same form that it was prior  
25. to the passage of 438, and at that time, the bill only...the  
26. prepayment penalty prohibition only applied to residential mortgages.  
27. And when we took Section 2, paragraphs A, B, and C out of the  
28. Interest Act, they took the last sentence of paragraph C and  
29. made it Section 2. And that, then, made it apply to Section 1,  
30. which includes commercial loans. That is not the intent of  
31. this Body. In commercial loans, those are for long terms,  
32. banks have a tendency to loan the money and put the money into  
33. long-term investment profiles and portfolios, and so, I don't

1. think there's any way that they can come back, and if they want  
2. a prepayment penalty they ought to have that. All this says,  
3. is as to residential mortgages, you cannot have a prepayment  
4. penalty, which is reasonable. I think Senator Demuzio and Senator  
5. Rock are correct, having now taken off all the interest ceilings,  
6. we ought to come back and look at the Consumer Finance Act,  
7. the Installment Loan Act, the Motor Vehicle Installment Loan Act and  
8. all those Acts to see whether or not we ought to institute pre-  
9. payment prohibitions in those. But that's not the issue in  
10. 430. 430, the question is, do we want to put the Statute back  
11. just the way it was, the General Interest Act of the State  
12. of Illinois as it relates to...we'll just put the Act back  
13. the way it was before we passed 438, Vince, that's all we're  
14. going to do. I think it's reasonable, and we ought to get about  
15. our business.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, Senator Thomas  
18. may close debate.

19. SENATOR THOMAS:

20. I ask for a favorable vote.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall the Senate accept the Specific  
23. Recommendations of the Governor as to House Bill 430...in  
24. the manner and form just stated by Senator Thomas. Those in  
25. favor vote Aye. Those opposed vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Take  
27. the record. On that question, the Ayes are 51, the Nays are  
28. 6, none Voting Present. The Specific Recommendations of the  
29. Governor as to House Bill 430, having received the required  
30. constitutional majority vote of Senators elected are declared  
31. accepted. House Bill 483, Senator Demuzio. Read the motion,  
32. Mr. Secretary.

33. SECRETARY:

HB 514  
Specific Recommendations

1. I move to accept the Specific Recommendations of the  
2. Governor as to House Bill 483 in the manner and form as follows.  
3. Signed, Senator Demuzio.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Demuzio.

6. SENATOR DEMUZIO:

7. Yes, I think this is noncontroversial. On House Bill 483,  
8. there was simply...it amends the Juvenile Court Act to provide  
9. that a guardian must have a face to face interview with a minor  
10. if a petition alleges...petitioner...if the petition alleges  
11. that a minor is neglected because of his physical abuse by  
12. the parent or the guardian. The Governor's Amendatory Veto...  
13. were recommended by the Department of Children and Family  
14. Services and were necessary to be consistent with the new  
15. definition of neglected or...or the abused minor. And I know  
16. of...no opposition and I would be glad to answer any questions.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? If not, the question is,  
19. shall the Senate...accept the Specific Recommendations of the  
20. Governor as to House Bill 483 in the manner and form just  
21. stated by Senator Demuzio. Those in favor vote Aye. Those  
22. opposed vote Nay. The voting is open. Have all voted who  
23. wish? Have all voted who wish? Take the record. On that  
24. question, the Ayes are 58, the Nays are none, none Voting  
25. Present. The Specific Recommendations of the Governor as  
26. to House Bill 483, having received the required constitutional  
27. majority vote of Senators elected are declared accepted.  
28. House Bill 514, Senator Bloom. Read the motion, Mr. Secretary.

29. SECRETARY:

30. I move to accept the Specific Recommendations of the  
31. Governor as to House Bill 514 in the manner and form as  
32. follows. Signed, Senator Bloom.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

34. Senator Bloom.

SENATOR BLOOM:

1. Thank you, Mr. President and fellow Senators. The  
2. Governor's Amendatory Veto, in essence, took out Senate Bill  
3. 147 which we addressed two weeks ago. Therefore, I'd move  
4. that we...accept his Amendatory Veto.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, the question is,  
7. shall the Senate accept the Specific Recommendations of  
8. the Governor as to House Bill 514 in the manner and form  
9. just stated by Senator Bloom. Those in favor vote Aye. Those  
10. opposed vote Nay. The voting is open. Have all voted who wish?  
11. Have all voted who wish? Take the record. On that question, the  
12. Ayes are 55, the Nays are 1, none Voting Present. The Specific  
13. Recommendations of the Governor as to House Bill 514, having  
14. received the required constitutional majority vote of Senators  
15. elected are declared accepted. House Bill 514, Senator Bloom.  
16. Read the motion, Mr. Secretary.

17. SECRETARY:

18. I move to accept the Specific Recommendations of the Governor  
19. as to House Bill 515 in the manner and form as follows. Signed,  
20. Senator Bloom.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Bloom.

23. SENATOR BLOOM:

24. Thank you, Mr. President and fellow Senators. In this  
25. one, the Governor deleted the provision allowing parties  
26. to agree in writing to continue maintenance beyond death,  
27. remarriage or cohabitation because it was redundant to Public  
28. Act 82-194. I'd move that we accept his veto...Amendatory Veto.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, the question is,  
31. shall the Senate accept the Specific Recommendations of the  
32. Governor as to House Bill 515 in the manner and form just  
33. stated by Senator Bloom. Those in favor vote Aye. Those

HB 542  
Amendatory Vote

1. opposed vote Nay. The voting is open. Have all voted who  
2. wish? Have all voted who wish? Take the record. On that  
3. question, the Ayes are 56, the Nays are none, none Voting Present.  
4. The Specific Recommendations of the Governor as to House Bill  
5. 515, having received the required constitutional majority vote  
6. of Senators elected are declared accepted. House Bill 542,  
7. Senator Lemke. Read the motion, Mr. Secretary.

8. SECRETARY:

9. I move to accept the Specific Recommendations of the  
10. Governor as to House Bill 542 in the manner and form as follows.  
11. Signed, Senator Lemke.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Lemke.

14. SENATOR LEMKE:

15. What this does, is takes out one of the amendments we  
16. put on there and alters the wording, "for reimbursement by  
17. the State for inmates incarcerated in local jails." It clarifies  
18. the language in that matter. The bill itself has stayed...is  
19. still in the same order where it's election upon the warden  
20. of the prison to assess the cost to stay at the prison. I  
21. ask for the...support of the motion. Thank you.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? If not, the question is, shall  
24. the Senate accept the Specific Recommendations of the Governor  
25. as to House Bill 542 in the manner and form just stated by  
26. Senator Lemke. Those in favor vote Aye. Those opposed vote  
27. Nay. The voting is open. Have all voted who wish? Have  
28. all voted who wish? Take the record. On that question, the  
29. Ayes are 54, the Nays are none, none Voting Present. The  
30. Specific Recommendations of the Governor as to House Bill  
31. 542, having received the required constitutional majority  
32. vote of Senators elected are declared accepted. Senate Bill...  
33. or House Bill 663, Senator Jerome Joyce. Read the motion, Mr.

1. Secretary.

2. SECRETARY:

3. I move to accept the Specific Recommendations of the Governor  
4. as to House Bill 663 in the manner and form as follows. Signed,  
5. Senator Joyce.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Joyce.

8. SENATOR JEROME JOYCE:

9. Yes, Mr. President, thank you. This removes, entirely,  
10. the portion which allows municipal trustees, board members and so forth to  
11. provide materials, merchandise, property and services or labor  
12. if they cannot be acquired from any other source or municipality.  
13. This is under ten thousand population, and the reason for this  
14. is, because House Bill 1672 increases the dollar amount of contracts  
15. which public officials can sell to their governing bodies. And this...  
16. this act would provide adequate relief to those small communities.  
17. This was an amendment on the bill, the original bill requires  
18. corporate authorities in a municipality to fix by ordinance the  
19. salaries of city officials at least two months prior to the general  
20. election.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, the question is, shall  
23. the Senate accept the Specific Recommendations of the Governor  
24. as to House Bill 663 in the manner and form just stated by  
25. Senator Joyce. Those in favor vote Aye. Those opposed vote  
26. Nay. The voting is open. Have all voted who wish? Have all  
27. voted who wish? Take the record. On that question, the Ayes  
28. are 56, the Nays are none, none Voting Present. The Specific  
29. Recommendations of the Governor as to House Bill 663, having  
30. received the required constitutional majority vote of Senators  
31. elected are declared accepted. House Bill 681, Senator Schaffer.  
32. Read the motion, Mr. Secretary.

33. SECRETARY:

1. I move to accept the Specific Recommendations of the  
2. Governor as to House Bill 681 in the manner and form as follows.  
3. Signed, Senator Schaffer.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Mr. President and members of the Senate. This is the  
8. non-game checkoff bill. The Governor's Amendatory Veto responds  
9. to...the Department of Revenue's concerns and...does two major  
10. things. It...requires the cost of implementing the bill to  
11. be borne from the contributions of the non-checkoff...in the  
12. non-checkoff fund, and changes the checkoff from a ten dollar  
13. checkoff to a one, three or five checkoff. We aren't totally  
14. happy with that, we've got some cost figures from the Department  
15. of Revenue, but...and some commitments from the Governor on...on  
16. how the money will be spent. But, I think the general consensus  
17. among all the supporters is that we let the bill go forward in  
18. this form, and the concept is what is important, and we believe  
19. that it will be a success.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Joyce. Jerome Joyce.  
22. SENATOR JEROME JOYCE:

23. Mr. President, I rise in opposition to this...motion to  
24. accept the Governor's Amendatory Veto. The Governor has taken  
25. a bill that was intended to provide additional funding for  
26. non-game wildlife protection from voluntary contributions by  
27. interested citizens and has changed it so that the net result  
28. will most likely be less funding for non-game wildlife protection  
29. than is currently available. To start with, the Governor  
30. provides that the expense for the Department of Revenue incurs  
31. in administrating the checkoff will be taken off the top of  
32. the money collected...originally sent House Bill 681 to  
33. the Governor, this administrative expense would have been about

1. a hundred and thirty thousand dollars. The Governor changed  
2. the bill to a three-box checkoff system, rather than our one-  
3. box system, increasing the administrative expenses to about four  
4. hundred and fifty-eight thousand dollars...by the Department of  
5. Revenue estimate. The Department of Conservation has estimated  
6. that we can expect from three hundred and fifty thousand to  
7. 1.5 million to be generated by the checkoff. If the low end  
8. of their estimate proves accurate, we're over a hundred thousand  
9. dollars in the hole by the time the Revenue expenses are paid.  
10. If the Conservation's upper estimate of 1.5 million comes in,  
11. we'll have about a million dollars left after Revenue takes  
12. its share. That wouldn't be bad if we were still talking  
13. about additional funding as the General Assembly originally  
14. intended, but the Governor's...changes make this replacement  
15. funding rather than additional funding. According to the  
16. Bureau of the Budget's figures, the best we could do under  
17. this bill is six hundred thousand dollars less than the  
18. money currently available for non-game wildlife conservation  
19. programs. The non-game wildlife programs do not win if we  
20. accept this Amendatory Veto. Since the House left us with  
21. but...no option but to accept the changes or kill the bill, I  
22. suggest we kill the bill and start over next year.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Gitz.

25. SENATOR GITZ:

26. I have a question of the sponsor.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Indicates he'll yield.

29. SENATOR GITZ:

30. Senator Schaffer, what is the purpose of including within  
31. this Amendatory Veto the language for Capital Development Bonds?  
32. And, perhaps to help clarify why I asked the question, it appeared  
33. to me the original intention of this legislation was to provide,



1. through a voluntary mechanism, additional money for wildlife.  
2. It appears to me, and maybe I'm misinterpreting, that with  
3. the Governor's actions what we're basically doing is trying  
4. to find some way to save the money that we presently earmark  
5. and take this money and put it into it. Why the CDB money?  
6. I mean that doesn't make much sense to me.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Schaffer. Senator Schaffer.

9. SENATOR SCHAFFER:

10. Senator Gitz, I believe you're making reference to language  
11. in the Governor's Amendatory...a...the Message, not the veto. And  
12. I'm not quite sure, at this point, what the Governor was talking  
13. about in that. We have...before we made the decision to accept the  
14. Governor's Amendatory Veto, we did, in fact, get a written state-  
15. ment from...Director Mandeville, the Bureau of the Budget, that  
16. it was not their intention to use these funds to supplant existing  
17. funds that are currently being spent. What the Governor appears  
18. to be objecting to is, he's saying, I'm not going to be locked  
19. into an exact dollar amount on any item. We may have to have,  
20. say, a five percent reduction across the board, and this existing  
21. account might have to take a five percent reduction along with  
22. everything else. But the written commitment we have from the  
23. Governor's office is, that these funds will not be used to  
24. supplant funds that are...already being appropriated from General  
25. Revenue sources. So, I am afraid I must reject...Senator Joyce's  
26. logic, and in relation to CDB, I think some of the projects that  
27. we may become involved with, or somebody could conceive of us  
28. being involved with, might be the types of things that could be  
29. bonded over a long-term use. I think that's why the Governor  
30. made the reference. I'm not sure why he did it, but the important  
31. thing is that we are not talking about supplanting funds that  
32. are already appropriated, and by the way, there aren't a lot  
33. of them, the Governor's office has committed to use these funds, in

1. addition to the regular appropriation. He just didn't want it  
2. in the law, and while I would have preferred to have it in the  
3. law, I have discovered in this process that I don't always get  
4. everything I want.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Gitz.

7. SENATOR GITZ:

8. One last question. What is the position of the Wildlife  
9. Association and other people who were pushing this bill, originally?  
10. Do they want to accept this?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. The House sponsor and I contacted these groups that...the  
15. conservation groups, and they were not any happier about the  
16. Amendatory Veto than we were, but they, in fact, believe that  
17. the concept is important and that we should get the law on the  
18. books and then monitor Revenue and the Governor and if we find  
19. that we are not getting the type of...if they're not living up  
20. to the commitments they've made to us in writing, that we should,  
21. in fact, attempt to amend the law at some point in the future.  
22. They are in support of the...the ones that I'm aware of, the  
23. ones I've worked with in the past several years and the several  
24. attempts to get this bill this far, are in support of the Amendatory  
25. Veto...concurrence.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator McMillan.

28. SENATOR McMILLAN:

29. Mr. President and members of the Senate, I too rise in  
30. opposition to this motion...for different reasons, probably.  
31. There's certainly nothing that I can object to with regard to  
32. programs to provide an enhancement for non-game wildlife. But  
33. the problem with this bill, now, as it has been all year and as

1. it has been in previous years, is that we, by taking this approach,  
2. set up a mechanism through the tax system to support a lot of  
3. programs which don't seem to get funding through this Body.  
4. Support of non-game wildlife is very worthy but so is cancer  
5. research and so is alcohol prevention and...treatment. Many of  
6. those ideas have come forth, and if we go ahead and accept these  
7. changes and, therefore, enact this law, next year, any group that  
8. can't get an appropriation through the General Assembly will  
9. be pounding on all of our doors asking for another set of  
10. boxes to be placed on the income tax form, and having started  
11. this process, it'll be very hard to say, no, to all the other  
12. worthy projects that are...that will be coming along. So, would  
13. urge you to vote No, to put this idea to bed and...and let it  
14. stay, or it will come back to haunt us again and again and again.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rock.

17.  
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19. END OF REEL  
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1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the  
3. Senate. I, too, unfortunately, rise in opposition to the motion  
4. to accept the specific recommendations. And the thing that  
5. troubles me the most, I suppose, is that somehow now the major  
6. beneficiary under the specific recommendation seems to be the  
7. Department of Revenue to the tune of four hundred and eighty-five  
8. thousand dollars in General Revenue money. That was never the  
9. intent. That was never the way it was explained when this bill  
10. came around the first time. I think it's worthy of another look.  
11. I will be prepared to do that next Session. But at this moment,  
12. I think we just ought to lay off it.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. Mr. President and members of the Senate, I rise in support  
17. of this bill. We have to start somewhere, and...response to my  
18. learned colleague to my right, in the states where this bill has  
19. been in effect and been in law for several years, Colorado particu-  
20. larly, there's been no other request or no other items get on  
21. for reduction or funding through the income tax form. It stayed on  
22. this only, it's produced three million dollars for Colorado, who  
23. has a lot less population than we do. I'd a lot rather seen it  
24. stay at the ten dollars than the one three, or five that was put  
25. in, but we must have a starting point. Those of you who are  
26. hunters, same as myself and Jerry Joyce, have always told the  
27. nonviolent people who say, you shouldn't hunt, put your money  
28. where your mouth is to do something for the non-game species,  
29. which we have done for the last hundred years. We've paid a  
30. license fee. This is an opportunity for them to do it. I  
31. urge a Yes vote.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Grotberg.

1. SENATOR GROTBORG:

2. Thank you, Mr. President and fellow members. I've heard  
3. a lot of excuses, but I haven't heard one reason. And this  
4. always bothers me. It's a new thrust that's been kicking around  
5. this Legislature for several years, a little something for the  
6. songbirds that must be the curse of somebody's existence around  
7. here. They certainly aren't mine. And I would urge each and  
8. every one of you to just swallow your experiment and break through  
9. a little bit, and I also favor leghole traps so that on the other  
10. side of the issue, nobody can argue that the songbirds and the  
11. non-game birds and animals aren't worth saving. And nobody's  
12. ever tried it before. For Heaven's sake, lets leap into the  
13. 18th century and vote Aye.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Collins.

16. SENATOR COLLINS:

17. Thank you, Mr. President. And I...let me just give him  
18. a good answer for...and a good rationale for not voting for this  
19. bill. The best one that I can think of is because we have not  
20. come up with the necessary funds to protect the wild human  
21. beings out there on the streets in my district, simply because  
22. they don't have enough food to eat, clothes to wear, or adequate  
23. shelters. And I think that's reason enough not to vote for this  
24. bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not, Senator Schaffer may  
27. close.

28. SENATOR SCHAFFER:

29. If the members of the Senate would bear with me. This...this  
30. particular...proposal has been with us for some time, and Senator  
31. Rock, you're right, there are some Revenue estimates as how much  
32. it's going to cost to implement the bill. Now it's my understand-  
33. ing that that high figure that we've heard tossed around is the

1. first time start up. I guess we've got to go out to Revenue and  
2. get their computers to belch in the appropriate manner, and to  
3. repsond, and then there is an anual cost. I don't think the cost is...  
4. is...that four hundred thousand dollar figure is not the cost every year.  
5. Once the system is in place, presumably, our efficient Department  
6. of Revenue, when they get in their brand new, multimillion dollar  
7. building, will be able to handle this quite...at quite a lower  
8. figure. Certainly, it defies my ability to comprehend that it  
9. would cost that much each year, and I think that they would  
10. agree with me on those comments. I seem to be caught between the...  
11. well, no pun intended, rock and the hard place, of people that  
12. don't like the idea and want it dead..want it dead, and the people  
13. that like the idea a lot, aren't willing to settle for a ham  
14. sandwich. Well, I would respectfully point out to at least those  
15. people that like the idea, and want that steak dinner with the  
16. baked potato and the apple pie dessert that this next year is  
17. a limited Session, so we postpone the implementation of this  
18. bill two years. We believe it can bring in a million dollars  
19. a year in voluntary contributions to spend...to supplement the  
20. very limited State expenditures in this area on programs that,  
21. you know, are never going to be able to compete, Senator Collins,  
22. with the starving poor and the medical needs of the poor, and  
23. will never get appropriations, because we are going to put  
24. appropriations there first. That's why there is no money for  
25. songbirds and bald eagles, because we are concerned about people,  
26. and maybe that's the way it's always going to be. I would  
27. respectfully suggest to you that our President, who seems to be  
28. having quite a run of luck in Washington, has talked about  
29. voluntarism, about people voluntarily contributing to help  
30. support things that, maybe, the Government hasn't got the money  
31. for anymore. This is exactly what this bill is all about. We  
32. are having to say, no, to an awful lot of worthy causes with tax-  
33. payers money. Here are a group of people that are willing to

1. contribute a million, a million and a half dollars a year to  
2. something they happen to believe in, and I don't think we should  
3. stand in their way. I respectfully suggest to you that we  
4. should pass this...concur in this Amendatory Veto, and if down  
5. the road we find the Department of Revenue are looking more like  
6. cut pursers than revenue...agents, maybe we'll have to take a  
7. look at their procedures. But this is an idea whose time has  
8. come and should not be delayed two years. People who care should  
9. be allowed to have a mechanism to show that they care and...so  
10. that these programs, which I think are important, and maybe they  
11. don't have the sex appeal of some of the big fancy things, but  
12. it's important to an awful lot of little people who care, and  
13. I don't think we should stand in their way. I urge and Aye  
14. vote on this motion.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is, shall the Senate accept the Specific  
17. Recommendations of the Governor as to House Bill 681 in the  
18. manner and form just stated by Senator Schaffer. Those in favor  
19. vote Aye. Those opposed vote Nay. The voting is open. Have  
20. all voted who wish? Have all voted who wish? Have all voted  
21. who wish? Take the record. On that question, the Ayes are 21  
22. the Nays are 32, 1 Voting Present. Specific Recommendations  
23. of the Governor as to House Bill 681 having failed to receive  
24. the constitutional majority vote of Senators elected are declared  
25. lost...Weaver, for what purpose do you arise?

26. SENATOR WEAVER:

27. Thank you, Mr. President. On a point of personal privilege.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. State your point.

30. SENATOR WEAVER:

31. In the far gallery is a delegation from the Urbana Chamber  
32. of Commerce, visiting Springfield today. I'd like them to rise  
33. and be recognized by the Senate.

HB 694  
Amended

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. WCIA-TV, Ann Anderson, requests permission to videotape.

3. Is leave granted? Leave is granted. House Bill 694, Senator

4. Berman. Read the motion, Mr. Secretary.

5. SECRETARY:

6. I move to accept the Specific Recommendations of the  
7. Governor as to House Bill 694 in the manner and form as follows.

8. Signed, Senator Berman.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President. House Bill 694 dealt with  
13. procedures involved in the due process hearing for handicapped  
14. children. The Governor's Amendatory Veto struck out language  
15. that would have empowered the hearing officers to make place-  
16. ments. He correctly pointed out that this could be done with-  
17. out the consent of the school board or the parent I think that  
18. the...his Amendatory Veto improved the bill. I move its adoption.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? If not, the question is,  
21. shall the Senate accept the Specific Recommendations of the  
22. Governor as to House Bill 694 in the manner and form just  
23. stated by Senator Berman. Those in favor vote Aye. Those opposed  
24. vote Nay. The voting is open. Have all voted who wish? Have  
25. all voted who wish? Take the record. On that question, the  
26. Ayes are 57, the Nays are none, none Voting Present. The  
27. Specific Recommendations of the Governor as to House Bill 694,  
28. having received the required constitutional majority vote of  
29. Senators elected, are declared accepted. House Bill 846, Senator  
30. Coffey. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the  
33. Governor as to House Bill 846 in the manner and form as follows.



1. Signed, Senator Coffey.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Coffey.

4. SENATOR COFFEY:

5. Thank you, Mr. President and members of the Senate. House  
6. Bill 846 amends the Housing Authority Act to require a public  
7. hearing to be held by the Housing Authority prior to any contract.  
8. The Governor has acted a amendatory veto on this bill, which  
9. would require...would add the word 'onstruction', but would  
10. actually provided that the public hearings to be held before any  
11. construction contracts was entered into. And I would like to  
12. move to accept that recommendation of the Governor.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? If not, the question is, shall  
15. the Senate accept the Specific Recommendations of the Governor  
16. as to House Bill 846 in the manner and form just stated by  
17. Senator Coffey. Those in favor will vote Aye. Those opposed  
18. vote Nay. The voting is open. Have all voted who wish? Have  
19. all voted who wish? Take the record. On that question, the  
20. Ayes are 57, the Nays are none, none Voting Present. The  
21. Specific Recommendations of the Governor as to House Bill 846,  
22. having received the required constitutional majority of the  
23. Senators elected, are declared accepted. House Bill 979,  
24. Senator Gitz. Read the motion, Mr. Secretary.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the  
27. Governor as to House Bill 979 in the manner and form as follows.  
28. Signed, Senator Gitz.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Gitz.

31. SENATOR GITZ:

32. Senator Demuzio is concerned about what kind of pests were  
33. going to control with this bill. This bill was amendatorily vetoed...

1. this bill was amendatorily vetoed by the Governor, primarily,  
2. because a provision in it that would change the composition  
3. of the Sunset Committee. Now the purpose of those changes  
4. was to remove ex officio members, like the Bureau of the  
5. Budget Director, who, quite frankly, have not been an active  
6. participant and have not followed the original law. The  
7. intention of that legislation, also was to expand the legisla-  
8. tive membership, in hopes that there would greater adherence...  
9. be greater adherence of the Legislature in listening to those  
10. recommendations. Be that as it may, although I think that those  
11. changes are in order, if we were not successful in accepting  
12. these recommendations, we would be without any structural Pest  
13. Control Act. And I believe that the changes that are needed in  
14. that Act to strengthen it, and which were contained in House  
15. Bill 979's original form, are important enough to go ahead and  
16. accept the Governor's recommendations and deal with the structure  
17. issue at another occasion.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, the question is,  
20. shall the Senate accept the Specific Recommendations of the  
21. Governor as to House Bill 979 in the manner and form just  
22. stated by Senator Gitz. Those in favor will vote Aye. Those  
23. opposed vote Nay. The voting is open. Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question,  
25. the Ayes are 58, the Nays are none, none Voting Present. The  
26. Specific Recommendations of the Governor as to House Bill 979,  
27. having received the required constitutional majority of Senators  
28. elected, are declared accepted. House Bill 1049, Senator  
29. Berman. Read the motion, Mr. Secretary.

30. SECRETARY:

31. I move to accept the Specific Recommendations of the  
32. Governor as to House Bill 1049 in the manner and form as follows.  
33. Signed, Senator Berman.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President and Ladies and Gentlemen of the  
5. Senate. This bill dealt with the Department of Revenue and the  
6. disclosure and filing of certain opinions. The bill as passed  
7. had language which was...which seemed to change the policy as  
8. announced in the original Illinois Administrative Procedures  
9. Act. His language clarified it by deleting certain extraneous  
10. language. I move the adoption of the amendatory veto.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? If not, the question is, shall  
13. the Senate accept the Specific Recommendations of the Governor  
14. as to House Bill 1049 in the manner and form just stated by  
15. Senator Berman. Those in favor vote Aye. Those opposed vote  
16. Nay. The voting is open. Have all voted who wish? Have all  
17. voted who wish? Take the record. On that question, the Ayes  
18. are 57, the Nays are none, none Voting Present. Specific  
19. Recommendations of the Governor as to House Bill 1049, having  
20. received the required constitutional majority vote of Senators  
21. elected, are declared accepted. House Bill 1136, Senator Bruce.  
22. Read the motion, Mr. Secretary.

23. SECRETARY:

24. I move to accept the Specific Recommendations of the  
25. Governor as to House Bill 1136 in the manner and form as  
26. follows, Signed, Senator Bruce.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Bruce.

29. SENATOR BRUCE:

30. Prepayment penalties, right. This bill, in it's  
31. amendatorily vetoed form, deals with two things. It increases  
32. from twenty-five hundred dollars to twenty...from five hundred  
33. to twenty-five hundred dollars contracts which must be filed

1. with the Comptroller's Office, and it also makes it unnecessary  
2. to file deferred compensation contracts with the Comptroller.  
3. As you know, many employees are involved now, state employees are  
4. involved in deferred compensation contracts. Those need not  
5. be filed with the Comptroller under this legislation. The  
6. Governor...vetoed out changes we'd made in professional and  
7. artistic contracts, and also the provision would have invalidated  
8. contracts not filed within thirty days of execution. We are  
9. working with the Comptroller's office to revise our language on  
10. the latter two items, but it seems to me, appropriate that we  
11. accept the Amendatory Veto of the Governor, as it relates to the  
12. filing of contracts and the filing of deferred compensation con-  
13. tracts with the Comptroller. And I would move that we accept  
14. the Amendatory Veto of...of the Governor.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? If not, the question is, shall  
17. the Senate accept the Specific Recommendations of the Governor  
18. as to House Bill 1136 in the manner and form just stated by  
19. Senator Bruce. Those in favor will vote Aye. Those opposed  
20. vote Nay. The voting is open. Have all voted who wish? Have  
21. all voted who wish? Take the record. On that question, the  
22. Ayes are 57, the Nays are none, none Voting Present. The  
23. Specific Recommendations of the Governor as to House Bill 1136,  
24. having received the required constitutional majority of Senators  
25. elected, are declared accepted. House Bill 1288, Senator  
26. Thomas. Read the motion, Mr. Secretary.

27. SECRETARY:

28. I move to accept the Specific Recommendations of the  
29. Governor as to House Bill 1288 in the manner and form as follows.  
30. Signed, Senator Thomas.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Thomas is recognized.

33. SENATOR THOMAS:

1. Thank you very much, Mr. President and Ladies and Gentle-  
2. men of the Senate. This is purely clarifying language, and the  
3. changes made by the Governor have been approved, both by the  
4. Department of Law Enforcement and the other side of the issue  
5. which is the Illinois State Police, Trooper Lodge No. 41 of the  
6. FOP. I might add, as a little aside, that the trooper that  
7. pulled me over on my way down here this week, said, among other  
8. things, that he thought this was a good idea. I ask for a  
9. favorable vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? The question is, shall the Senate  
12. adopt the Specific Recommendations of the Governor as stated by  
13. Senator Thomas. Those in favor vote Aye. Those opposed vote  
14. Nay. The voting is open. Have all voted who wish? Have all  
15. voted who wish? Take the record. On that question, the Ayes  
16. are 57, the Nays are none, none Voting Present. The Senate  
17. does adopt the Specific Recommendations of the Governor as to  
18. House Bill 1288 and the bill having received the required constitu-  
19. tional majority is declared passed. House Bill 1294, Senator  
20. Vadalabebe. Read the motion, Mr. Secretary, please.

21. SECRETARY:

22. I move to accept the Specific Recommendations of the  
23. Governor as to House Bill 1294 in the manner and form as  
24. follows. Signed, Senator Vadalabene.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, thank you, Mr. President and members of the Senate. The  
29. Governor's revision would require that supervisors of assessments  
30. issue assessment workbooks to township assessors by January 1st,  
31. even though assessment books for the previous year were still  
32. within the various boards of review. And this would permit assessors  
33. to begin their work on time and would not interfere with boards

1. of review finishing the previous years assessment work. And  
2. I move to accept the Specific Recommendation of the Governor.  
3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Is there discussion? The question  
5. is, shall the Senate adopt the Specific Recommendation of the  
6. Governor as to House Bill 1294 in the manner and form just  
7. stated. Those in favor vote Aye. Those opposed vote Nay. The  
8. voting is open. Have all voted who wish? Have all voted who  
9. wish? Take the record. On that question, the Ayes are 57, the  
10. Nays are none, none Voting Present. The Senate does adopt the  
11. Specific Recommendations of the Governor as to House Bill 1294,  
12. the bill having received the required constitutional majority is  
13. declared passed. House Bill 1364, Senator Schaffer. Read the  
14. motion, Mr. Secretary, please.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the Governor  
17. as to House Bill 1364 in the manner and form as follows. Signed,  
18. Senator Schaffer.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Schaffer is recognized.

21. SENATOR SCHAFFER:

22. Mr. President and members of the Senate, House Bill 1364  
23. reached the Senate earlier this year repealing the interest ceiling  
24. on IHDA bonds. When it got to the Senate, we put a eleven...the  
25. greater of either eleven percent or seventy percent of prime.  
26. ceiling on the bonds for IHDA. And subsequent to our leaving  
27. Springfield, it...I think you've all got the letter I passed out  
28. earlier, it became obvious that the seventy percent or eleven  
29. percent or seventy percent in this volatile bondmarket was not  
30. appropriate. The Governor's Amendatory Veto simply removes that  
31. provision until July 1, of next year. And...pardon me, of 1983,  
32. which gives us a chance to get IDHA back into the bondmarket  
33. and to do something at the State level about a very depressed

1. housing market. I believe it's a reasonable compromise, and  
2. in light of what's going on in the money markets today, I think  
3. it's the only thing we can do if we wish IHDA to fulfill its role  
4. of State involvement in the Illinois housing market. I believe  
5. it's an appropriate thing for us to do, and I believe the  
6. amendatory veto should be sustained.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. You've heard the motion. Discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Mr. President and Ladies and Gentlemen of the Senate,  
11. that I find interesting is, as always, the linguistic ability  
12. of the Governor to make up facts to suit his purpose. To talk  
13. in terms of a compromise, I think, is really an insult to the  
14. General Assembly. The House and Senate did pass the version that  
15. went to his desk. There was no difference, couldn't have been,  
16. the constitution doesn't allow it, in the version that was passed  
17. by the House and passed by the Senate, and it imposed the same  
18. ceiling on IHDA that we impose on Pollution Control Bonds, all  
19. other type of government financed revenue bonds. In fact, we  
20. gave them more than we've given everyone else. Senator Berning,  
21. and others had port authorities that did not get the greater of  
22. seventy percent or eleven percent. In fact, many of them are  
23. limited to nine percent by State statutory law in effect today.  
24. And I think it's, once again, the Governor trying to raise the  
25. interest rates we're paying on bonds, whoever pays them, beyond  
26. a public policy acceptable limit and seventy percent of prime  
27. for a tax free bond. Eleven percent on a tax free bond, is  
28. sufficient incentive as a public policy and is, in fact, much  
29. higher than we've allowed everyone else. I think it's, again,  
30. an attempt, for at least a couple of years, to let those who get the tax  
31. frees to enjoy a much higher interest rate, and I think it's even  
32. worse, when after this was fully discussed, and allegedly compro-  
33. mised in the Senate version, to the seventy percent or eleven

1. percent. And what, in fact, the agency appears to have done  
2. is to have reached an agreement to get it through the General  
3. Assembly and then violated the whole understanding and asked  
4. the Governor to just cut it out entirely. And I think that,  
5. for both philosophical reasons, and for the integrity of the  
6. General Assembly, we should not accept this amendatory veto.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Schaffer  
9. may close.

10. SENATOR SCHAFFER:

11. Mr. President, I...I should comment to my colleague on the  
12. other side that the Governor's linguistic ability is pale in  
13. comparison to his. I will not further carry the analogy, although,  
14. perhaps it could be. I happen to be, as the Senate sponsor of  
15. this bill, rather involved in those deliberations, and I would,  
16. respectfully recall the discussions that were had by members of  
17. both sides of the aisle, and for that matter, both sides of the  
18. rotunda. When we put the ceiling on, there was doubt that, in  
19. fact, this type of bond, which is different from the types of bonds  
20. Senator Carroll mentioned, whether that ceiling would, in fact,  
21. work. And as we have done so many times, many of us said, okay,  
22. fine, let's put the ceiling in and when you can prove that this  
23. ceiling has put you out of business, come back to us and we'll  
24. give you relief. Well, I will note, with interest, that no one,  
25. and I think this is a very important point, no one has said that  
26. the IHDA can operate with this ceiling. Clearly, the chart..the  
27. facts of the situation, indicate that without the concurrence  
28. on this amendatory veto, IHDA, the Illinois Housing Authority,  
29. is out of action for the foreseeable future, certainly until  
30. we get back in March, probably for a year. I think this is no  
31. time for the State of Illinois to totally abdicate its responsi-  
32. bilities to the Illinois housing industry, at a time when the  
33. Illinois housing industry is absolutely at the lowest ebb, at



1. least, that I'm aware of, this is no time for us to walk away.  
2. I don't like interest rates above eight percent, let alone above  
3. eleven percent, but, unfortunately, in the real world, that's  
4. where we are. And if we want IHDA to play its role, and I think  
5. it has a role, in reviving our sagging housing industry in this  
6. State, we have to concur in this amendatory veto. I don't like  
7. high interest nobody does. It's a fact of life, we all under-  
8. stand that. If you want to do something for the Illinois  
9. housing industry, this is your only opportunity in the next  
10. few months. I think we have to do something. I urge in a  
11. concurrence.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Berning, Senator Schaffer  
14. was closing. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. I'd like to ask the sponsor a  
17. question. I just had an occasion to finish reading the analysis,  
18. and I see on page 2 of the Governor's Message it provides for  
19. the imposition of prepayment premiums or penalties. Is this not  
20. contrary to what we were just doing in other instances, and I  
21. wonder why that's included.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Senator Berning, it's totally compatible with what we've  
26. just done, and, in fact, I believe it absolutely parallels it.  
27. Evidently, somebody in the Governor's Office wasn't sure that  
28. those bills were going to succeed, and this language was put in  
29. for that purpose.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berning.

32. SENATOR BERNING:

33. I...I'm sorry to disagree. It seems to me that what we

1. have provided is, in the other action, was no penalty, no...pre-  
2. payment penalty. Where here we are saying the authority may re-  
3. quire and impose prepayment penalty.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Wat we just did was restore the prepenalty on the bonds.  
8. The consumers are the ones that we protected from prepayment  
9. penalties. And that room is filled with experts on that  
10. subject who know much more than I, but I believe I'm correct.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berning.

13. SENATOR BERNING:

14. I was just wondering if anyone else has the same interpreta-  
15. tion that I do.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Further discussion? Senator Schaffer,  
18. you've closed?

19. SENATOR SCHAFFER:

20. Favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall the Senate accept the Specific Recommen-  
23. dation of the Governor as to House Bill 1364 in the manner and form just  
24. explained. Those in favor vote Aye. Those opposed vote Nay. The voting  
25. is open. Have all voted who wish? Have all voted who wish? Have all  
26. voted who wish? Take the record. On that question, the Ayes are 40,  
27. the Nays are 10, 3 Voting Present. The Senate does adopt the Specific  
28. Recommendations of the Governor as to House Bill 1364, and the bill  
29. having received the required constitutional majority is declared passed.  
30. House Bill 1367, Senator Berman. Read the motion, Mr. Secretary, please.

31. SECRETARY:

32. I move to adopt the Specific Recommendations of the Governor as  
33. to House Bill 1367 in the manner and form as follows. Signed, Senator  
34. Berman.

35. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berman is recognized.

2. SENATOR BERMAN:

3. Thank you, Mr. President. This bill deals with the  
4. procedures that the Department of Registration and Education would  
5. follow, regarding the granting of licensure of the candidates from  
6. nonapproved schools. The Governor's Amendatory Veto exempted  
7. the Department of Mental Health and Developmental Disabilities  
8. from the confidentiality requirements of the bill, in order to  
9. avoid conflicts with the Mental Health and Developmental Dis-  
10. abilities Confidentiality Act. I move the adoption of the  
11. amendatory veto.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The motion is to adopt. Is there  
14. discussion? The question is, shall the Senate adopt the Specific  
15. Recommendations of the Governor as to House Bill 1367 in the  
16. manner and form just explained. Those in favor will vote Aye.  
17. Those opposed vote Nay. The voting is open. Have all voted who  
18. wish? Have all voted who wish? Take the record. On that  
19. question, the Ayes are 56, the Nays are none, none Voting  
20. Present. The Senate does adopt the Specific Recommendations of  
21. the Governor as to House Bill 1367, and the bill having received  
22. the required constitutional majority, is declared passed. House  
23. Bill...1415, Senator Weaver. Read the motion, Mr. Secretary,  
24. please.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the  
27. Governor as to House Bill 1415 in the manner and form as  
28. follows. Signed, Senator Weaver.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Weaver.

31. SENATOR WEAVER:

32. Thank you, Mr. President. One provision of House Bill  
33. 1415 allowed corporate authorities to borrow within corporate

1. funds, with the payback being from next year's tax money. The  
2. Specific Recommendation of the Governor is to make that pay-  
3. back within the current fiscal year. And I would move we  
4. accept these recommendations.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Is there discussion? Senator Rock.

7. SENATOR ROCK:

8. Yes. I rise in support. I don't have any objection, I  
9. just wonder where Senator DeAngelis went. We heard an awful  
10. lot about interfund borrowing when we were considering the  
11. Chicago Board of Education, and apparently, it's alright for  
12. non-home rule municipalities to do it, but the City of Chicago  
13. and the Board of Education apparently can't.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Further discussion? The question is,  
16. shall the Senate adopt the Specific Recommendation of the Governor  
17. as to House Bill 1415 in the manner and...form just explained.  
18. Those in favor vote Aye. Those opposed vote Nay. The voting is  
19. open. Have all voted who wish? Have all voted who wish?  
20. Take the record. On that question, the Ayes are 55, the Nays  
21. are none, none Voting Present. The Senate does adopt the Specific  
22. Recommendation of the Governor as to House Bill 1415, and the  
23. bill, having received the required constitutional majority,  
24. is declared passed. House Bill 1812, Senator Davidson. Read  
25. the motion, Mr. Secretary, please.

26. SECRETARY:

27. I move to accept the Specific Recommendations of the  
28. Governor as to House Bill 1812 in the manner and form as follows.  
29. Signed, Senator Davidson.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Davidson is recognized.

32. SENATOR DAVIDSON:

33. Mr. President and members of the Senate, I urge we adopt

1. this recommendation. When we passed this bill, there was a  
2. feel that the Workman's Comp. Fund that's on an industrial  
3. commission, should be under the Department of  
4. we passed the bill and before the bill was signed, those  
5. major companies, of which there's a number who are self-  
6. insured, had some concerns and they asked for it to be kept on  
7. industrial commission and let them work with the Industrial Commission  
8. and the Department of Insurance in their own efforts to strengthen  
9. as it, and that was the recommendation. And I concur with it,  
10. and appreciate a favorable roll call.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Discussion? The motion is to adopt.  
13. The question is, shall the Senate adopt the Specific Recommenda-  
14. tions of the Governor as to House Bill 1812 in the manner and  
15. form just explained. Those in favor vote Aye. Those opposed  
16. vote Nay. The voting is open. Have all voted who wish? Have  
17. all voted who wish? Take the record. On that question, the  
18. Ayes are 56, the Nays are 1, none Voting Present. The Senate  
19. does adopt the Specific Recommendations of the Governor as to  
20. House Bill 1812, and the bill having received the required  
21. constitutional majority is declared passed. For what purpose  
22. does Senator Geo-Karis arise?

23. SENATOR GEO-KARIS:

24. Mr. President and Ladies and Gentlemen of the Senate, on  
25. a point of personal privilege. I'd like to introduce Nancy Winter,  
26. in the gallery upstairs, from Elburn, Illinois, who is the  
27. daughter of one of my constituents, and is the constituent of  
28. Senator Grotberg, who had to step out, so I'm doing it for him.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Would our guest please rise and be recognized by the  
31. Senate. If I might have the attention of the Body, we are going  
32. to go to page 11 of your Calendar to pick up the Motions in  
33. Writing to Override Specific Recommendations, then we will

1. go back to page 9 and start at the top...top of page 9 and go  
2. right on through then with all the other motions. We have pre-  
3. pared a Supplemental Calendar. If you have Motions in Writing,  
4. on any action on the Calendar, please get them down to the  
5. Secretary as quickly as possible. For what purpose does Senator  
6. Etheredge arise?

7. SENATOR ETHEREDGE:

8. On a point of personal privilege, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. State your point, Senator.

11. SENATOR ETHEREDGE:

12. I have a constituent in the gallery, Carol May from  
13. North Aurora, whom I would like to recognize.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Would our guest please rise and be recognized. For what  
16. purpose does Senator Bloom arise?

17. SENATOR BLOOM:

18. Yes. To be added as a cosponsor to Senate Bill 1272.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there leave? Leave is granted. On page 11 of your  
21. Calendar, are Motions in Writing Overriding the Specific  
22. Recommendations for Change. The first motion is House Bill 239,  
23. Senator Kent. Read the motion, Mr. Secretary, please.

24. SECRETARY:

25. I move that House Bill 239 Do Pass, the Specific Recommenda-  
26. tions of the Governor to the contrary notwithstanding. Signed, Senator  
27. Kent.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Kent.

30. SENATOR KENT:

31. Thank you, Mr. President and members of the Senate. This  
32. is an agreed override by the Governor. It did pass the House...  
33. by a hundred and forty votes...a hundred and forty four votes.

1. Also, if we override, we merely add one aggravating factor to the  
2. death penalty. The...murder of a child, as a result of child abuse,  
3. where the abuse was inflicted in an exceptionally brutal and heinous  
4. manner. I would move that we...most favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Is there discussion? The question is, shall  
7. Senate...shall House Bill 239 pass. Okay. Senator Collins.

8. SENATOR COLLINS:

9. Question of the sponsor.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Collins.

12. SENATOR COLLINS:

13. What...you adding to the...did you say death...would you read  
14. it again for me?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Kent.

17. SENATOR KENT:

18. We're adding one aggravating factor to the death penalty.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Collins.

21. SENATOR KENT:

22. The...okay, you want...Just a second.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Okay, Senator Kent.

25. SENATOR KENT:

26. Alright. It permits the death penalty to be imposed where the  
27. victim is under sixteen years of age, and when he was...when they were  
28. killed in an exceptionally brutal and heinous manner. If we vote to  
29. override, that's what we do.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Collins.

32. SENATOR COLLINS:

33. So...so, in effect what we're saying, that if...if a child is  
34. killed under sixteen years of age, in a brutal manner, but if I just  
35. poison mine, maybe, one is the...is...qualifies for the death penalty

1. and the other one does not. Is that what you're saying? You're  
2. qualifying death.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Kent.

5. SENATOR KENT:

6. It is a child abuse bill. What you're saying is a question of fact.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Collins.

9. SENATOR COLLINS:

10. Notwithstanding, whether it's child abuse or not abuse, I'm  
11. talking about what you're doing here. You are qualifying death. You  
12. are saying that if you kill a child under sixteen one way, you can get  
13. a death penalty. However, if you kill a child nicely, you may not  
14. get...you can't...you won't get the death penalty. Now that's, to me,  
15. inconsistent. And it's a contradiction. It's stupid.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Kent. Senator Kent.

18. SENATOR KENT:

19. If it's murder, just murder, it doesn't necessarily come under  
20. the death penalty. By child abuse it will.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Bowers.

23. SENATOR BOWERS:

24. Perhaps I can help just a moment. As the original passed,  
25. Senator Collins, that's exactly what we did. The Governor then added  
26. a veto...an amendatory veto where he put a lot of other provisions  
27. in there, attempting to...to dress up the death penalty. I think he  
28. made a mistake. And I think he now thinks he made a mistake. So,  
29. if we override the veto, what she's saying is what has already  
30. passed this House, by I think a very substantial margin. And...and  
31. so, I guess what I'm saying to you is, if you want to kill the  
32. whole concept, and...and we don't override this veto, I suspect  
33. that might be your...your posture, but the issue as to the



HB 623  
Spec. Rec.  
to Gov.

1. child abuse death, has already been settled by this Body, in  
2. the sense that they already have passed that bill. And that is  
3. where we will be if we override this veto.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Further discussion? Senator Kent.  
6. The question is, shall the Senate...shall House Bill 239 pass,  
7. the Specific Recommendations of the Governor to the contrary,  
8. notwithstanding. Those in favor vote Aye. Those opposed vote  
9. Nay. The voting is open. It will require 35 affirmative votes...  
10. 36. Three-fifths. Have all voted who wish? Have all voted  
11. who wish? Take the record. On that question, the Ayes are 54,  
12. the Nays are 3, none Voting Present. House Bill 239, having  
13. received the required three-fifths vote, is declared passed,  
14. the Specific Recommendations of the Governor to the contrary,  
15. notwithstanding. House Bill 623, Senator Coffey. Read the  
16. motion, Mr. Secretary, please.

17. SECRETARY:

18. I move that House Bill 623 Do Pass, the Specific Recommenda-  
19. tions of the Governor to the contrary notwithstanding. Signed, Senator  
20. Coffey.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Coffey.

23. SENATOR COFFEY:

24. Thank you, Mr. President and members of the Senate. I rise  
25. to ask your support of the motion to override and restore this  
26. bill in the form that we passed it here, only a short few months  
27. ago. Under the present law, municipalities cannot burn trees or  
28. brush which is picked up and accumulated without a permit from  
29. the EPA, and it is costing the municipalities thirty thousand or  
30. more to bury this material. Actually, the burning of wood pro-  
31. ducts create potash which is very valuable to the soil in many  
32. of our agricultural communities. There's several protective  
33. restraints that go along with this bill. It does not apply to

1. municipalities or other areas of the counties of over  
2. two hundred thousand which probability of pollution is the  
3. greatest. It also prevents municipalities from...it does not  
4. prevent municipalities from passing ordinance to prohibit the  
5. restriction of burning of individuals, if they so choose to do  
6. so. It provides that if burning by municipalities creates a  
7. health hazard, the EPA can still come in and prohibit the  
8. restrictive burning. And it does not prohibit individuals from  
9. bringing suit, or filing injunctions if they are being damaged  
10. by burning...by another individual in a municipality. So, I  
11. think those protections are there. Originally, the...this bill  
12. passed the House 129 to 4, and in the Senate 58 to nothing.  
13. Recently, there was a motion to override in the House, and it  
14. passed 133 to 25. I just ask for a favorable roll call to help  
15. conserve some dollars in some of our municipalities.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Is there discussion? The question  
18. is, shall House Bill 623 pass, the Specific Recommendations of  
19. the Governor to the contrary, notwithstanding. Those in favor  
20. vote Aye. Those opposed vote Nay. The voting is open. Have  
21. all voted who wish? Have all voted who wish? Take the record.  
22. On that question, the Ayes are 58, the Nays are none, none  
23. Voting Present. House Bill 623, having received the required  
24. three-fifths vote is declared passed. The...the veto...the  
25. Specific Recommendations of the Governor to the contrary, not-  
26. withstanding. House Bill 1127, Senator D'Arco. Read the  
27. motion, Mr. Secretary, please.

28. SECRETARY:

29. I move that House Bill 1127 Do Pass, the Specific Recommenda-  
30. tions of the Governor to the contrary, notwithstanding. Signed,  
31. Senator D'Arco.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator D'Arco is recognized.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. The Governor, by his amenda-  
3. tory veto, made many changes to the original bill, House Bill  
4. 1127. In fact, I guess the appropriation for the various  
5. commissions that the Governor vetoed, the Gang Crime Commission  
6. and the Suburban Problems Task Force Commission, failed to  
7. receive a constitutional majority in the House. And, I guess  
8. the Governor's reasoning was, then, that the other substantive  
9. law in the commissions was not necessary, since the appropriation  
10. did not pass. There was another commission in here though, the  
11. Labor Law Revisory Commission, that he did...did allow to pass  
12. with the amendatory veto, and that commission...the appropriation  
13. for it is still in...in effect and would become law is this bill did  
14. pass. There were some changes to the Illinois Special Events  
15. Commission that the Governor made with his amendatory veto, and  
16. also, with the Illinois Energy Resources Commission. I think that  
17. these commissions deserve our support and, notwithstanding the  
18. Governor's Amendatory Veto. And I would move to override the  
19. Governor's Amendatory Veto of these bills.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Is there discussion? The question is,  
22. shall House Bill 12..1127 pass, the Specific Recommendations of the  
23. Governor to the contrary notwithstanding. Those in favor vote  
24. Aye. Those opposed vote Nay. The voting is open. Have all voted  
25. who wish? Have all voted who wish? Have all voted who wish?  
26. Have all voted who wish? Take the record. On that question, the  
27. Ayes are 36, the Nays are 22. House Bill 1127, having received  
28. the required three-fifths vote, is declared passed, the Veto  
29. of the Governor to the contrary notwithstanding. For what  
30. purpose does Senator Philip arise?

31. SENATOR PHILIP:

32. Verification of the affirmative votes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. There's been a request for a verification. Will the  
2. members please be in their seats. Secretary will call those  
3. who voted in the affirmative and will the Senators please  
4. respond when their names are called.

5. SECRETARY:

6. The following voted in the affirmative: Becker, Berman,  
7. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,  
8. Demuzio, Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah  
9. Joyce, Jerome Joyce, Lemke, Mahar, Marovitz, McLendon, Nash,  
10. Nedza, Nega, Netsch, Newhouse, Nimrod, Sangmeister, Savickas,  
11. Simms, Taylor, Totten, Vadalabene, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

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

15. SENATOR PHILIP:

16. Senator Johns.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Johns is at his desk.

19. SENATOR PHILIP:

20. Senator Egan. Oops, there he is.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Egan is at his desk.

23. SENATOR PHILIP:

24. Senator Marovitz.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is Senator Marovitz on the Floor? Senator Marovitz on  
27. the Floor? Strike his name. For what purpose does Senator  
28. D'Arco arise?

29. SENATOR D'ARCO:

30. Let's verify the negative vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. For what purpose does Senator DeAngelis arise?

33. SENATOR DEANGELIS:

34. Parliamentary inquiry of the chair. Since that vote does

1. not impact on the outcome, I protest the taking of the negative  
2. roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Your point is well taken. The affirmative...the negative  
5. vote has no...impact on the outcome, and so the...the request would be  
6. out of order. For what purpose does Senator D'Arco arise?

7. SENATOR D'ARCO:

8. Well, I would...I would challenge the ruling of the Chair.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Alright. Senator D'Arco has appealed the ruling of the  
11. Chair as to his motion on verification of the negative votes  
12. being out of order. The question is, shall the ruling of the  
13. Chair be sustained. Those in favor of sustaining the ruling  
14. vote Aye. Those opposed to sustaining the ruling vote Nay.  
15. The voting is open. Senator Egan, the voting is open. Those is  
16. favor of sustaining the ruling of the Chair, will vote Aye. Those  
17. opposed to sustaining the ruling, will vote Nay. And we will require  
18. a three-fifths negative vote to overrule the Chair. The chair  
19. has ruled Senator D'Arco's motion out of order. Have all voted  
20. who wish? Have all voted who wish? Senator D'Arco, your vote  
21. would be No if you do not wish to sustain the ruling of the  
22. Chair. We're on a roll call right now. Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question, the  
24. Ayes are 30, the Nays are 5, 3 Voting Present. The ruling  
25. of the Chair is sustained. Senator D'Arco.

26. SENATOR D'ARCO:

27. Verify the affirmative roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator D'Arco, it would be the ruling of the Chair that  
30. such a motion would be out of order, in that it takes 35 negative  
31. votes...36 negative votes to impact on the ruling of the Chair.  
32. So, Senator D'Arco ... For what purpose does Senator Philip arise?

33. SENATOR PHILIP:

1. Thank you, Mr. President. I wish you'd announce the  
2. roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. We're trying to get to that order. The Chair is trying to...  
5. For what purpose does Senator Egan arise?

6. SENATOR EGAN:

7. Having voted on the prevailing side, I move we reconsider  
8. the vote. All we want is a little time, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Well, alright.

11. SENATOR EGAN:

12. Is that motion in order?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Egan, I...how were you recorded on the original  
15. issue?

16. SENATOR EGAN:

17. Aye.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. You were not on the prevailing side, so your motion is  
20. out of order. You'd have to be on the prevailing side to move  
21. to reconsider. In fact, that is the essence of the...alright.  
22. On a verified roll call, 35 Ayes and 22 Nays, and the motion  
23. to override the Specific Recommendation of the Governor is lost.  
24. For what purpose does Senator Grotberg arise?

25. SENATOR GROTBORG:

26. First, in the interest of orderly business, I realize  
27. some people lost some good things, but in the business of this  
28. Senate, we are at a point where the bill is lost. The motion is  
29. lost and there will be no reconsideration of it as far as this  
30. side of the aisle is concerned. So,...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Well, Senator, the Chair is not making that ruling. We  
33. were on a motion to override and the motion to override the  
34. specific recommendations is lost. That's all the Senate has done.

1. And...and as long as the constitutional deadline is not passed,  
2. the Senate can provide and take up any matter properly before  
3. the Body. Alright. With leave of the Senate, we will return  
4. to page 9, or go to page 9 of...of your Calendar and start with  
5. Motions in Writing to Override Total Vetos. Those Senators are  
6. Sangmeister, Vadalabene, Berman, Geo-Karis and Senator Nedza.  
7. Senator Sangmeister on House Bill 132. Are you ready? Read  
8. the motion, Mr. Secretary, please.

9. SECRETARY:

10. I move that House Bill 132 Do Pass, the Veto of the  
11. Governor to the contrary notwithstanding. Signed, Senator  
12. Sangmeister.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Sangmeister is recognized.

15. SENATOR SANGMEISTER:

16. Thank you, Mr. President and members of the Senate. We  
17. passed out of this Body, some time ago, the Uniform Post Conviction  
18. Act, which all of you agreed was something that we needed in  
19. the State of Illinois to finally put all of our post conviction  
20. proceedings under one Statute, so any lawyer practicing in this  
21. area knew where they were at and what the procedures would be.  
22. The Governor has vetoed the bill, and I think was certainly  
23. without merit. I'd like to talk to his Veto Message. He states  
24. that if this bill becomes law, it permits convictions to be set  
25. aside on grounds which the U.S. Supreme Court found too insubstan-  
26. tial for post conviction relief. I would say to you, as we said  
27. when we debated the bill, that there is no new...substantive law  
28. in this bill...or no substantive rights, new ones. He also says  
29. it changes the standard for appointment of counsel, at govern-  
30. ment expense, from indigency to unable to obtain adequate  
31. representation. I would say to you, that's a pretty picky reason  
32. to veto a bill. It says it fails to impose a meaningful Statute of  
33. limitations to assure finality of judgement. There's none now,

1. so, I don't see where that makes any difference. He says it  
2. diminishes the high standard that must be met to obtain relief  
3. on the basis of newly discovered evidence, and I say to you  
4. that that is not true. And the last reason he gave was that  
5. it purports to regulate, by law, a number of procedural areas  
6. exclusively within the province of the Supreme Court rule,  
7. and that's the old-age argument that we have here, is this  
8. legislative prerogative or is it judicial. And I say it is  
9. certainly legislative. This bill will once and for all end the  
10. confusion of multiplicity of post conviction remedies. Two,  
11. habeas corpus is included in the proceeding. As I stated before,  
12. there are no substantive rights, that are provided for in this  
13. bill, it is procedural act only. Counsel would be appointed  
14. in cases where counsel is required to be appointed under the law.  
15. And above all, this bill provides for the dismissal of frivolous  
16. partitions. This is good law. It passed over in the House.  
17. They have already, as you know, or it wouldn't be here, voted to  
18. override by an overwhelming majority. I certainly don't think  
19. that the Governor himself, being the good lawyer that he is,  
20. wrote this Veto Message, because it certainly doesn't make sense  
21. from a standpoint of a lawyer who understands this area. And,  
22. therefore, I respectfully ask that we do as the House did, and  
23. overwhelmingly...override the Governor's Veto. Thank you.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Discussion? Senator Bowers.

26. SENATOR BOWERS:

27. I rise merely to advise the members on this side of the  
28. aisle, that I have talked to the Governor's Counsel. They are  
29. adamantly opposed to this bill. They do feel that it, because  
30. of the new judicial interpretations that are going to be required  
31. is going to open the door to additional frivolous appeals and is  
32. going to cost additional money as far as the State of Illinois is  
33. concerned, and is going to require all sorts of court decisions



1. to interpret the language. And we have a pretty good Act right  
2. now. And he continues in his adamant opposition to this bill,  
3. and I would hope, at least on this side of the aisle, we do not  
4. cast any votes to override.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Further discussion? Senator Sangmeister  
7. may close.

8. SENATOR SANGMEISTER:

9. Well, I'm sorry that this has to become a partisan issue.  
10. This is not an appropriation bill where we're holding the line  
11. on money or anything else, this is a basic premise in law that  
12. we ought to have a Post Conviction Act that everybody understands.  
13. And I hope that that plea by Senator Bowers is not adhered to on  
14. the other side. It certainly was not adhered to over in the  
15. House where, I don't have the vote, but I think it was 140, 150  
16. votes to override. Why it all of the sudden becomes so important  
17. in the Senate, when it wasn't over in the House, I don't know.  
18. This is good law. We've waited a long time. This comes out of  
19. the Uniform...Commission Act. We should have this in the State  
20. of Illinois, and I plead with you to set aside any bipartisan  
21. feelings by the Governor, and let's put this into effect in  
22. Illinois, where it belongs. And I urge again, that we override  
23. the Governor's Veto.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall House Bill 132 pass, the Veto of  
26. the Governor to the contrary notwithstanding. Those in favor  
27. vote Aye. Those opposed vote Nay. The voting is open. Have  
28. all voted who wish? Have all voted who wish? Have all voted  
29. who wish? Take the record. On that question, the Ayes are 25,  
30. the Nays are 26. The motion to override is lost. House Bill  
31. 284. Senator Vadalabene, are you ready? Read the motion, Mr.  
32. Secretary, please. 284.

33. SECRETARY:

HB 1007  
override Gov's Veto

1. I move that House Bill 284 Do Pass the Veto of the  
2. Governor to the contrary notwithstanding. Signed, Senator  
3. Vadalabene.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Vadalabene is recognized.

6. SENATOR VADALABENE:

7. Yes, thank you, Mr. President and members of the Senate.  
8. This is an agreed override by the Governor. House Bill 284  
9. was conceived to provide local governmental units the opportunity  
10. to train community law enforcement offices on a regional basis.  
11. Failure to override the Governor's Total Veto of House Bill 284  
12. will leave no alternative for locally based training programs.  
13. Again, it has the Governor's support and I would appreciate a  
14. favorable vote.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Is there discussion? The question is,  
17. shall House Bill 284 pass the Veto of the Governor to the con-  
18. trary, notwithstanding. Those in favor vote Aye. Those opposed  
19. vote Nay. The voting is open. Have all voted who wish? Have  
20. all voted who wish? Take the record. On that question, the Ayes  
21. are 54, the Nays are none, none Voting Present. And House Bill  
22. 284 having received the required three-fifths vote is declared  
23. passed, the Veto of the Governor to the contrary notwithstanding.  
24. House Bill 1007, Senator Berman. Read the motion, Mr. Secretary,  
25. please.

26. SECRETARY:

27. I move that House Bill 1007 Do Pass the Veto of the Governor  
28. to the contrary notwithstanding. Signed, Senator Berman.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President and Ladies and Gentlemen of the  
33. Senate. House Bill 1007 was an attempt to allow the private

1. colleges and universities to have the...the exemption that was  
2. granted under Federal law to...to retire persons prior to age  
3. 70 before the effective date of the Federal law, which will be  
4. next July 1, 1982. The Governor vetoed the bill, feeling that  
5. in his statement, that they should have to comply with the  
6. Illinois Human Rights Act that we passed in '79. The House by  
7. it's override of the veto, felt that this exemption that's provided in  
8. the Federal law should be allowed to the Illinois private  
9. colleges and universities. I move to override the Governor's  
10. Veto.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. I have a couple of questions  
15. I'd like to ask Senator Berman. Senator Berman, this would only  
16. affect professors at private universities. Is that right?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Berman.

19. SENATOR BERMAN:

20. That's correct.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Weaver.

23. SENATOR WEAVER:

24. And it would only affect those who are going to turn 65  
25. years of age between, say the enactment this year and July 1st  
26. of next year, for maybe six months.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Berman.

29. SENATOR BERMAN:

30. I think, in all honesty, I'm not sure as to its retroactive  
31. application. What it, in fact does is give those universities  
32. an extra eight months, November to...through June to carry out  
33. their present policy regarding retirement. I...I am not clear as to

1. whether it would affect others, and I think that maybe contested  
2. in some litigations, so I...I really don't know.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Weaver.

5. SENATOR WEAVER:

6. Well, don't you presume that this is going to cause a lot of  
7. litigation and...don't you think it's a violation of the Human  
8. Rights Act?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berman.

11. SENATOR BERMAN:

12. The reason for the bill was to grant these colleges an  
13. exemption to our Illinois Human Rights Act.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Weaver.

16. SENATOR WEAVER:

17. But, why just private universities? Why not all universities  
18. or all employers statewide? I just can't understand why you're  
19. discriminating against private universities...professors.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berman.

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33.

1. SENATOR BERMAN:

2. The bill I think...was generated by the Federation of  
3. Independent Illinois Colleges and Universities. Apparently, the  
4. public sector did not feel that it was a necessary task for this  
5. exemption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Weaver.

8. SENATOR WEAVER:

9. Well, of course, I don't have any private universities,  
10. and I shouldn't be really complaining, except to the fact that  
11. there are...people who belong to the AAUP...at both public and  
12. private, and certainly this...is of great concern to them,  
13. because some of the professors who work in the private univer-  
14. sity go to public and vice versa...but I...I think it is a  
15. bad bill, I think we should sustain the Governor's Veto.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I also rise, in this case, in  
20. favor of the Governor and against the maker of the motion. It is  
21. one of the rare instances in which the Governor was essentially  
22. correct. I would like first of all, to make it clear that  
23. while I work for a private university, I do not have a  
24. conflict of interest, because contrary to speculation, I am  
25. not yet sixty-five years of age...and will not be between now  
26. and July, 1982. So, the bill does not directly affect me. I  
27. would like to underscore a couple of the points that I think...  
28. Senator Weaver's comments were making. One,...it does apply  
29. only to the private universities, not to the public universities,  
30. that it seems to me is absolutely indefensible. If there is  
31. to be an extension of the mandatory retirement age applicable  
32. to one, it ought to be available to the other...if it is not  
33. to be available to one, then it certainly not...ought not to  
34. be to the other. There is no rationale that I know of for

1. distinguishing between..private and public in this connection. I  
2. would also like to point out, that it is discriminatory with  
3. respect to that group of university professors who do reach  
4. the age of sixty-five between now and the time when the exemption  
5. at the Federal level...is eliminated, which is July, 1982, and  
6. it creates, I think not only the prospect for a great deal  
7. of litigation, as Senator Weaver suggested, but it ought to,  
8. because it is highly discriminatory in it's impact. It  
9. seems to me that we have made a decision as a matter of  
10. national policy and as a matter of State policy that mandatory  
11. retirement at age sixty-five is no longer to be the law of  
12. the day. We have made that decision in favor of an extension  
13. at least until the age of seventy. There was good reason  
14. for that, in terms of not putting out to pasture a lot of  
15. people who have a great deal still to offer. For reasons  
16. which I do not know, and cannot explain, the...some universities  
17. were able to persuade Congress to allow a phase-in of that  
18. exemption at the national level until July, 1982. When we passed  
19. our own Human Rights Act, we did not make that exemption and  
20. it seems to me that there is no reason now to attempt to  
21. pick it up...mandatory retirement at age sixty-five should  
22. not be the law of the day in this State for that small group  
23. of professors at a...at private universities only, who would be  
24. affected by this bill. I would strongly urge that we sustain  
25. the Governor's Veto.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berning. I have several Senators, Senators  
28. Geo-Karis, Hall, Newhouse and Egan. Senator Berning.

29. SENATOR BERNING:

30. Well, thank you, Mr. President. I confess that I am  
31. somewhat confused, and if some of the others of you have received  
32. the same communications I have, with absolutely contradictory  
33. positions, both from the same organization, the Illinois

1. Conference of American Association of University Professors,  
2. it certainly leaves me with little to be guided by from  
3. these people, however, I thought it was important to point  
4. out that one of the comments made in one of the missals,  
5. from the Executive Secretary is, research has shown that  
6. there's little, if any, decline in the...productivity of  
7. older employees. Now that strikes me as eminently curious  
8. when we have...been belabored here on the Floor of this  
9. Senate with demands to provide for early retirement for  
10. teachers with no diminution of their benefits simply because  
11. they burn out. Ladies and Gentlemen of the Senate, I  
12. submit to you that we have been played with by those who  
13. would attempt to make this Body a pawn in the efforts of,  
14. first, to get an advantage, and second, to preserve an advantage.  
15. I'm not sure what is right in this case, but I'm going to  
16. support the Governor's Veto and I think that we all ought to be  
17. guided somewhat by these contradictory statements, and if  
18. you don't have them, I'll be delighted to furnish you with  
19. copies.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Egan.

22. SENATOR EGAN:

23. Yes, thank you, Mr. President and members of the Senate.  
24. ...in response to Senator Weaver and Senator Netsch...you both  
25. voted for the bill when it passed the Senate and there was  
26. no discord them about what it did, now it comes upon us  
27. after the Governor, for reasons of his own, has vetoed it.  
28. This bill was sponsored originally by the Independent  
29. Federation, the Federation of Independent Colleges, they  
30. will save their colleges a substantial amount of money  
31. in the private...in private colleges, they need the money  
32. to continue on. Now, it does not hurt the...individuals and  
33. the professors, because they all have very sound, well established

1. pension plans. It conforms to the Federal Law, it makes  
2. total good sense, at their request, at no harm to anybody,  
3. and it passed the...the House 156 to nothing. It passed  
4. the Senate 58 to nothing. So, I think what we're talking  
5. about is...is...is really...comes upon us at a too late a  
6. date...the override was a 122 votes in the House. So,  
7. the...the sentiment is there and I think the legitimacy  
8. is there, and I urge that you do vote in favor of overriding  
9. the veto.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Kenneth Hall.

12. SENATOR HALL:

13. Thank you, Mr. President and Ladies and Gentlemen of  
14. the Senate. I rise in support of the Governor's...in this  
15. particular case. You know, one of the greatest things we  
16. talk about today is, because of medical science people  
17. live longer. And now here you turn around and you want to  
18. penalize the senior citizens. It's just wrong to take one  
19. group of individuals and say that they should be retired  
20. at the time we just extended the...the time for judges to the  
21. age seventy. Now we come along, maybe we ought to put a time  
22. the legislators, we ought to retire them at a certain age.  
23. It's just wrong to do people...we just passed the Civil  
24. Rights Act here and now we're going to turn around and do  
25. this. It's really wrong. It's inhumane to treat senior  
26. citizens, and I'm looking forward to being that in a few  
27. days, so, you can call it...you can call it conflict for  
28. interest, or whatever you want to do.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. Thank you, Mr. President...when this bill came up, I  
33. was looking to see how in the world it got out of the Higher  
34. Education Committee, but then I looked to find that it did



1. not go through the Higher Education Committee. I've...I've  
2. heard no...nothing from any of the institutions of higher  
3. education to...in support of this kind of a measure, and it  
4. simply seems to be, what Senator Kenneth Hall and others  
5. have described, an unwarranted intrusion on the rights of  
6. some individuals by virtue of age, and it seems to me that  
7. directly flies in the face of anti-discrimination. I would  
8. oppose it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President and Ladies and Gentlemen of the Senate,  
13. I'm going to rise in support of the override on this...on this  
14. premise, this exception in the override is only applicable  
15. untill July 1, 1982, and I hold in my hands a bill analysis in  
16. support of the override from the Federation of Independent  
17. Illinois Colleges and Universities, and they tell you that  
18. the only reason the...independent colleges are requesting this  
19. override, relates to persons who have built up strong pension  
20. rights over the years that will be automatically receiving  
21. liberal pensions when they do reach the age of sixty-five.  
22. And...we do feel that this short term...exemption will prevent,  
23. not only a windfall for some faculty members, but would also  
24. avoid significant penalty for many small private colleges  
25. at the very time they are suffering from other higher costs  
26. from inflation escalation of energy charges. Goodness knows,  
27. I've supported the senior citizens, in fact, I've sponsored  
28. the Human Rights budgets and what have you, but I do feel in  
29. this case, this override should be sustained under the circum-  
30. stances. It does terminate, anyway, in July 1, 1982.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator DeAngelis.

33. SENATOR DeANGELIS:

1. Thank you, Mr. President. I rise in opposition to  
2. the override. Simply for one reason, the bill itself, it is...  
3. it is an exception to the Human Rights Act.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Berman may close.

6. SENATOR BERMAN:

7. Thank you, Mr. President. There's been substantial  
8. debate, I think that one of the reasons for the introduction  
9. of the bill, and the reasons for the override in the House, was  
10. because of the substantial financial impact that is projected  
11. by the figures supplied by the... by the Federation of Independent  
12. Illinois Colleges and Universities. The document I have in  
13. front of me indicates that they estimate that the impact  
14. could be as high as three million dollars. I think that we  
15. have a dilemma here, between an exemption that was allowed on  
16. the Federal level, but was taken away by the Illinois Human  
17. Rights Act. I believe that there is a basis upon which to  
18. override the bill. I solicit your Aye vote.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is, shall House Bill 1007 pass the Veto  
21. of the Governor to the contrary notwithstanding. Those in  
22. favor vote Aye. Those opposed vote Nay. The voting is  
23. open. Have all voted who wish? Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question, the  
25. Aye are 18, the Nays are 37, none Voting Present. The motion  
26. to override is lost. House Bill 1139. Senator Geo-Karis,  
27. are you ready on that? Read the motion, Mr. Secretary, please.  
28. House Bill 1139.

29. SECRETARY:

30. I move that House Bill 1139 Do Pass, the Veto of the  
31. Governor to the contrary notwithstanding. Signed, Senator  
32. Geo-Karis.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Mr. President and Ladies and Gentlemen of the Senate,  
4. House Bill 1139 would allow local Illinois Police Departments  
5. to release arrested juveniles on the condition that they and a  
6. parent or...or guardian agree to make restitution to the injured  
7. victim, or perform public service work in the community where  
8. the offense was perpetrated. Now, I might tell you that at  
9. the present time, the...under existing law, a police officer  
10. has the ability to make what is known as a station-house adjust-  
11. ment with respect to a juvenile accused in an offense, and this  
12. part allows the officer to decline to arrest the juvenile in  
13. return for a solid commitment to conform to accept good standards  
14. of conduct. All this bill does, and...incidentally, it's supported  
15. by many municipalities, I've telegrams and letters, which I  
16. won't bore you with the contents of which...which requires the...  
17. the police departments can alleviate the courts situations by...  
18. making the condition that the juvenile and a parent or custodian  
19. agree to make restitution to the injured victim, or perform  
20. public service work in the community where the offense was  
21. perpetrated. I ask for respect for consideration to override  
22. the veto of this very fine bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Is there discussion? Senator  
25. Berning.

26. SENATOR BERNING:

27. Thank you, Mr. President and members of the Senate. I  
28. rise in support of the override of the Governor's Veto of  
29. House Bill 1139. And just let me just point out to you that  
30. in my village of Deerfield, we have already embarked on a  
31. program very similar to this. It is highly successful.  
32. There have been no adverse impacts, no undo criticism, both  
33. the police department, the parents and the village authorities

1. themselves are satisfied with the beneficial results. I highly  
2. recommend it to you, Ladies and Gentlemen of the Senate, I  
3. would like to see you support Senator Geo-Karis in her effort  
4. to override the Governor's Veto.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Further discussion?

7. Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. I ask for a favorable consideration on the override.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall House Bill 1139 pass, the Veto  
12. of the Governor to the contrary notwithstanding. Those  
13. in favor vote Aye. Those opposed vote Nay. The voting  
14. is open. Have all voted who wish? Have all voted who wish?  
15. Have all voted who wish? Take the record. On that question, the  
16. Ayes are 36, the Nays are 12, none Voting Present. House  
17. Bill 1139 having received the required three-fifths vote  
18. is declared passed, the Veto of the Governor to the contrary  
19. notwithstanding. May we have some order, please. Senator  
20. Grotberg has a special guest and I...we should be on our  
21. best behavior a former...legislator from another state is  
22. with us today.

23. SENATOR GROTBORG:

24. Thank you, Mr. President and fellow Senators, there is a  
25. myth abroad in the land that all the Grotbergs are in the  
26. Legislature of North Dakota, but one is in the Legislature of  
27. Illinois and another one in North Dakota, and we have sent  
28. down to us...Senator Jens Tennefos, not a Grotberg, from  
29. North Dakota who serves with my Democrat brother in the  
30. Senate of North Dakota. And I thought the least he could  
31. do would be bipartisan and say hello, and Mrs. Tennefos,  
32. from Fargo, North Dakota.

33. SENATOR TENNEFOS:

34. (Remarks made by Senator Tennefos)

1. SENATOR GROTBORG:

2. There's six hundred and fifty thousand people in  
3. North Dakota and their current surplus in the State Treasury  
4. is two hundred and fifty million, thanks to all the coal  
5. that we ship down here with their extraction tax. Thank  
6. you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. House Bill 1880, Senator Nedza. Read the motion, Mr.  
9. Secretary, please.

10. SECRETARY:

11. I move that House Bill 1880 Do Pass, the Veto of the  
12. Governor to the contrary notwithstanding. Signed, Senator  
13. Nedza.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Nedza is recognized.

16. SENATOR NEDZA:

17. Thank you, Mr. President and Ladies and Gentlemen of the  
18. Senate. House Bill 1880 was an act that was relating to  
19. the Coordination Council of the North American Affairs of  
20. the Republic of China, which is Taiwan. The Governor, in  
21. his Veto Message, stated that the State of Illinois has  
22. excellent relations with the Republic of China and as long  
23. as I am Governor, will continue to offer our hospitality  
24. to the Taiwan people and their officials. He unfortunately,  
25. vetoed this bill, because the State Department did not concur  
26. with his wishes, or whatever, but Congress enacted the  
27. Taiwan Relations Act, which was Public Law 96-8, which is  
28. effective April the 10th of 1979, and in that Act it  
29. provided that the absence of diplomatic Relations are  
30. recognition would not affect the application of U.S. laws  
31. to Taiwan, and that pre-1979 laws would apply to Taiwan,  
32. and this would include contractual property, legal en-  
33. treaties. The Republic of China, as you well know, is a

1. good friend of the State of Illinois, because in their  
2. recent procurement mission, they spent a few hundred million  
3. dollars in this State. This bill was identical and patterned  
4. after the...Taiwanese Relations Act and it is also in effect  
5. in the State of Georgia. I do not understand the Governor's  
6. rationale for vetoing this, and I would ask this Body to  
7. override the veto if there are not other questions.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Grotberg.

10. SENATOR GROTBORG:

11. Thank you, Mr. President. I can understand the  
12. Governor's rationale, but I cannot understand this Body  
13. if we do not vote to override this particular veto, because  
14. this is a gesture on behalf of all the people of Illinois  
15. to that last bastion of democracy in the Far East that  
16. have been nothing but great to those of us in this legislature,  
17. the citizens of our State, and I urge an Aye vote on it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Question is, shall House Bill 1880  
20. pass, the Veto of the Governor to the contrary notwithstanding.  
21. Those in favor vote Aye. Those opposed vote Nay. The voting  
22. is open. Have all voted who wish? Have all voted who wish?  
23. Take the record. On that question, the Ayes are 40, the Nays  
24. are 16, none Voting Present. House Bill 1880 having received  
25. the required three-fifths vote is declared passed, the Veto  
26. of the Governor to the contrary notwithstanding. House Bill  
27. 1697, Senator Rhoades. Is Senator Rhoades on the Floor?  
28. Alright, is there leave for Senator Nedza to handle that motion?  
29. Read the motion, Mr. Secretary, please.

30. SECRETARY:

31. I move that the item on page 23, line 29 of House Bill  
32. 697 Do Pass, the Item Veto of the Governor to the contrary  
33. notwithstanding. Signed, Senators Rhoades and Nedza.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nedza is recognized.

3. SENATOR NEDZA:

4. Thank you, Mr. President. The line item that was vetoed  
5. was a sum of money to the amount of three hundred and ninety-  
6. five thousand dollars. This three hundred and ninety-five  
7. thousand dollars was to be distributed across the State to  
8. a hundred Cook County Assessors and to six hundred downstate  
9. county assessors. The dollar appropriation was to create  
10. an incentive to allow for the continuing education of  
11. assessing officers who would obtain a professional...status,  
12. and also to act as a sitmulus to foster the exchange in  
13. sharing of assessment research activity, techniques and  
14. knowledge. I think it's...it's something that should be used  
15. because of the continuing complications that we always face  
16. with the revenues that the State and the local municipalities  
17. have to acquire, and I think it's a step in the right direction  
18. if we continue to have those people who are professional in  
19. nature in addressing this problem that we all face. If  
20. there are no questions, I would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Weaver.

23. SENATOR WEAVER:

24. Thank you, Mr. President. I also rise in support of  
25. this motion, inasmuch as many of these downstate township...  
26. assessors, they probably make less than twenty-five hundred  
27. dollars a year. They're...they're so called part-time, they don't  
28. have the wherewithall to go to school...from their own town-  
29. ships...this stipend that's given for this education certainly  
30. should benefit them as well as the people in the township,  
31. and I think we've committed ourself to this for many years,  
32. and to stop at this point, I think, would be a mistake. So,  
33. I rise in support of this motion.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? The question  
3. is, shall the item on page 3, line 29 of House Bill 697 pass,  
4. the Veto of the Governor to the contrary notwithstanding. Those  
5. in favor vote Aye. Those opposed vote Nay. The voting is  
6. open. Have all voted who wish? Have all voted who wish?  
7. Take the record. On that question, the Ayes are 57, the Nays  
8. are none, none Voting Present. The item on page 23, line 29  
9. of House Bill 697 having received the required three-fifths  
10. vote is declared passed, the Item Veto of the Governor to the  
11. contrary notwithstanding. House Bill...Senator Carroll and  
12. Senator Grotberg, Senator Schaffer, are we ready to roll on  
13. all the reduction questions? Alright, on page 9 of your  
14. Calendar, Motions in Writing to Restore Item Reductions. First  
15. bill is House Bill 588, then we'll have Senator Berman,  
16. Senator Berman, Senator Berman and Senator Berman. Alright.  
17. Senator Carroll, on...read the motion, Mr. Secretary, on House  
18. Bill 588.

19. SECRETARY:

20. I move that the item on page 16, line 18 of House Bill  
21. 588 be restored, the Item Reduction of the Governor to the  
22. contrary notwithstanding. Signed, Senator Carroll.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Carroll is recognized.

25. SENATOR CARROLL:

26. Thank you, Mr. President and Ladies and Gentlemen of  
27. the Senate. Let me explain where we appear to be at,...in  
28. the area of the Governor's reductions that dealt with the  
29. Day-Care/Child-Care issues, some of them were resolved and  
30. will be dealt with in a Conference Committee report on House  
31. Bill 1157...Senate Bill 1157, however, not all of them were  
32. resolved, and attempts to compromise some of them, like this  
33. one failed to bring any resolve at all. This particular one



1. is a reduction of some nine hundred seventy-two thousand dollars  
2. for voluntary agency group homes. These are the homes that  
3. provide the child care for the seriously, emotionally disturbed  
4. children who basically have no other place to go, the families  
5. cannot take care of them, and only these not-for-profit  
6. voluntary agencies throughout the State have created the specialized  
7. homes to treat these one thousand four hundred and fifty people.  
8. I think it's basically ludicrous to say that we can't afford  
9. to take care of those who have no other source, other than voluntary  
10. contributions, and that we will not help provide service for  
11. the severely, emotionally disturbed children whose families  
12. cannot, and will not take care of them, who need the specialized  
13. living centers and I would urge that we restore this nine  
14. hundred seventy-two thousand dollars, the Reduction of the  
15. Governor to the contrary notwithstanding.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Discussion? Senator Schaffer.

18. SENATOR SCHAFFER:

19. I've seem to have lost the toss over here as to who gets  
20. to speak against...all of these...wonderful expenditures. As I  
21. understand this, Senator Carroll, this money would be used  
22. to implement an increase in the funding levels...that are  
23. Scheduled to go in April 1 to January 1. Is that correct?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Carroll.

26. SENATOR CARROLL:

27. No. They were supposed to go in January 1st, the Governor  
28. pushed it back by his Amendatory Veto to April 1st, so that  
29. they could loose more money for nine months of the fiscal  
30. year instead of six months. This would put it back to where  
31. it left the General Assembly which would have been January 1st.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Your...if I were you, I wouldn't criticize the Governor  
3. on his linguistics. I think you just said I was right after  
4. announcing I was wrong, and I doubt three people noticed it...  
5. but, that's impressive. The problem with this, quite frankly.  
6. is twofold, one where does the money come from? And two, if  
7. we do in fact speed up these rate increases, which may  
8. very well be justified, I...I freely admit it, I can't argue  
9. against that, but if we do speed up these...possibly justified  
10. rate increase for this category of provider, what about  
11. everybody else that we've held off into April and March?  
12. I would think that, you know if were going to be fair, what's  
13. good for the goose is good for the gander. Notice that I didn't  
14. use a religious metaphor there, but, I don't think we can,  
15. in fact, grant this three-month speed up of rate increase  
16. for just these categories, even though the rate increase itself  
17. is probably justifiable. I think we have to treat all of these  
18. areas alike, and I would urge resistance to this motion.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Gitz.

21. SENATOR GITZ:

22. Well, Mr. President, most of the time Senator Schaffer  
23. makes a great deal of sense, but I'm little bit mazed by  
24. the fact that, when we want ot find money in this Body, we  
25. find it very easily. Nobody talked about the budget when  
26. two hundred thousand dollars was spent for a law firm to  
27. draft these crazy bills on RTA, when we are paying John  
28. Carner and other people to do that, and when we had the  
29. shoot-out on 2nd reading yesterday on the judges salaries,  
30. I didn't hear anybody in this Body talk about how we can't  
31. afford it because of the cash balance. It seems to me that  
32. these remarks are going to apply to all of these on 588, and  
33. I don't see why these have got to be the institutions who take

1. it in the neck because we don't want to bite the bullet  
2. on some other issues. We can find money for judges. We can  
3. find them for consultants. We can find them for commissions.  
4. When it comes doen to these people who don't necessarily  
5. have a lot of clout, why then we say we got to hold the line  
6. in a budget, and that's inconsistent.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Carroll  
9. may close.

10. SENATOR CARROLL:

11. Yes, Senator Schaffer, just to clarify the confusion  
12. which we both helped create, I got the feeling you weren't whole-  
13. hearted in your opposition, but had to do the job...I agree,  
14. the Governor does not have that hobgoblin problem, consistency  
15. has never been a virtue. He introduced the budget for this  
16. line item with the rate change to go into effect last July  
17. 1st. Then of course, we all know he revised it. The revised  
18. budget would of taken effect, I am told, January 1st. Then  
19. when it got to his desk, he decided again to change it, so he  
20. put it back another three months to April. So, they had been  
21. promised a way of funding these emotionally disturbed children's  
22. specialized living care voluntary association homes, first,  
23. starting July, then January, now April. I just think that is  
24. ludicrous. We should do it as we had promised, as we had  
25. passed it, and allow them to give this care. Priorities are  
26. important, Governor said that in this Message. This is a  
27. priority, let's let him keep his word and make this a  
28. priority, and give them the amounts necessary to take care  
29. of these children that no one else wants to take care of.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Question is, shall the item on page 16, line 18 of  
32. House Bill 588 be restored, the Item Reduction of the  
33. Governor to the contrary notwithstanding. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Have all
3. voted who wish? Take the record. On that question, the
4. Ayes are 35, the Nays are 18, 2 Voting Present. The item
5. on page 18...on page 16, line 18 of House Bill 588 having
6. received the required majority vote of the Senators elected
7. is declared restored, the Item Reduction of the Governor
8. to the contrary notwithstanding. Further motions on House
9. Bill 588?

10. SECRETARY:

11. I move to restore the...item...reduced items appropriation
12. on page 16, line 6 to House Bill 588, reduction of the Governor
13. to the contrary notwithstanding. Signed, Senator Berman.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berman is recognized.

16. SENATOR BREMAN:

17. Thank you, Mr. President and Ladies and Gentlemen
18. of the Senate. This motion and the next three motions were
19. the subject of the override in the House that dealt with
20. day care and other social service programs. Since the over-
21. ride of...in the House, the group known as the Statewide
22. Coalition on FY-82 Human Services Veto Reductions, and the
23. administration have been negotiating to see how much of
24. the twelve million dollar reductions was vitally necessary
25. to carry on these programs, along with other issues involved
26. in the override. Last Friday, Senator Rock and I gathered
27. the parties together in Senator Rock's office and continuous
28. negotiations were carried on all the way through to today.
29. I'm pleased to announce that, as of this afternoon, an agreement
30. has been reached between the administration and the coalition.
31. There has been agreement for the reinstatement of 4.6 million
32. dollars for these figures and that will be voted upon by this
33. Body in the Conference Committee Report on Senate Bill 1157,

1. that we will be taking up in a few minutes. I want to  
2. compliment the administration. I want to compliment the  
3. coalition, and just a few minutes ago...the Minority Leadership  
4. including Senator Grotberg, Philip, and DeAngelis joined  
5. us in announcing with the members in the leadership of the  
6. coalition, this agreement. I think this has been an important  
7. accomplishment for the continued delivery of services, and with  
8. that agreement having been reached, I withdraw the motions  
9. on House Bill 588, this one and the next three.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berman, you withdraw all four motions?  
12. Senator Berman withdraws all four...motions filed on House  
13. Bill 580...any other motions filed on that bill?

14. SECRETARY:

15. No other motions, Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Alright. If I might have the attention of the Body.  
18. For what purpose does Senator Rock a rise?

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of the  
21. Senate. I wish to announce after conferring with the  
22. Minority Leader, and conferring with the Speaker and the  
23. Minority Leader of the House, the Senate will be in Session  
24. tomorrow morning. We will have an Executive Committee  
25. meeting at nine o'clock. We will come in to session at  
26. nine-thirty, and presumably, we can be gone by ten o'clock,  
27. if everybody shows up. There have been some members who,  
28. because the House appears to be ready to adjourn this  
29. evening, or later...late this afternoon, that they have  
30. also expressed the desire to return to their district,  
31. I certainly have no objection to that. We have two  
32. Supplemental Calendars. There are about twelve items  
33. remaining between the two Calendars and a motion

HB 795  
C.C. Report

1. that's been filed by Senator Philip and Chew. Once we handle  
2. those twelve, we will effectively substantively have  
3. completed our work...just a question of how quickly we can  
4. get it done, so I would ask the Chair to move to Supplemental  
5. Number 1.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Alright, we have distributed Supplemental Number 1. It's  
8. been placed upon your desk, it's 8½ by 11, white.

9. PRESIDENT:

10. If I can have you attention, we'll turn to...Senate  
11. Calendar Supplemental Number 1. The Secretary will shortly  
12. distribute Supplemental Number 2. Mr. Secretary, when you  
13. get a minute, why don't you ask the Pages to distribute  
14. Number 2. The top of Supplemental Number 1 there has been  
15. filed a Conference Committee Report with respect to House  
16. Bill 795. Senator Bruce.

17. SENATOR BRUCE:

18. Thank you, Mr. President and members of the Senate.  
19. This bill relates to the Illinois Pension Code. As you know...  
20. as you know, we created the office of the multitownship  
21. assessor, and it was brought to my attention by the Pension  
22. Laws Commission, and this bill dealt with, at one time, teachers  
23. pension? That has all been removed and the language here deals  
24. with two things. The main thing is to insure that assessors  
25. who are now in multitownship districts are still eligible  
26. to participate in the IMRF. As the Statute is...now stands,  
27. those multitownship assessing districts are not employers  
28. recognized by the Pension Code for IMRF. All it says is,  
29. if you were an assessor in a single township and now your  
30. an assessor in a multitownship assessing district, that that  
31. district is also an employer under IMRF, and that is the  
32. reason for a great deal of the language. It also consolidated  
33. investment authority in all the systems, except for the

1. downstate police and fireman funds. The changes, which  
2. were approved by the Pension Laws Commission, allows more  
3. latitude in investment with the hopes that they will result  
4. in higher returns for many of the pension systems. As you  
5. are aware, this year, the Governor of the State reduced by  
6. some two hundred million dollars, the amounts going into  
7. these pension funds, on the basis that they had done an  
8. excellent job in...in earning interest and dividend income.  
9. What this will allow is to make all the systems uniform in  
10. their ability to invest. I would ask for you favorable  
11. consideration. The bill was passed, I believe, 128 to 30  
12. or 40 in the House just earlier today.

13. PRESIDENT:

14. Any discussion? Senator Berning.

15. SENATOR BERNING:

16. Thank you...Thank you, Mr. President. I rise in support  
17. of this Conference Committee Report and hope to point out  
18. to the members on this side, as well as the members on the  
19. other side, that this is a desirable change in the investment  
20. procedures. What it does, very simply, is allow for the other  
21. systems to have the same investment authority which we have  
22. provided for the State Board of Investments, which handles  
23. those five systems. It is a desirable change and should  
24. benefit the...the pension system.

25. PRESIDENT:

26. Further discussion? If not, the question is, shall the  
27. Senate adopt the Conference Committee Report on House  
28. Bill 795. Those in favor will vote Aye. Those opposed will  
29. vote Nay. The voting is open. Have all voted who wish?  
30. Have all voted who wish? Have all voted who wish? Take  
31. the record. On that question, the Ayes are 53, the Nays  
32. are 1, none Voting Present. The Senate does adopt the  
33. Conference Committee Report on House Bill 795 and the bill

1. having received the required constitutional majority is
2. declared passed. Senator Schaffer, on 271. Senate Calendar
3. Supplemental Number 1, there is a Conference Committee Report
4. filed with respect to Senate Bill 271, Senator Schaffer.

5. SENATOR SCHAFFER:

6. Mr. President, the Conference Committee...on Senate Bill 271
7. is a compromise implementation of the Federal Block Grant
8. System. I think we all have analyses on our desks. It's
9. viewed as a stopgap...measure until this Legislature can
10. adopt a more permanent policy. Simply put, it does...it
11. is a mechanism to guarantee that those programs currently being
12. funded with these funds will continue, and to appropriate
13. within the several departments those Federal dollars which
14. will not come through the Block Grant System, most of which
15. used to come to the State, but some of which were funnelled,
16. originally, directly to units of local government. I know of
17. no compromise, and...suggest a favorable roll call...opposition
18. ...compromise though.

19. PRESIDENT:

20. Any discussion? If not, the question is, shall the Senate
21. accept the Conference Committee Report on Senate Bill 271.
22. Those in favor will vote Aye. Those opposed will vote Nay.
23. The voting is open. Have all voted who wish? Have all voted
24. who wish? Have all voted who wish? Take the record. On that
25. question, the Ayes are 54, the Nays are none, 1 Voting Present.
26. The Senate does adopt the Conference Committee Report on Senate
27. Bill 271 and the bill having received the required constitutional
28. majority is declared passed. Supplemental Number 1, is
29. Conference Committee Report filed with respect to Senate Bill
30. 1157. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, and members of the Senate, this
33. Conference Committee includes quite a lengthy list of items



1. transfers and supplementals, most of which, simply put,  
2. are things that need to be done in the interim period.  
3. As we leave here we...as you know, we have as scheduled, I  
4. guess I should say, one day in January. We really aren't  
5. going to be doing much business in Springfield until March  
6. and a these appropriations are in that...of that type. I  
7. should say that one of the latter times is the compromise on  
8. day care, which is a...supplemental for four million six  
9. hundred and eight thousand dollars and implements the agree-  
10. ment worked out between the day-care people and the Governor's  
11. Office. I believe it is a reasonable compromise, one that  
12. we all were hoping would be worked out and that guarantees  
13. that additional funds will, in fact, be spent on day care.  
14. I'd be happy to answer any questions on that or any other  
15. items, but I believe the passage of this bill leaves us in a  
16. position to return to our various districts for the next few  
17. months, and get on with our other business, political, or  
18. otherwise.

19. PRESIDENT:

20. Any discussion? Senator Carroll.

21. SENATOR CARROLL:

22. Yes, thank you, Mr. President. Just to also confirm  
23. the comments of Senator Schaffer that in addition to what  
24. otherwise...excuse me, was a vehicle bill for supplemental  
25. appropriations, transfer bills and other things necessary  
26. for the operation of State Government in our absence. This  
27. became the vehicle for the settlement that was arranged  
28. between the day-care people and the Office of the Governor  
29. to provide the four million six hundred eight thousand dollars  
30. that will be spent between now and the end of the fiscal year  
31. as additional funds for the day-care providers. I think that  
32. it important that the process do adopt these figures, they  
33. are agreeable and acceptable in the amounts that are necessary

1. to be spent for day care, and the Governor's Office has indicated  
2. he will, in fact, allocate their funds. Had we merely overridden  
3. a veto, there were no assurances that the Governor would  
4. release those funds. Rather than get into that trick bag,  
5. they sat and negotiated and now have agreed on what, in fact,  
6. can be spent, and I would urge that we support the Conference  
7. Committee Report.

8. PRESIDENT:

9. Further discussion? Senator Buzbee.

10. SENATOR BUZBEE:

11. ...Thank you, Mr. President. A question of the  
12. sponsor, Senator Schaffer, it's my understanding that in  
13. this compromise that it is agreed, by the Governor's Office  
14. and by the leadership on the Republican side, that these  
15. funds, in fact, will be expended. Is that correct?

16. PRESIDENT:

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. That is, in fact, my understanding.

20. PRESIDENT:

21. Further discussion? If not, the question is, shall the  
22. Senate adopt the Conference Committee Report on Senate Bill  
23. 1157. Those in favor will vote Aye. Those opposed will  
24. vote Nay. The voting is open. Have all voted who wish?  
25. Have all voted who wish? Have all voted who wish? Take  
26. the record. On that question, the Ayes are 55, the Nays are  
27. none, none Voting Present. The Senate does adopt the Conference  
28. Committee Report on Senate Bill 1157 and the bill having  
29. received the required constitutional majority is declared  
30. passed. Supplemental No. 1 there's a Motion in Writing to  
31. Accept the Specific Recommendations for change with respect to  
32. House Bill 129. Read the motion, Mr. Secretary, please.

33. SECRETARY:

1. I move to accept the Specific Recommendations of  
2. the Governor as to House Bill 129 in the manner and form  
3. as follows. Signed, Senator Marovitz.

4. PRESIDENT:

5. Senator Marovitz.

6. SENATOR MAROVITZ:

7. Thank you very much, Mr. President, Ladies and  
8. Gentlemen of the Senate. This is a Dollie Halstrom's bill,  
9. which amends the Governmental Ethics Act, increases the  
10. filing amount from twenty thousand to thirty thousand. The  
11. Governor, in his wisdom, felt that that was too high and  
12. brought it back to twenty-five thousand, and Dollie Halstrom  
13. accepted that in the House of Representatives, and we...I would  
14. move to accept the Governor's Specific Recommend...for change.

15. PRESIDENT:

16. Any discussion? If not, the question is, shall the Senate  
17. accept the Specific Recommendations of the Governor as to  
18. House Bill 129 in the manner and form just stated by Senator  
19. Marovitz. Those in favor will vote Aye. Those opposed will  
20. vote Nay. The voting is open. Have all voted who wish?  
21. Have all voted who wish? Have all voted who wish? Take the  
22. record. On the question, the Ayes are 47, the Nays are 1, none  
23. Voting Present. The Senate does...the Specific Recommendations  
24. of the Governor as to House Bill 129, having received the required  
25. constitutional majority vote of Senators elected are declared  
26. accepted. 381, Senator Bruce. Read the motion, Mr.  
27. Secretary, please.

28. SECRETARY:

29. I move to accept the Specific Recommendations of the  
30. Governor as to House Bill 381 in the manner and form as follows.  
31. Signed, Senator Bruce.

32. PRESIDENT:

33. Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. President. This affects three countries  
3. in the State of Illinois which...in which the TV Authority  
4. has land that they have leased for coal. We passed legislation  
5. which allowed the counties in those...in which they have  
6. property to receive one-half of the royalty amounts, which  
7. they now pay directly to the State of Illinois. The Governor  
8. agreed to do that, his Specific Recommendations were changed...  
9. dealt with changing fair market value to book value, which  
10. after we passed the legislation, the TVA and...and the State  
11. of Illinois and the Department of Revenue got together and  
12. the county governments involved, and I think it just makes  
13. it clear that we're talking about book value of property  
14. the TVA has, rather than the words "fair cash market value"  
15. and that's what...it puts it in to conformity on how they pay the  
16. State of Illinois, and I move that we accept the Specific  
17. Recommendations of the Governor.

18. PRESIDENT:

19. Any discussion? If not, the question is, shall the Senate  
20. accept the Specific Recommendations of the Governor as to  
21. House Bill 381 in the manner and form just stated by Senator  
22. Bruce. Those in favor will vote Aye. Those opposed will  
23. vote Nay. The voting is open. Have all voted who wish?  
24. Have all voted who wish? Have all voted who wish? Take the  
25. record. On that question, the Ayes are 53, the Nays are 1,  
26. none Voting Present. The Specific Recommendations of the  
27. Governor as to House Bill 381 having received the required  
28. constitutional majority vote of Senators elected are declared  
29. accepted. Motion filed with respect to House Bill 787.  
30. Read the motion, Mr. Secretary, please.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the  
33. Governor as to House Bill 787 in the manner and form as follows.

1. Signed, Senator Bruce.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, Mr. President. This bill is one of the great import.  
6. The bee industry in the State of Illinois is necessary for  
7. the healthy agricultural climate in our State, and the Governor  
8. of the State of Illinois was wishing to be kept apprised of  
9. bee diseases, and although I inadvertently took out the fact  
10. that the Department of Agriculture would submit the report on  
11. bee disease only to the State Beekeepers Association, the  
12. Governor thought that it would be appropriate that the  
13. Department of Agriculture also send him the report on the  
14. status of bee diseases in the State of Illinois. This  
15. is before Senator Buzbee filed for Lieutenant Governor, or  
16. announced he would, so it has nothing to do with Senator Buzbee  
17. and his...his diseases or lack thereof, by the Governor  
18. will, under this legislation, receive the annual report  
19. of the status of bee diseases in Illinois, and if he wishes,  
20. could have a message sent to the...the Legislature and have  
21. a joint session to talk with us about that report.

22. PRESIDENT:

23. Any discussion? If not the question is, shall the  
24. Senate accept the Specific Recommendations of the Governor  
25. as to House Bill 787 in the manner and form just stated by  
26. Senator Bruce. Those in favor will vote Aye. Those opposed  
27. will vote Nay. The voting is open. Have all voted who wish?  
28. Have all voted who wish? Have all voted who wish? Take the  
29. record. On that question, the Ayes are 53, the Nays are none,  
30. none Voting Present. The...Specific Recommendations of the Governor  
31. as to House Bill 787 having received the required constitutional  
32. majority vote of Senators elected are declared accepted.  
33. Motions in Writing with respect to House Bill 858. Read the

1. motion, Mr. Secretary, please.

2. SECRETARY:

3. I move to accept the Specific Recommendations of the  
4. Governor as to House Bill 858 in the manner and form as  
5. follows. Signed, Senator Taylor.

6. PRESIDENT:

7. Senator Taylor.

8. SENATOR TAYLOR:

9. Thank you, Mr. President. House Bill 858 changed the  
10. reporting deadline for submission of a school district  
11. Title I plan from August 15th to October the 30th, and it provides  
12. for our procedures for the State Board to approve or disapprove  
13. the plan. In addition, the bill allows schools districts  
14. that contract for health-care service for non-profit corporations  
15. to levy a property tax for four years. The Governor had  
16. amendatorily vetoed that portion of House Bill 858, dealing with  
17. the non-referendum tax but a provision of the health care service.  
18. I move to accept the Governor's Recommendation.

19. PRESIDENT:

20. Any discussion? Senator Nimrod. Somebody's got his  
21. light punched there, Pate. If not, the question is, shall  
22. the Senate accept the Specific Recommendations of the  
23. Governor as to House Bill 858 in the manner and form just  
24. stated by Senator Taylor. Those in favor will vote Aye.  
25. Those opposed will vote Nay. The voting is open. Have  
26. all voted who wish? Have all voted who wish? Have all  
27. voted who wish? Take the record. On that question the Ayes  
28. are 54, the Nays are none, none Voting Present. The Specific  
29. Recommendations of the Governor as to House Bill 858 having  
30. received the required constitutional majority vote of Senators  
31. elected are declared accepted. If you turn to supplemental...  
32. Messages from the House..

33. SECRETARY:

JB/43  
Concurrence

1. I move to accept the Specific Recommendations of the  
2. Governor as to House Bill 858 in the manner and form as  
3. follows. Signed, Senator Taylor.

4. PRESIDENT:

5. Senator Taylor.

6. SENATOR TAYLOR:

7. Thank you, Mr. President. House Bill 858 changed the  
8. reporting deadline for submission of a school district  
9. Title I plan from August 15th to October the 30th, and it  
10. provides for our procedures for the State Board to approve  
11. or disapprove the plan. In addition, the bill allows  
12. school districts that contract for health-care service  
13. for non-profit corporations to levy a property tax for four  
14. years. The Governor had amendatorily vetoed that portion of  
15. House Bill 858, dealing with the non-referendum tax but  
16. a provision of the health care service. I move to accept  
17. the Governor's Recommendation.

18. PRESIDENT:

19. Any discussion? Senator Nimrod. Somebody's got his  
20. light punched there, Pate. If not, the question is, shall  
21. the Senate accept the Specific Recommendations of the  
22. Governor as to House Bill 858 in the manner and form just  
23. stated by Senator Taylor. Those in favor will vote Aye.  
24. Those opposed will vote Nay. The voting is open. Have  
25. all voted who wish? Have all voted who wish? Have all  
26. voted who wish? Take the record. On that question, the Ayes  
27. are 54, the Nays are none, none Voting Present. The Specific  
28. Recommendations of the Governor as to House Bill 858 having  
29. received the required constitutional majority vote of Senators  
30. elected are declared accepted. If you turn to supplemental...  
31. Messages from the House.

32. SECRETARY:

33. Message from the House from Mr. Leone, Clerk

1. Mr. President - I am directed to inform the Senate  
2. that the House of Representatives concurred with the Senate  
3. in the passage of a bill with the following title:

4. Senate Bill 143, together with the House  
5. Amendments 3 and 4.

6. A like Message on Senate Bill 529, with House Amendment  
7. No. 1.

8. PRESIDENT:

9. Alright, if you'll turn to Supplemental Calendar No. 2,  
10. on the Secretary...with leave of the Body we'll move to that  
11. order. On that order of Secretary's Desk, Concurrence, Senate  
12. Bill 143 with House Amendments 3 and 4. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. Mr. President and Ladies and Gentlemen of the Senate,  
15. I move to suspend Rule 5 for the purposes of immediate  
16. consideration of Senate Bill 143.

17. PRESIDENT:

18. Any discussion? Senator Demuzio.

19. SENATOR DEMUZIO:

20. ...I...I rise in...ask a question, why...why are we moving  
21. to suspend Rule 5? This...this bill has already been considered.  
22. It was the...similar language in House Bill 430, without the  
23. technical problems that this bill has. Why...why are...why are  
24. we handling this bill again? Why are we doing this all over  
25. again? We already did that once today.

26. PRESIDENT:

27. Senator Geo-Karis.

28. SENATOR GEO-KARIS:

29. Well, Senator Demuzio, I don't know. Maybe because I  
30. want to think I'm more right or wrong. I'm not sure myself,  
31. but, any how, I did it. Do you have any objections to it?

32. PRESIDENT:

33. Senator Demuzio.



1. SENATOR DEMUZIO:

2. Yes, I object, and...on the basis that we have already  
3. done this once today. This is simply a...a duplication without  
4. all the imperfections that will come a little later, and I  
5. suggest to you that we ought not to do this.

6. PRESIDENT:

7. Alright, the question is, the motion to suspend the...appli-  
8. cable provisions of Rule 43 with respect to taking action on  
9. a Senate Bill with a newly enacted House amendment. Those in  
10. favor of the suspension of the rules indicate by saying Aye.  
11. All opposed. Opinion of the Chair, the Ayes have it. The rules  
12. are suspended. On the question, Senate Bill 143 with House  
13. Amendments 3 and 4, Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr President and Ladies and Gentlemen of the Senate,  
16. Senate Bill 143 as amended provides precisely the same provisions  
17. as those contained in House Bill 430 on which the Senate  
18. concurred today. The initial language of Senate Bill 143 was  
19. deleted in Amendment 4, because the language it amended  
20. was eliminated in House Bill 438.

21. PRESIDENT:

22. Alright, hold it. Hold it.

23. SENATOR GEO-KARIS:

24. ...because it was signed in law by the Governor. What's  
25. the matter?

26. PRESIDENT:

27. Senator Demuzio. What...for what purpose do you a rise?

28. SENATOR DEMUZIO:

29. I...I was joined in my request for a roll call by the  
30. sufficient number of the members of the Senate, and I would  
31. affect that I...I be afforded that controversy.

32. PRESIDENT:

33. I...the Chair will apologize, I did not hear your request

1. for a roll call. It was not at the time made. The Senator  
2. requests a roll call on the motion to suspend the rule so  
3. that this bill and the succeeding bill can be considered.  
4. Those in favor of the morion to suspend, will vote Aye.  
5. Those opposed will vote Nay. The voting is open. Have all  
6. voted who wish? Have all voted who wish? Have all voted who  
7. wish? Take the record. On that question, there are 37 Ayes,  
8. 11 Nays, none Voting Present. The motion to suspend prevails.  
9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. As I was saying, Mr. President and Ladies and Gentlemen  
12. of the Senate, Senate Bill 143 as amended, provides precisely  
13. the same provisions as those contained in House Bill 430 in  
14. which the Senate concurred today, and the initial language  
15. of Senate Bill 143 was deleted in Amendment 4, because the  
16. language it amended was eliminated in House Bill 438, which  
17. was signed in law by the Governor. However, the remaining  
18. amendments restored the law regarding prepayment penalties  
19. as it exsisted to...prior to the signing of House Bill...438.  
20. In other words, there is no prepayment penalty for people  
21. who buy residences and things like that. This is precisely  
22. what the Amendatory Veto of House Bill 430 did. Now, bond  
23. counsel from various banks have advised me that they felt a  
24. little more comfortable, if there was also this...a separate  
25. bill on this interest situtation and they consider it more proper  
26. format for this legislation. I respectfully ask for your  
27. favorable consideration.

28. PRESIDENT:

29. Any discussion? Senator Demuzio.

30. SENATOR DEMUZIO:

31. Yes, I would like to ask Senator Geo-Karis a question,  
32. if I may. In Amendment No. 4, it refers to subparagraphs  
33. K and...and K-1. I would like to know what subparagraphs

1. K and K-1 refer to, since I do have in front of me the copy  
2. of the amendment adopted by the House, and there is no K-1.

3. PRESIDENT:

4. Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. Senator Demuzio, that KL was a typographical error,  
7. and Enrolling and Engrossing assures us that that K part of  
8. the second portion of that sentence will be eliminated. So,  
9. it will be K and L of Section 4 by changing to residential.

10. PRESIDENT:

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Well, Mr. President, I...I have in front of me and...  
14. and in my hand a copy of the amendment adopted by the House  
15. and it, in fact, says K-1, rather than referring to KL. I  
16. think that what we have here is a case that this Legislature  
17. has been absolutely and totally misused today, and I think  
18. the rules of this Body are those that whoever wants to have  
19. their thing can...can...can just manufacture the rules to  
20. suit themselves. The copy of the amendment that I have right  
21. here says K-1. It is not a typographical error, it was an  
22. amendment adopted by the House, and I think that we ought to  
23. reject this bill.

24. PRESIDENT:

25. Further discussion? Senator Buzbee.

26. SENATOR BUZBEE:

27. To quote one of the Senators on the other side of  
28. the aisle, Senator...Schaffer, "me thinks there's something  
29. rotten in Denmark. We've been addressing this question...  
30. well, I thought it was Schaffer, I didn't know it was  
31. Shakespeare, and...and I...you know, I voted for the...for  
32. the legislation awhile ago that...that...reestablished the  
33. prepayment penalty clause for commercial and...and...bond sales

1. Why at this late hour are we coming in with another amendment?  
2. I was told...Senator Geo-Karis, I'm asking you a question,  
3. I was told that the reason why the banking industry was not  
4. willing to accept Senator Demuzio's original admonition that  
5. we put language in which assured there would be no prepayment  
6. penalty clause for consumer type loans, was that there simply was  
7. not enough time. We didn't want to get into all of that at  
8. this late hour, and here we are with a Senate Bill on Supplement-  
9. ary Calendar No. 2, with a House Amendment, which is addressing  
10. the same thing again, and now you tell me that...that  
11. Enrolling and Engrossing has agreed. If this is passed,  
12. Enrolling and Engrossing has agreed to delete language the  
13. General Assembly has passed. Now, I'm really getting confused  
14. and I'm...I am very, very suspicious, not of you, but I can't  
15. figure out what is going on.

16. PRESIDENT:

17. Further discussion? Senator DeAngelis.

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1. PRESIDENT:

2. Further discussion? Senator DeAngelis. That you can't  
3. figure out what's going on? Senator DeAngelis.

4. SENATOR DeANGELIS:

5. Thank you, Mr. President. I rise in support of Senate  
6. Bill 143 with House Amendments No. 3 and 4. It's a little  
7. peculiar to hear the opposition on this, because when'  
8. 430 came up, the opposition was that it was improper. Now  
9. that we have another bill that we may do it in, that may cure  
10. the problem of inpropriety, there's also objections by the  
11. same people. I don't really believe that the opposition is  
12. really concerned with what's being added on, I think they're  
13. more concerned about what happened a long time ago.

14. PRESIDENT:

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Yes, Mr. President, I was not being facetious. My...my  
18. question...my question is, Senator Geo-Karis...Senator Geo-Karis,  
19. my question is, why was Senator Demuzio not allowed to put the  
20. language in which assured that there were no prepayment penalty  
21. clauses on commercial or mortgage type loans, when I was told  
22. by the banking industry, there simply was not enough time, it  
23. was going to confuse the issue, et cetera. And now, here, you're  
24. coming back with an amendment, a House amendment to a Senate bill,  
25. why couldn't we have done that...at this time...with...with this  
26. bill?

27. PRESIDENT:

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Well, first of all, I want to tell you that the typographical...  
31. it was a typographical, and the reason they...they didn't correct  
32. it right away, was to rush it over here. Second of all, bond...  
33. bond counsel felt that inasmuch as my bill, which Senator Demuzio

1. talked about, incidentally yesterday, and said it was the  
2. proper vehicle, my bill related to interest rates. Specifically,  
3. my bill had corrected the nine...eight percent interest rate to  
4. the nine...to conform to the whole Statute. But then, that  
5. portion of my bill was nullified when Senate Bill 438 passed.  
6. And incidentally I didn't vote for House Bill 438. What I'm  
7. trying to tell you is that this bill has been recommended by  
8. bond counsel. If you want to sell the bonds, they feel it should  
9. be an independent bill. And it does not nullify the fact  
10. that prepayment penalties are out on residential property.

11. PRESIDENT:

12. Any further discussion? Senator Bruce.

13. SENATOR BRUCE:

14. Well, thank you. To the...to the non-lawyers here, I  
15. think it's interesting what we are doing today. As we have  
16. spent probably three or four hours correcting what was a  
17. monumental goof-up by the high powered lawyers handle...hired  
18. and paid for by the banking community throughout the State of  
19. Illinois that allowed a piece of legislation that a first  
20. year law student, reading, would have known that Section 2  
21. was going to apply to Section 1 the way the bill was drafted,  
22. it went out of here with 438. We wrangled around with a poorly  
23. drafted Governor's Amendatory Veto to 430, which was also probably  
24. drawn by some hotshot lawyer somewhere. And now, we've also  
25. got Chapman and Cuttler and bond counsel coming back and saying  
26. for the second time, well, we didn't do it first...the first  
27. time right, we didn't do it the second time right, let's go  
28. back one more time, the third time we'll get it right. And  
29. I'll bet you, when this thing is passed, there are two or  
30. three now, floating around, the Governor will sign the wrong  
31. one in the wrong order...also with all the lawyers down there.  
32. I certainly don't want to speak against lawyers, but we are spending  
33. a lot of time with lawyers and bankers. Had we done it right the

1. first time, guys, we wouldn't be spending this time, but I  
2. also know you would have gotten a lesser fee. Thank you.

3. PRESIDENT:

4. Senator Egan.

5. SENATOR EGAN:

6. Yes, Mr. President and members. Is...is that the answer to  
7. the question, what's going on?

8. PRESIDENT:

9. Could be. Further discussion? Senator Demuzio.

10. SENATOR DEMUZIO:

11. Well, I...I...Senator Geo-Karis has already admitted  
12. that there is, in fact, an error in the...in the amendment,  
13. Amendment No. 4, which I have in my hand. And I suggest to  
14. her that she simply take this thing out of the record and we  
15. can work on this when we come back in January and...and  
16. rectify it and solve this problem, because this isn't  
17. going to solve the bond counsel, problem, you're just going  
18. to have another cloud on this bill.

19. PRESIDENT:

20. Further discussion? Senator...Buzbee.

21. SENATOR BUZBEE:

22. Well, Senator Demuzio just made my point.

23. PRESIDENT:

24. Further discussion? If not, Senator Geo-Karis may close.

25. SENATOR GEO-KARIS:

26. Mr. President and Ladies and Gentlemen of the Senate. I  
27. can well appreciate your concern, but I also know that this...  
28. the corrections have been made constantly by the Enrolling and  
29. Engrossing, it's simple typographical errors. And I ask for your  
30. favorable consideration if you want to sell the bonds in the  
31. State of Illinois.

32. PRESIDENT:

33. The question is, shall the Senate concur in House Amendments

1. 3 and 4 to Senate Bill 143. Those in favor will vote Aye. Those  
2. opposed will vote Nay. The voting is open. Have all voted who  
3. wish? Have all voted who wish? Have all voted who wish? Take  
4. the record. On that question, the Ayes are 41, the Nays are 11,  
5. 1 Voting Present. The Senate does concur in House Amendment Nos.  
6. 3 and 4 to Senate Bill 143, and the bill having received the  
7. required constitutional majority is declared passed. Senator  
8. Demuzio.

9. SENATOR DEMUZIO:

10. On a...matter of...parliamentary inquiry, here. I will  
11. be informing the members of the Senate that under Rule 27, I  
12. will be filing a protest on this specific piece of legislation,  
13. effective either today or...or tomorrow before we leave. Thank you.

14. PRESIDENT:

15. Senator Nedza, Senate Bill 529. I understand...I understand...  
16. I understand. Senator Ozinga, for what purpose do you arise?

17. SENATOR OZINGA:

18. I...hate to do what I'm about to do, but I'm...been requested  
19. to ask for a Republican caucus, in the...in the Senator's Office  
20. immediately. We will not be over fifteen minutes, I am assured.

21. PRESIDENT:

22. All right. That request is in order. Republican caucus  
23. immediately in Senator Philip's Office. The Senate will stand  
24. in recess for fifteen minutes.

25. RECESS

26. AFTER RECESS

27. PRESIDENT:

28. The Senate will come to order. We're on Supplemental  
29. Calendar No. 2. On the Order of Secretary's Desk, Senate Bill  
30. 529, Senator Nedza.

31. SENATOR NEDZA:

32. That's getting your water shut off in a hurry. Thank you,  
33. Mr. President. I...I would move to suspend Rule 43 for the  
34. purposes of immediately considering Senate Bill 529.



1. PRESIDENT:

2. All right. You've heard the motion to suspend. Any  
3. discussion? If not, all in favor signify by saying Aye.  
4. All opposed. The Ayes have it, the motion carries. Senate  
5. Bill 529, Senator Nedza.

6. SENATOR NEDZA:

7. Thank you, Mr. President and Ladies and Gentlemen  
8. of the Senate. Senate Bill 529 is a...a continuation of  
9. Senate Bill 565, which Kenny Hall and this Body passed earlier...  
10. in this Session. There was a section in Senate Bill 565  
11. which allowed the Chicago Park District to enter into some  
12. construction projects...and the projects being, including  
13. one or more buildings or other structures, improvements  
14. and equipment, whether or not on the same site or sites now  
15. existing or hereafter required suitable for use in the  
16. Chicago Park District. That verbage by, and I hate to mention  
17. this name, because it seems like Chapman and Cuttler is not  
18. the...the...the proper name at the time. But Chapman and  
19. Cuttler, with the bonding under that bill, the Chicago  
20. Bears Football Club would like to put in what they call  
21. VIP boxes in order to facilitate those who would wish to  
22. purchase or see their games with that kind of a...an atmosphere.  
23. The...Senate Bill 529, all it does is, because of Chapman and  
24. Cuttler and the bonds that they have, would allow them, for  
25. the purposes of doing what I previously had stated, they  
26. wanted the words "stadium improvements" put in in order to  
27. make the bonds designated for that specific purpose. The...  
28. this is an out-front business arrangement between the Chicago  
29. Park District and the Chicago Bears Football Club. The...there  
30. is no cost to the taxpayers, there's no cost involved other  
31. than the cost that the Chicago Bears Football Club will incur  
32. and sell those particular boxes to those who wish to purchase

1. them, and thereupon, the Chicago Park District receives...will  
2. receive the funds, and after a due period of time, those boxes  
3. will revert back to the City of Chicago, the Chicago Park District.  
4. If there are any questions...I would move for...a favorable  
5. roll call.

6. PRESIDENT:

7. Any discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. Thank you, Mr. President. A question of the sponsor or  
10. anyone who can answer. The question is, what happened to the  
11. rest of 529, the working cash fund, and...we don't have a copy  
12. of the bill, Senator Nedza, so if you'll explain. Is this  
13. the only thing that's in it or is the 529 still around and  
14. kicking?

15. PRESIDENT:

16. Senator Nedza.

17. SENATOR NEDZA:

18. No, this is the only thing, Senator Grotberg. Everything  
19. other than what the...wordage we have now, that's all that's  
20. left. 529 in its entirety has been gone, it's been stricken.

21. PRESIDENT:

22. Further discussion? Senator Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President and Ladies and Gentlemen of the  
25. Senate. I'd like to...rise to support...Senate Bill 529. Quite  
26. frankly, I think the Bears need more than sky boxes, they probably  
27. need a new coach, et cetera, et cetera. But I will tell you one  
28. thing, it's a great football team, a great city, we ought to  
29. support it. Hopefully, maybe some day...I knew you'd like that  
30. on the other side of the aisle. Believe it or not, I happen  
31. to be a Bears fan and I go to their games every year and I  
32. enjoy it and...let's give George...George Hallis, all the help  
33. he can get.

1. PRESIDENT:

2. The question is, shall the Senate concur in House Amendment  
3. No. 1 to Senate Bill 529. Those in favor will vote Aye. Those  
4. opposed will vote Nay. The voting is open. Have all voted  
5. who wish? Have all voted who wish? Have all voted who wish?  
6. Take the record. On that question, the Ayes are 49, the Nays  
7. are none, none Voting Present. The Senate does concur in  
8. House Amendment No. 1 to Senate Bill 529 and the bill having  
9. received the required constitutional majority is declared passed.  
10. Certainly keeping you in your seat isn't it. There are two additional  
11. motions that have been filed. There's another Motion in Writing.  
12. Is Senator D'Arco on the Floor? All right. There's two additional  
13. motions that have been filed. One with respect to House Bill  
14. 598 by Senator Vadalabene, it is not shown on the Calendar,  
15. they were filed...later than this Calendar went to the printer.  
16. House Bill 598, read the motion, Mr. Secretary. If you'll look  
17. on page..wait a minute, page 7 on the Calendar. It's on the  
18. Specific Recommendations for Change, House Bill 598, top of  
19. page 7 on the Calendar. Read the motion, Mr. Secretary, please.

20. SECRETARY:

21. I move to accept the Specific Recommendations of the Governor  
22. as to House Bill 598 in the manner and form as follows. Signed,  
23. Senator Vadalabene.

24. PRESIDENT:

25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, thank you, Mr. President and members of the Senate.  
28. The Amendatory Veto removes the Senate amendment dealing with  
29. the credible service for firemen who are laid off due to the  
30. budget cutbacks between 1950 and 1965. The Governor stated  
31. that it set a precedent which runs counter to some pension  
32. policy and pensions should be provided on service performed  
33. by an employee. And I move to accept the Amendatory Veto of  
34. the Governor.

HB 143  
Recalled 3rd Reading

1. PRESIDENT:

2. Any discussion? If not, the question is, shall the Senate  
3. accept the Specific Recommendations of the Governor as to  
4. House Bill 598 in the manner and form just stated by Senator  
5. Vadalabene. Those in favor will vote Aye. Those opposed will  
6. vote Nay. The voting is open. Have all voted who wish? Have  
7. all voted who wish? Have all voted who wish? Take the record.  
8. On that question, the Ayes are 49, the Nays are none, 2 Voting  
9. Present. The Specific Recommendations of the Governor as to  
10. House Bill 598, having received the required constitutional  
11. majority vote of Senators elected, are declared accepted.  
12. Senator Grotberg, for what purpose do you arise?

13. SENATOR GROTBERG:

14. Just a point of order. Are you planning on doing any  
15. House Bills 3rd..before they adjourn so they can concur?  
16. I imagine the House is going to take off pretty soon. That  
17. 561 is the...the nothing bill that I've got, but if we're  
18. going to do it, we should...

19. PRESIDENT:

20. You are correct, if we're going to do it, we better do  
21. it today. All right. We will get to that order, yes, sir...I.  
22. All right. Mr. Secretary, I understand there's a motion filed  
23. with respect to House Bill 143, House Bill 143. That motion is  
24. not on the Calendar either. Read the motion, we will ask the  
25. movant to explain. Read the motion, Mr. Secretary.

26. SECRETARY:

27. A Motion in Writing - I move to take House Bill 143  
28. from the Table, further move that the...that all appropriate  
29. rules be suspended and that House Bill 143 be placed on the  
30. Calendar on the Order of 3rd reading. Signed, Senator Philip.

31. PRESIDENT:

32. Senator Philip.

33. SENATOR PHILIP:

1. Thank you, Mr. President and Ladies and Gentlemen...of  
2. the Senate. House Bill...we're going to try to amend House  
3. Bill 143...in effect, it is the same as House Bill 1535 that  
4. we passed. And what it does, in effect, is put a surcharge on  
5. traffic tickets and creates a fund for the purpose of training  
6. police officers in the State of Illinois. The Governor's  
7. Office did have a problem with it, been led to believe they  
8. have come to an agreement with the police Association for  
9. the State of Illinois. We certainly don't have any problem  
10. with it, and I would like to move that we Table Amendment No. 1.

11. PRESIDENT:

12. All right. The motion is to suspend the rules and to take  
13. House Bill 143 from the Table and place it on the Calendar on  
14. the Order of 3rd reading for the purpose of amendment. Is  
15. there any discussion on that motion?

16. SENATOR PHILIP:

17. 2nd...2nd reading, I think, Mr. President.

18. PRESIDENT:

19. Well, it's got to go...back where it was on 3rd and it'll  
20. be called back, yeah.

21. SENATOR PHILIP:

22. Okay.

23. PRESIDENT:

24. Any discussion on that motion? If not, all in favor  
25. signify by saying Aye. All opposed. The Ayes have it, the  
26. rules are suspended and the motion carries. On the Order of  
27. House Bills 3rd reading...is House Bill 143. Senator Philip  
28. seeks leave of the Body to return...and Senator Chew seeks  
29. leave of the Body to return that bill to the Order of 2nd  
30. reading for purposes of an amendment. Is leave granted?

31. Leave is granted. On the Order of House Bills 2nd reading.

32. House Bill 143, Mr. Secretary.

33. SECRETARY:

1. House Bill 143 has Amendment No. 1 that has been adopted.  
2. Amendment No. 2 offered by Senator Philip.

3. PRESIDENT:

4. Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President. I ask leave to Table Senate Amend-  
7. ment No. 1.

8. PRESIDENT:

9. Senator Philip moves to reconsider the vote by which  
10. House...or Senate Amendment No. 1 to House Bill 143 was  
11. adopted.. Is there any discussion? If not, all in favor signify  
12. by saying Aye. All opposed. The Ayes have it, the vote is  
13. reconsidered. Senator Philip now moves to Table Amendment  
14. No. 1. Any discussion? Senator Hall.

15. SENATOR HALL:

16. Well, I just wanted to ask, but...but it was passed over,  
17. that the amendment that he's Tabling, I want to know what that  
18. amendment does. He's Tabling an amendment, what...I...I'd like  
19. to know what that amendment did, that he Tabled.

20. PRESIDENT:

21. It was...it was an amendment offered and adopted by Senator  
22. Carroll with respect to the proposed driving under the influence  
23. changes, which will now be totally stricken, I'm told. All  
24. right. Senator Philip moves to Table Amendment No. 1 to House  
25. Bill 143. Any discussion? If not, all in favor signify by  
26. saying Aye. All opposed. The Ayes have it. Amendment No. 1  
27. is Tabled. Further amendments, Mr. Secretary?

28. SECRETARY:

29. Amendment No. 2 by Senator Philip.

30. PRESIDENT:

31. Senator Philip.

32. SENATOR PHILIP:

33. Thank you, Mr. President. This is...the amendment is  
34. identical to House Bill 1535. It sets up a traffic and

1. criminal conviction surcharge fund. Puts the surcharge on
2. traffic tickets to, in effect, educate and train police officers.
3. I move the adoption of Amendment No. 2.

4. PRESIDENT:

5. Senator Philip has moved the adoption of Amendment No. 2
6. to House Bill 143. Any discussion? If not, all in favor signify
7. by saying Aye. All opposed. The Ayes have it. The amendment is
8. adopted. Further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. With intervening business, we'll get back
13. to that, Senator Philip, I take it? Committee reports.

14. SECRETARY:

15. Senator Donnewald, Chairman of the Committee on Assignment
16. of Bills, assigns the following bill to Committee:

17. Senate Bill 1272 to Transportation.

18. PRESIDENT:

19. All right. With leave...Senator Philip requests leave
20. of the Body to go to the Order of...House Bills 3rd reading.
21. On the Order of House Bills 3rd reading is House Bill 143.
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 143.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Philip.

29. SENATOR PHILIP:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. I've...I've explained it twice, I'll be happy to
32. answer any questions. I certainly am in favor and think we
33. ought to be in favor of continuing education for police officers.

1. So, I'll be happy to answer any questions and I would ask for  
2. ...for a favorable roll call.

3. PRESIDENT:

4. Any discussion? If not, the question is, shall House Bill  
5. 143 pass. Those in favor will vote Aye. Those opposed will  
6. vote Nay. The voting is open. Have all voted who wish? Have  
7. all voted who wish? Have all voted who wish? Take the record.  
8. On that question, the Ayes are 52, the Nays are none, 1 Voting  
9. Present. House Bill 143, having received the required constitutional  
10. majority is declared passed. All right. Resolutions.

11. SECRETARY:

12. Senate...Resolution 362 offered by Senators Etheredge, Grotberg  
13. and Friedland. It's congratulatory.

14. PRESIDENT:

15. Consent Calendar. All right. With leave of the Body, Senator  
16. Grotberg requested that we revert to the Order of House Bills  
17. 3rd reading for the purpose of considering House Bill 561.  
18. My understanding was the rules have already been suspended, if  
19. they are not, Senator Grotberg moves to suspend the applicable  
20. rules so that House Bill 561, as amended, can be considered.  
21. Any discussion? If not, all in favor signify by saying Aye.  
22. All opposed. The Ayes have it, the rules are suspended. On  
23. the Order of House Bills 3rd reading is House Bill 561. Read  
24. the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 561.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Grotberg.

31. SENATOR GROTBORG:

32. Thank you, Mr. President and fellow Senators. This is  
33. a technical change, they missed in one paragraph, raising from  
34. one percent to one and a half percent, the interest...the...the penalty



1. on real estate tax installments in...in the original version  
2. of House Bill 292. This amends that and corrects it and...I move  
3. for a favorable roll call.

4. PRESIDENT:

5. Any discussion? If not, the question is, shall House Bill  
6. 561 pass. Those in favor will vote Aye. Those opposed will  
7. vote Nay. The voting is open. Have all voted who wish? Have  
8. all voted who wish? Have all voted who wish? Take the record.  
9. On that question, the Ayes are 46, the Nays are 4, none Voting  
10. Present. House Bill 561, having received the required constitutional  
11. majority is declared passed. Introduction of bills.

12. SECRETARY:

13. Senate Bill 1273 introduced by Senators Philip...Weaver,  
14. Grotberg and DeAngelis.

15. (Secretary reads title of bill)

16. 1st reading of the bill.

17. PRESIDENT:

18. Messages from the House.

19. SECRETARY:

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

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

25. House Joint Resolution 62.

26. (Secretary reads HJR 62)

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. This is the adjournment resolution, I'd move for the  
31. suspension of the rules and the immediate consideration and  
32. adoption of the resolution which will allow us to adjourn tomorrow  
33. and come back on January 13th at noon.

1. PRESIDENT:

2. Senator Bruce moves to suspend the rules for the immediate  
3. consideration and adoption of House Joint Resolution 62. Any  
4. discussion? If not, all in favor signify by saying Aye. All  
5. opposed. The Ayes have it, the rules are suspended. Senator  
6. Bruce now moves the adoption of House Joint Resolution 62.  
7. No discussion? All in favor signify by saying Aye. All opposed.  
8. The Ayes have it. The resolution is adopted. (Machine cutoff)  
9. ...Vadalabene, for what purpose do you arise?

10. SENATOR VADALABENE:

11. Yeah, just in the form of an announcement, again that  
12. tomorrow morning at nine o'clock Executive Appointments and  
13. Administration in Room 212. About a ten minute meeting. Over  
14. that, you get overtime.

15. PRESIDENT:

16. Senator Philip. Any further business...to come before the...  
17. We're going to be here at nine-thirty in the morning anyway.  
18. Any further business to come before the Senate? If not, Senator  
19. Philip moves that the Senate stand adjourned until Friday, October  
20. 30, at the hour of 9:30 a. m. And if we can all get here at  
21. 9:30 a. m., we can get out rather summarily. The Senate stands  
22. adjourned.

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