

79TH GENERAL ASSEMBLY

REGULAR SESSION

MARCH 6, 1975

1. PRESIDENT:

2. The hour of eleven o'clock having arrived, the Senate will
3. come to order. Will the members be in their seats. We have the
4. prayer by the Reverend Stanley Milewski, Sacred Heart Church,
5. Springfield, Illinois.

6. REVEREND MILEWSKI:

7. (Prayer given by Reverend Milewski)

8. PRESIDENT:

9. Reading of the Journal. Senator Welsh.

10. SECRETARY:

11. Friday, February the 28th, 1975.

12. PRESIDENT:

13. Senator Welsh.

14. SENATOR WELSH:

15. Mr. President, I move that the further reading of the Journal
16. of Friday, February 28th, 1975 be dispensed with, and unless some
17. Senator has corrections to offer, the Journal will stand approved.

18. PRESIDENT:

19. Heard the motion. All in favor will say Aye. Opposed.
20. Motion carries. Senator Welsh.

21. SENATOR WELSH:

22. Mr. President, I...I further move that the reading and approval
23. of the Journals of Tuesday, March 4th, 1975, and Wednesday, March 5th,
24. 1975, be postponed pending arrival of the printed Journals.

25. PRESIDENT:

26. You heard the motion. You ready for the question. All in
27. favor will say Aye. Opposed. The Ayes have it. The motion carries.
28. Committee Report.

29. SECRETARY:

30. Senator Donnewald, Chairman of Assignment of Bills, assigns
31. the following to Committee:

32. Appropriations - Senate Bill 257 and 260; Elections and Reappor-
33. tionments - Senate Bill 249; Executive - Senate Bills 246 and 263;

1. Finance and Credit Regulations - Senate Bill 253; Insurance and
2. Licensed Activities - Senate Bill 243, 244, 250 and 254; Judiciary -
3. Senate Bills 255, 256 and 258; Labor and Commerce - Senate Bill
4. 245 and 248; Local Government - Senate Bills 264, 267, 268, 269
5. and 270; Pensions, Personnels and Veteran Affairs - Senate Bills
6. 259, 261, 262 and 266; Public Health, Welfare and Corrections -
7. Senate Bill 247; Revenue - Senate Bill...Senate Bills 251, 252 and
8. 265; Transportation - Senate Bills 241 and 242.

9. Senator Saperstein, Chairman of Education Commission, reports
10. out Senate Bill 180 with the recommendation Do Pass. Senate Bill
11. 176 with the recommendation Do Pass as Amended.

12. Senator Johns, Chairman of Executive Committee, reports out
13. Senate Joint Resolution No. 2 with the recommendation Do Not Pass.
14. Senate Bill No. 123 with the recommendation Do Pass as Amended.

15. Senator Romano, Chairman of Insurance and Licensed Activities,
16. reports out Senate Bill 181 with the recommendation Do Pass.
17. Senate Bill 27 with the recommendation Do Pass as Amended.

18. Senator Dougherty, Chairman of Local Government, reports out
19. Senate Bill 86, 119 and 165 with the recommendation Do Pass.
20. Senate Bill 51 with the recommendation Do Not Pass.

21. PRESIDENT:

22. Resolutions. Senator Daley. Senator Daley.

23. SECRETARY:

24. Senate Resolution No. 25 introduced by Senator Daley, and it's
25. a Death Resolution.

26. PRESIDENT:

27. Senator Daley. Senator Daley moves that the rules be suspended
28. for the...

29. SENATOR DALEY:

30. ...immediate consideration.

31. PRESIDENT:

32. ...immediate consideration of this resolution. All in favor
33. will say Aye. Opposed. The motion carries. Senator Daley moves the

1. adoption of this resolution. All in favor will say Aye. Opposed.

2. The resolution is adopted.

3. SECRETARY:

4. Senate Resolution No. 26 introduced by Senator Daley. It is
5. also a Death Resolution.

6. PRESIDENT:

7. Senator Daley moves for the suspension of the rules for the
8. immediate consideration of this resolution. All in favor will say
9. Aye. All opposed, Nay. The motion carries. Senator Daley now
10. moves the immediate adoption of this resolution. All in favor
11. say Aye. Opposed. The resolution is adopted. Message from the
12. House.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate that
16. the House of Representatives has passed a bill with the following
17. title, in the passage of which I am instructed to ask the con-
18. currence of the Senate, to-wit:

19. House Bill No. 97.

20. PRESIDENT:

21. Introduction of bills.

22. SECRETARY:

23. Senate Bill No. 271 introduced by Senators Rock, Partee,
24. Donnewald and Bruce.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. Senate Bill No. 272 introduced by the same sponsors.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. Senate Bill No. 273 introduced by Senators Hickey, Bloom,
31. Buzbee and others.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. Senate Bill No. 274 introduced by Senators Bell, Glass and
2. Roe.

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. Senate Bill No. 275 introduced by Senator Bell.

6. (Secretary reads title of bill)

7. 1st reading of the bill.

8. Senate Bill 276 introduced by Senators Bell, Merritt, Romano
9. and Roe.

10. (Secretary reads title of bill)

11. 1st reading of the bill.

12. PRESIDENT:

13. Resolutions.

14. SECRETARY:

15. Senate Resolution No. 27 introduced by Senators Weaver, Graham,
16. Regner, Shapiro, Merritt, Latherow, Ozinga and Soper.

17. PRESIDENT:

18. Senator Weaver, what is your pleasure? Executive. The Pension
19. and...may I have your attention? Pensions and Personnel is still
20. in Session, and we would now either go to the order of 3rd reading
21. or consideration of some rules. The Senate will be in recess until
22. that committee is over and they arrive. The Senate will be in
23. recess until the Pension and Personnels Committee and its members
24. get to the Floor. They have one other bill to consider.

25. (RECESS)

26. PRESIDENT:

27. Will Senator Savickas come to the rostrum?

28. PRESIDENT:

29. Senator Glass has an announcement. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. Ladies and Gentlemen, I'd like to
32. again remind you of the dinner next Wednesday night. That's
33. Wednesday, March 12th, in honor of Pete Bobbitt. Senator Welsh

1. has tickets and I have tickets, if you haven't yet gotten a ticket,
2. I hope you will and...and I will remind you that that's cocktails
3. at 6:30, dinner at 7:30 at the Holiday Inn East, next Wednesday,
4. March 12th. Thank you.

5. (AFTER RECESS)

6. PRESIDENT:

7. Will the Senate come to order. Introduction of bills.

8. SECRETARY:

9. Senate Bill 277 introduced by Senator Roe and Glass.

10. (Secretary reads title of bill)

11. 1st reading of the bill.

12. Senate Bill No. 278 introduced by Senators Palmer, Welsh,
13. Lane and Kosinski.

14. (Secretary reads title of bill)

15. 1st reading of the bill.

16. PRESIDENT:

17. Committee Reports. Will the members be in their seats.

18. This is a matter that might excite some controversy. Committee
19. Report.

20. SECRETARY:

21. Committee Report. Senate...Senator Cecil A. Partee, Chairman
22. of the Rules Committee, reported that the Committee on Rules met
23. March the 4th and 6th, 1975, and reported as follows:

24. 1. The Committee recommends that Temporary Rule...Temporary
25. Senate Rule No. 5 be amended by striking Paragraph 5 thereof, and
26. inserting in lieu thereof the following: In odd numbered years,
27. the following schedule and time table shall be applicable to all
28. bills - April the 12th, final day for introduction of all bills;
29. May the 2nd, final day for standing committee of the...committees
30. of the Senate to report Senate Bills; May the 23rd, final day for
31. 3rd reading and passage of Senate Bills; June the 13th, final day
32. for standing committees of the Senate to report House Bills; June
33. the 26th, final day for 3rd reading and passage of House Bills.

1. No. 2. The Committee on Rules recommends that Temporary...
2. Senate Temporary Rule 10 be amended by...
3. PRESIDENT:
4. One...one...one moment. Let's just take one at a time. Oh, no,
5. read the whole report. That's all right.
6. SECRETARY:
7. ...by amending...
8. PRESIDENT:
9. The motions will be addressed individually. Let's just start
10. with the first Rule first. We'll have Rule 5. Senator Rock.
11. Senator Rock has a motion.
12. SECRETARY:
13. Motion...pursuant to...Senate Rule 37, I move the...
14. PRESIDENT:
15. Go right ahead.
16. SECRETARY:
17. ...I move that the Senate adopt the amendment to Temporary
18. Rule 5, as approved by the Senate Rules Committee. Signed,
19. Philip Rock. March the 6th, 1975.
20. PRESIDENT:
21. Senator Rock.
22. SENATOR ROCK:
23. Thank you, Mr. President, Ladies and Gentlemen of the seventh
24. ...Senate. The amendment which I am pursuing this morning does,
25. in fact, establish deadlines for the operation of the Senate. We
26. hope in a very short time to request of the House, during...the
27. pendency of their Rules Committee hearings, that they establish
28. similar or if not identical guidelines, and then hopefully we can,
29. in fact, take this time table and incorporate it into Joint Rules
30. so that both Houses will be operating under the same deadlines. I
31. would move, Mr. President, that the Senate adopt the amendment to
32. Temporary Rule 5, as approved and read in the Senate Committee Rules
33. report.
34. PRESIDENT:

1. Senator Nudelman.

2. SENATOR NUDELMAN:

3. Mr. President, I note on the...on the draft of this Temporary
4. Rule a typographical error. April 12th and May 2nd, being the dates
5. for different actions, have the same content. I would suggest that
6. it be specifically stated that this is not the official copy of the
7. rules, so that...there...there'll not be later a question, as to what
8. was intended by this amendment.

9. PRESIDENT:

10. Now, with reference to April 12th, what did you say about that,
11. sir?

12. SENATOR NUDELMAN:

13. On April 12th, the...the...the draft that was put on our desks,
14. read - final day for standing committees of the Senate to report
15. Senate Bills and the same text is used for May 2nd. It must be a
16. typographical error, and I wouldn't want the rule to be enrolled
17. that way.

18. PRESIDENT:

19. Senator Rock, can you explain that?

20. SENATOR ROCK:

21. Thank you, Mr. President. I apologize to the members of the
22. Senate. These...this little brief caption is not an identical copy
23. of the Senate Rules Committee report. April 12th is, in fact, the
24. final day for introduction of bills. So, if everybody would just
25. pencil in that change. April the 12th is the final day for intro-
26. duction. That is, as you will note in your Calendar, a Saturday.
27. We have done that, frankly, at the request of the Reference Bureau.
28. So that if, in fact, there are some bills that are not yet out, that
29. they can, in fact, be...be gotten of the Bureau and...and properly
30. introduced. That is a typographical error and my mistake and I
31. apologize.

32. PRESIDENT:

33. Senator Harris.

34. SENATOR HARRIS:

1. It is my understanding that the actual committee report that
2. the Secretary has does show April 12th, as accurately explained
3. here now, the final day for introduction.

4. PRESIDENT:

5. That is correct.

6. SENATOR HARRIS:

7. Yes. Okay.

8. PRESIDENT:

9. Senator Rock has moved the amendment to...to adoption of Amend-
10. ment to Senate Rule 5. All in favor: Senator Netsch.

11. SENATOR NETSCH:

12. Mr. President, do I understand you are calling for the vote on
13. the Amendment to Rule 5?

14. PRESIDENT:

15. That is correct.

16. SENATOR NETSCH:

17. May I just make a brief comment? Then, I am not...

18. PRESIDENT:

19. Senator Netsch.

20. SENATOR NETSCH:

21. ...I am not going to make any effort to amend it because I did
22. raise the same question before the Rules Committee. I would just
23. like to suggest that I am concerned about the last of the dates on
24. the schedule, June 26th, as the final day for 3rd reading and passage
25. of House Bills, and my concern is that that is so close to what we
26. hope and expect and or determined will be the final day of the General
27. Assembly for this Session, that it does not really leave enough time
28. for full consideration, printing, explanation and voting on Conference
29. Committee reports, of which there undoubtedly will be some as there
30. were last year. And I would only submit that I...I had hoped that
31. that date would be earlier so that we would not find ourselves in a
32. bind on Conference Committee reports. But the Rules Committee, in
33. this case, considered and felt that this was the only acceptable date,

1. and so, I will not offer an amendment on it.

2. PRESIDENT:

3. Senator Morris.

4. SENATOR MORRIS:

5. I...I just have one question. I haven't been around here long
6. enough to know all of the ins and outs. Why do we keep amending
7. temporary rules? Why don't we have some permanent rules to go under?
8. Senator Harris, yesterday, was amending temporary rules. As a member
9. of the Rules Committee, I would assume that he would have speeded
10. things up and got us permanent rules to act on, and now we amend
11. more temporary rules. I've been here over two months, and we don't
12. have any permanent rules yet, and I'm a little confused.

13. PRESIDENT:

14. Well, I would like to disabuse you of your confusion. We are
15. operating under temporary rules and such...until such time as we have
16. permanent rules. The permanent rules were being deferred and delayed
17. until such time as we can have some joint rules, and that is the
18. reason for the delay.

19. SENATOR MORRIS:

20. Thank you.

21. PRESIDENT:

22. Any further discussion? Senator Harris.

23. SENATOR HARRIS:

24. Well, I just want to call attention to the fact that the motion
25. by the rule...in the Rules Committee, on the Amendment to Temporary
26. Rule 5, was supported by both sides of the aisle. It carried with
27. a vote of five to nothing. We do support this calendar or schedule
28. as provided in Rule 5, and would urge the members on this side to
29. support the motion to adopt this Amendment to Temporary Rule 5.

30. PRESIDENT:

31. Thank you. Senator Rock moves the adoption of Amendment No. 1
32. to Temporary Rule 5. All in favor will vote Aye. All opposed will
33. vote Nay. The voting is open. Have all voted who wished? Have all

1. voted who wished? Take the record. On this question, the Ayes are
2. 53, the Nays are none. The motion is...carries.

3. SECRETARY:

4. No. 2. The Committee on Rules recommends that Temporary Rule
5. No. 10 be amended by adding the following immediately after the
6. last paragraph of the Rule: No proxy voting shall be allowed in
7. any Senate committee or subcommittee except when authorized by
8. a majority vote of all members of the committee or subcommittee,
9. and then, only when all of the fellow...following criteria are
10. met.

11. A. An unavoidable conflict exists between the committee or
12. subcommittee meeting in another committee or subcommittee meeting.
13. No conflict shall be deemed to be unavoidable unless:

14. No. 1. The Senator asking for use of his proxy is a
15. principal sponsor of a bill or resolution set for hear-
16. ing in the other committee or subcommittee and intends
17. to actually call such bill or resolution for hearing.

18. No. 2. The Senator personally appears and asks for use
19. of his proxy.

20. No. 3. The Senator demonstrates to the committee or sub-
21. committee that he has attempted to resolve the conflict,
22. but was unsuccessful.

23. B. The proxy is specific in terms, as to the vote to be cast
24. on each bill, resolution or other matter under consideration during
25. the Senator's absence.

26. C. The proxy is limited in its application to the time actually
27. necessary for the Senator's presence in the other committee or sub-
28. committee hearing. It is the intent of this rule that authorization
29. for the use of proxies be sparingly...exercised and only under extreme
30. circumstances.

31. And then, I have a motion. Pursuant to Temporary Rule 37, I move
32. the Senate adopt the Amendment to Temporary Rule 10 as approved by the
33. Senate Rules Committee. Signed, Philip Rock. March the 6th, 1975.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, members of the Senate. I have filed
5. a motion to adopt this Amendment to Temporary Rule 10. This Amend-
6. ment would add a paragraph which concerns itself with the question
7. of proxy voting. It is a general statement, and it reads that no
8. proxy voting shall be allowed. And then, due to the press of business
9. that always occurs, here in the Senate and over in the House, we have
10. attempted, at least, to accommodate the membership and have set three
11. specific criteria for when a proxy could, in fact, be used. One -
12. if there's an unavoidable conflict; two - the proxy must be specific;
13. and three - it must be limited to the time necessary to resolve the
14. conflict. Mr. President, I would at this time move that the Senate
15. do adopt this Amendment to Temporary Rule 10.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Did Senator Partee wish recognition? Senator Partee.

18. SENATOR PARTEE:

19. Well, Mr. President and members of the Senate, this is, for me,
20. perhaps one of the most important rule changes that this Senate will
21. see this year. The business of the voting of proxies is a very
22. serious business, not only for the membership itself, but for the
23. people of this State and for those persons who from time to time come
24. to this Body to make input, both positively and negatively, on issues
25. that are in bill form. One of the reasons that I became just abso-
26. lutely wedded to this concept, is what I saw happen in a Senate
27. committee last year where the Chairman of the Senate committee was the
28. only person present at the committee hearing. It happens that he was
29. from your side of the aisle over there, and this Chairman sat there
30. and in my view absolutely disabused the political process, the legis-
31. lative process, by acting as the Chairman and the membership of the
32. committee. There was a House member there with his bill, a bill that
33. he had worked on for quite a long time. The Chairman of that committee

1. did not like the bill and said I move that the bill Do Not Pass. The
2. Chairman then said, I second the motion. The Chairman then pulled out
3. a passel of proxies and read proxies against that other member's vote
4. from the House. That to me is despicable and that to me, certainly,
5. is not what the legislative process is about. We know that from time
6. to time we cannot be at two places at once. We know that the best rule
7. for proxies would be the complete elimination of them. To go from a
8. bad situation to perhaps a worse, would not be in the interest of
9. good legislative processing. So, what this rule does is to eliminate
10. proxies. It is not an intractable rule because there are circumstances
11. where it is absolutely necessary for members to be in other committees
12. to present bills that they are proffering to the legislature to those
13. other committees. There are times when a member of this Body cannot
14. attend a committee meeting and which...to which he is assigned because
15. he is perhaps in the House at another committee hearing presenting a
16. bill which he is the sponsor of. So, the rule attempts, and you have
17. copies on your desks, to provide for those contingencies, to provide
18. for those circumstances under which it is absolutely necessary for
19. the member to be in another committee. And it's called an unavoidable
20. conflict, and there are absolute safeguards for its...which would
21. tend to keep it from being abused. The...first of all, the person
22. who is...wants to use a proxy has to have set for hearing in the
23. other committee or subcommittee, a bill which is to be heard that
24. day, and he must also intend to actually call that bill. Then the
25. Senator is required to personally appear before the committee where
26. his proxy is to be used and ask the membership for the use of it. And
27. he must demonstrate to the committee or the subcommittee that he has
28. attempted to resolve the conflict but that he has been unsuccessful,
29. and the proxy must be specific in its terms as to the vote to be cast
30. on the bill, resolution or other matter under consideration. And it's
31. limited in its application to the time actually necessary for his
32. presence in that other committee. Now, I made this statement as long
33. ago as January the 8th, and I did put out a press release, and I said

1. it was an hard practice. They don't have them in the House, and
2. certainly, I think they get along all right. And I've heard many,
3. many people who come down here and say that they were absolutely
4. upset and frustrated with the legislative process because they came
5. in after having given a great deal of time and attention to the
6. subject matter they were about and to have their votes voted...their
7. bills voted up or down on proxies by people who had not heard the
8. testimony that they offered. And then, to see those same people on
9. the Floor of the House or Senate arguing...vociferously against the
10. point that the witness had already made in the committee. It really
11. requires committee attendance. Now, if you don't want to attend
12. committees, then, you ought to say so. We have committees, and
13. that's what this legislative process is about. And if you want to
14. duck your committees and hide under a proxy, then that is your
15. judgement. I say to you that the people of this State want your
16. attendance. The people of this State have permitted us without
17. a great deal of fanfare to increase our salaries, to increase the
18. amount of money we have back in our home districts to edify them
19. as to what goes on in this Legislature, and you have a solemn duty
20. and obligation to attend committee hearings and to edify yourself
21. and to learn what the input is from the witnesses who present them-
22. selves on those subjects. This Legislature should adopt this rule.
23. There should be no proxies. You are here to serve.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Harris, I would note that we have also Senator Romano,
26. Senator Kenneth Hall, Senator Mitchler, Senator Wooten, have requested
27. to speak. Senator Glass.

28. SENATOR HARRIS:

29. Well, Mr President, I want to harken back to earlier days also.
30. President Partee has referred to the experience of a specific chair-
31. man of this Senate in the 78th General Assembly deporting himself
32. in a despicable fashion, and I couldn't agree more. I can refer to
33. not precisely the same behavior but almost by a chairman in the 77th

1. General Assembly. Two years ago, I personally strongly urged the
2. abolition of proxies in my caucus, and a significant majority of
3. my caucus disagreed with me, and I accepted the conclusion of my
4. majority. And we did resist your efforts two years ago to abolish
5. proxies, and today, I resist this Amendment to Temporary Rule 10
6. because it, in fact, continues proxies. And I don't care how you
7. construct this Amendment for special provisions, the principal of
8. proxies continues, and I think it's just that simple. Now, in the
9. Rules Committee, we had a three to two vote on this question. I
10. had proposed at a meeting of the Rules Committee last week a very
11. simple statement in the rules that proxy votings is...proxy voting
12. is prohibited and that voting must be by the personal attendance
13. and the personal casting of a Senator's vote. Now, the opportunity
14. for abuse is clearly still there, even under these attempts to provide
15. for special circumstance. Well, the fact is that we cannot be two
16. places at one time, and that's the hard choice that the membership
17. has to make. The House operates with a flat abolition of proxy to
18. their credit. And I do believe the time is now at hand for us to
19. directly address the operation of the Senate to that same healthy
20. direction. I do not want to cut off debate, but I do wish to be
21. recognized at the conclusion of the debate on this question because
22. I want to move to Table this amendment so that we can get to a con-
23. sideration of my amendment which is a very simple amendment to
24. Temporary Senate Rule 10. It would state, "No proxy voting shall be
25. allowed in any Senate committee or subcommittee and all voting shall
26. be by members who are personally present." That really gets to the
27. heart of the question, and if we are going to formalize proxies in
28. our rules, and they've never been a part of our rules. It's always
29. been a matter of precedent and custom and usage of the individual
30. committees, and now, we are going to dignify this, to quote Senator
31. Partee, "abhorrent practice" by dignifying it in our formal rules.
32. I think this is a mistake, and I would urge you, I would urge a
33. majority to support me when I make my Tabling motion on this Amendment

1. offered by Senator Rock in connection with the report of the
2. Committee on Rules. Thank you, Mr. President.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Thank you, Senator Harris. You will be recognized after others
5. who have requested have spoken. Senator Romano.

6. SENATOR ROMANO:

7. Mr. President, members of the Senate, I...I'm certainly in
8. favor of everybody attending committee meetings, but when I look
9. at this sheet that they gave us, you need a doctor's affidavit and
10. a lawyer to...to have a proxy. If...if somebody is ill or he's got
11. diarrhea of the mouth or otherwise, he'd have to have a doctor's
12. affidavit to leave a proxy. Now, if the Senator personally appears
13. before the committee and asks...unanimous consent to leave his proxy,
14. I believe that is sufficient. If he has unanimous consent, but when
15. I look this over, he needs a doctor's affidavit, a lawyer who must
16. draw up the reasons why he cannot stay there, and for this reason,
17. I cannot buy this. I could buy number two, but I can't buy number
18. three or number one of this Amendment. And I...I'm going to ask all
19. of the Senators here to look this over a little closely and determine
20. if this is what they want. I, personally, do not.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Kenneth Hall.

23. SENATOR HALL:

24. My question has been answered.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate, I would rise on two
29. points on this. First, the President of the Senate referred to a
30. committee chairman in the 78th General Assembly as being the only
31. one present in a committee. I don't know how many times that
32. occurred, but I'm...I'm going to admit publicly that as Chairman of
33. the Senate Industry and Labor Committee, I know on one occasion that

1. that did occur, and I want to admit publicly to me, it was
2. extremely embarrassing to...sit there as Chairman of a committee
3. and have to make a motion Do Not Pass, second it, and then cast
4. all the proxy votes and defeat a fellow legislator's bill that he
5. was sponsoring. It happened to be a House Bill. And I've...if my
6. memory is correct, I think Senator Hall, Kenneth Hall, I think it
7. was your bill, and it was a very important bill. And I had retali-
8. ation in the House because it was a House bill on the three bills
9. that I had over there next. But it was wrong, absolutely wrong, and
10. I admit it, but it was the general practice. I don't think that I
11. was violating any rule or practice of the Senate in doing what I did
12. because all the members of the committee handed me proxies that were
13. so indicating their vote, and I cast it for them. Now, with respect
14. to the temporary rule change that we're getting now, it reminds me,
15. I am against proxy voting, and I do not want to have any proxy voting,
16. but to have this amendment, it reminds me of the sheik over there
17. that had three daughters, and he wanted to marry them off. And he had
18. a sheik from a neighboring area coming over, and he was describing
19. these daughters to the sheik trying to sell the daughters. And he said,
20. the first daughter is, you know, she's not really the fanciest thing
21. in the world, but I do have to admit that she's cross-eyed to an ex-
22. tent. She's cross-eyed not completely but just enough so as you could
23. notice it. And the second daughter, she was rather lame, not very
24. lame but just enough so as you could notice it. But the third
25. daughter was a very beautiful girl, extremely beautiful, intelligent
26. and everything. There's only one thing wrong with her, she was just
27. a...a wee bit pregnant, not so awful much but just enough so as you
28. could notice it. And that's exactly what you have here. You've got
29. a pregnant thing that you're handing to us that's going to develop
30. as we go through this Session into a full blown proxy voting situation.
31. And I think it's wrong. Think it over regardless of what side of
32. the aisle you're on. Do away with proxies.
33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Thank you, Mr. President and colleagues. At the risk of
4. invalidating my credentials as a member of this Body, I want to
5. be completely consistent in what I do today. About two years ago
6. when this came up, I agreed with the then Minority Leader now
7. President that we should not have proxies. I said then that I am
8. going to vote against proxies without exception, and I will vote that
9. way again two years from now and every two years until we have an
10. absolute prohibition of proxies under all circumstances. It is
11. perhaps prudent to invision difficulties which may arise and to make
12. some provision for those difficulties. My personal position is we
13. should wait until we see that there actually are difficulties. Per-
14. sonally, I think it will make us a little more responsible all the
15. way around to have no proxy voting and no exceptions, and I'm going
16. to remain consistent on that point.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Senator Glass.

19. SENATOR GLASS:

20. Thank you, Mr. President. In support of some of the things
21. Senator Harris pointed out, I...I would congratulate the Rules
22. Committee insofar as they've gone in making a movement away from
23. proxies, but gentlemen, I think you are trying to pull the wool over
24. our eyes. If you're going to eliminate proxies, these kinds of
25. exceptions just really don't make any sense. They leave open the
26. evils that all of us who oppose proxies are concerned about. And the
27. ...and the main evil is that you have someone voting a proxy for
28. another legislator who has been elected to come down here and listen
29. to committee debate and make up his mind and vote, and if he...if he
30. isn't in a committee and he has not heard the debate, he shouldn't
31. be voting on the bill. You're giving one member or several members
32. really two votes on a bill and...and that's...that's one of the
33. main evils of proxing...The public, I think, ...of proxies. The

1. public is entitled and the people of Illinois are entitled to have
2. each legislator in a committee have his vote or her vote weighted
3. the same. So, this certainly does perpetuate the evils of proxies,
4. proxy voting. It comes close to eliminating them, and I would just
5. say to you on the Rules Committee, why not go all the way and...and
6. the House has done it, and I would hope that...that this particular
7. amendment to the rules would be defeated on Senator Harris' motion
8. to Table.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. Rather than ask a question of Senator
13. Harris if he's around possibly when he closes the debate, he might
14. be able to answer it at that time when he makes his motion. Seems
15. to me confession is good for the soul today. I was here two years
16. ago as were a lot others when the other side of the story seemed to
17. have been coming from the other side of the aisle. I had served in
18. the House prior to that and it said we had performed very well in the
19. House in my opinion without the use of proxies. I still feel that
20. way. I feel very strongly that way. We suggested to you that your
21. proxies were illegal at the time because our rules were silent and
22. Roberts Rule says that no one member should have more than one vote
23. without something specific. And I wonder of the Senator who was the
24. chairman of the committee who so abhorred the use of proxies that he
25. consistently used them, what changed his mind then? I don't say it
26. was right then, and I don't say it's right now. However, I think
27. there's been something that's been misstated, and I know the way the
28. House operated and maybe the way we should operate. As Senator
29. Glass has mentioned, those who were present who heard debate should
30. be allowed to vote. There are emergency situations where a person
31. may be caused to leave the committee during a roll call or just
32. before a roll call, and I know the way the House had operated, at
33. least when I was there without proxies, that with unanimous consent

1. of that committee when a person was required to leave during a
2. debate, he could leave a proxy for the vote on that particular bill
3. and that bill only. Were he not present during debate, he was
4. denied the right to vote which I think would be a good rule. I would
5. ask some of you who are now suggesting, as the minority party, a
6. different stance that you also remember custom and usage. I was
7. advised two years ago that my experience in custom and usage was
8. House experience not Senate, that House did not have proxies but the
9. Senate, in its custom and usage wisdom, had. Hopefully, we will
10. change that now, and I would ask of the now Minority Leader that if
11. a circumstances in two years or in the future once again do change
12. and the dice do roll again whether our actions today will become the
13. new custom and usage, whereas if we do now abolish will that become
14. the custom and usage for future generations rather than have a
15. potentially different majority take a different tact as to what would
16. be proper for the Senate?

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Senator Soper.

19. SENATOR SOPER:

20. Mr. President and members of the Senate, I've always been in
21. favor of proxies for this reason. I feel that if a...if a citizen
22. can cast an absentee ballot thirty days before an election, it's akin
23. to what you're talking about. He didn't...he didn't stay and...and
24. he cast his ballot before he heard all the argument and got all the
25. paraphernalia, and he didn't consider the facts, and he cast...he
26. cast a ballot before he knew what...what was going on. But, you'll
27. ...you'll find that if...if a chairman would have all proxies and he
28. would be there by himself and only the Minority Spokesman was there
29. with...with his group, the proxies don't...don't count for a quorum.
30. All they have to do is question a quorum which is very simple. Now,
31. the Legislature...legislator that...that reads the bills, he knows
32. what he wants to do and...and he knows exactly where he has to be.
33. And if he feels that certain bills are the bills he wants to vote on

1. and he has to be some other place, as Senator Romano said, you
2. would have to have a doctor's certificate on this, and you would
3. have to have a lawyer draw up the...the reasons, and then after
4. that, you could say are you sure that bill took that much time. So,
5. we either have unlimited proxies or no proxies, and that's...the
6. majority decides that. If the majority wants no proxies, fine.
7. But, I don't go along with the...with the people that cry and say
8. well, I went to a meeting and all they...the majority man was there
9. and he had the...he had all the proxies, and he sat there by himself.
10. Well, then the other members that were there should have been think-
11. ing a little bit and called the question of quorum, and then, you
12. wouldn't have a meeting, then you'd wait. So, that...that doesn't
13. cut any ice with me. And I hope that when you vote out all proxies
14. or I cut...call this a...a do-gooder thing telling people you've
15. got to...you've got to be there and you've got to hear the discussions.
16. Half the time, half the members sleep or should be sleeping because
17. ...because they don't know what's going on half the time in some of
18. these committees anyway. But, if you want to be there, and if you're
19. intelligent, and you've got something to say, and you put in a proxy,
20. I don't see any difference, but you're going to get in a lot of
21. trouble without proxies. You're going to have a lot of committees
22. that won't have a quorum. Thank you.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Does anyone else wish to speak on Senator Rock's motion?

25. Senator Nudelman.

26. SENATOR NUDELMAN:

27. Mr. President, I don't understand the philosophy of the Amend-
28. ment. The Amendment says that if you have to be in two places at
29. once and if you cross your heart and hope to die and tell the
30. teacher that you have another unremitting obligation you can leave.
31. Now, I would question the sponsor, what happens if you have a bill in
32. some other committee which is susceptible of being put over? If you
33. don't put it over, have you fulfilled your commitment or are you

1. allowed to go to the other committee to present your bill? I don't
2. know what I would be swearing to if I swore I did everything I
3. could, but I didn't ask to have my bill put over. Another question
4. I have with this, it seems to me that the philosophy espoused by
5. the proponents of this amendment is that you owe the duty to some-
6. body, and I don't know quite who to sit there and listen to witnesses.
7. I'm a big boy and I can read the bills and I can make my own
8. decisions, and sometimes I don't have to agree with the witnesses.
9. I don't owe them anything as a Senator. The third thing, if you...
10. if you are obliged to do that, how do you...how do you fulfill that
11. obligation and how have you listened to the witnesses if you are on
12. occasion permitted to go to another committee? I think that Senator
13. Harris is correct in one area. Either we should have it or we
14. shouldn't. I don't happen to agree with Senator Harris. I think
15. proxies are good. They're valid. They have worked in this Body.
16. They work in Washington where the Senate and the House of Represen-
17. tatives have proxies and have meetings and I have never read a story
18. in any paper condemning the Legislature in Washington for the use
19. of proxies. Proxies are valid and they have their place, and I can't
20. conceive of how you can philosophically say on one hand you should
21. be there. You owe it to the witnesses. You owe it to...to the
22. people to listen, and then on the other hand, say but if you can't
23. it's okay, too. I think to follow the logic of this Amendment to
24. its ultimate absurdity, we must all sit as a Committee of the Whole
25. on every bill that comes across the pike and hear all of the
26. witnesses so that we will all be educated. How do we otherwise
27. know what all of the bills are about if we follow this philosophy
28. if we don't all hear all the witnesses. Now, that's an absurdity
29. as you all know, but it is the only logical conclusion to this Amend-
30. ment. I would strongly urge not passing this Amendment.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Palmer.

33. SENATOR PALMER:

1. Mr. President and members of Senate, Senator Nudelman really
2. stated a good deal of what I wanted to say, but I do want to say...
3. something to the effect that I heartily agree with Senator Harris.
4. Not in what he has said today, but what he has said many times in
5. presiding in this Senate. He has often said that your objection
6. to the proxy is noted and also disregarded, when he was President.
7. Now, as Senator Nudelman has said, I would like to remove the
8. possible impressions that may be left here, that the proxy is not
9. valid, that it's not workable and that it is done some damage to...
10. to the image of our government. I think that we have a fine State,
11. a fine structure of government under the processes of the methods
12. that we have used and under the traditions and the uses of this proxy
13. system for these many, many, many years. Now, as far as I know, the
14. members of the other side who are just recently lead by Senator Harris
15. for thirty years, they had the powers of majority, and they will be the
16. first to agree that a proxy is a very, very important and useful tool
17. for the majority. And why they should ask us to waive this tool so that
18. we, as a majority party, could be and should be effective, as the people
19. of the State have sent us here to be. I think that we could be more
20. effective and continue to be effective as a majority party with this
21. tool of proxy. It has done absolutely no damage and it has very useful
22. for the processes of legislation. Now, as Senator Carroll has indicated
23. to you, I remember in many instances that Senator Carroll in the last
24. Session rose in this Chamber and objected to the use of the thirty vote
25. on Constitutional changes, and Senator Harris hammered that gavel down
26. and said thirty votes on the preemption matters which was a Constitu-
27. tional change. We have a provision in our 1970 Constitution that says
28. that Home Rule shall...that city shall have Home Rule and yet when they
29. changed on the preemption bills, he hammered it down as thirty votes,
30. not as the three-fifths vote like he shouted yesterday, the chandeliers
31. were shaking and he insisted on a three-fifths vote. Now, this is
32. telling us, Ladies and Gentlemen, that who and where you sit counts.
33. We have now got the majority, and I'm going to repeat, the people of

1. the State of Illinois has sent us here to do an effective job and
2. let us use the effective means to do so. Thank you.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Thank you. I have remaining on my list Senator Netsch, Senator
5. McCarthy and Senator Knuppel. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you, Mr. President. One or two fairly brief comments.
8. I think that to respond in part to the point that Senator Nudelman
9. raised, Congress does not really have proxy voting as such, it has
10. pairing which is a very different thing, and in our judgement might
11. even be a...a reasonable compromise to the problem. The...I would
12. add further that I think we do owe it to witnesses who come to
13. Springfield to sit there and listen to them, as dull as it may be
14. on some days. I personally would like to see us try a total abolition
15. of proxy voting. I recognize, just from two years of immediate service
16. in the Legislature, that that may present some problems in the Senate
17. that its apparently has not presented to House members because there
18. are fewer of us and...and in most cases, we have more committee assign-
19. ments. What I would like to see happen is for us to try that approach
20. for a period of time, if it...does, in fact, present absolutely insur-
21. mountable barriers to effective performance to all of us as individual
22. members, then I think we will have had some experience on which to
23. reconsider it. But I think that the only way we are really going to
24. make a no proxy voting rule apply and work for a period of time is to
25. say - no proxy voting.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Senator McCarthy.

28. SENATOR McCARTHY:

29. Yes, Mr. President and members of the Body, I adopt, reaffirm and
30. would almost repeat word for word the comments made by Senator Nudelman,
31. insofar as the question of prox ...voting is concerned. The case is not
32. and then made out as to how the Senate has failed in its job with the
33. use of proxy voting. Furthermore, I don't believe there's any public

1. interest in this decision. The public interest is served by the
2. recorded votes of the members, whether they be cast by proxy or in
3. person, so they're able to determine the activities of their elected
4. legislators. The movement generally towards the use of proxy has
5. been universal, Presidents of the United States are attempting to
6. pass on to their proxies their stand in ceremonial functions. The
7. Governors of the various states pass onto their proxies or their
8. administrative assistants ceremonial functions describing Girl Scouts
9. Day or any type of the various things that command a piece of the
10. elected official's time. So, this goes on with the Mayors etcetera,
11. etcetera. So, I think the decision here is largely between the
12. Democratic side of the aisle and the Republican side of the aisle.
13. We're the only ones that are really interested, have anything to
14. gain by this proposed rule change. And that is the count of the
15. Moses on a particular time, in a particular committee on a certain
16. bill, who's absent - who is present. If that rule is applied and
17. adopted, then the majority, many times, will be upset by the
18. minority. Bills will be reported to the Floor of the Senate that
19. will promote debate, trade-offs and generally mischief-makers.
20. Case has not been made out for the abolition of proxy voters...
21. proxy voting. I would like to retain it.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Not since we debated what would be the State Fish if I had...
26. heard such a furor over so little.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. ... (Machine cut-off) ... Harris. Senator Harris, do you seek
29. recognition?

30. SENATOR HARRIS:

31. Yes, I do, Mr. President. First, a parliamentary inquiry,
32. and let me explain the purpose for the parliamentary inquiry.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, if I might ask, we have Senator Merritt, who has
2. asked to speak.

3. SENATOR HARRIS:

4. Oh...I thought...I thought all Senators were finished.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. I'm sorry, we have not concluded the debate yet.

7. SENATOR HARRIS:

8. Okay. Excuse me.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. I will recognize you at the conclusion. Senator Merritt.

11. SENATOR MERRITT:

12. Yes, Mr. President and members of the Senate, dating back
13. very early in this Session or maybe even before the Session began,
14. I believe Senator Partee not only covered the group with a...a
15. pamphlet on the matter, but I think also publicly stated his
16. opposition to proxies. I commend him for it at that time. I commend
17. him for it today. Later, certain state-wide groups hailed Senator
18. Partee in his action, being a very forward step, and certainly would
19. conform with what's gone on in the House for years without jeopardy
20. to anyone. Among those state-wide organizations was the Illinois
21. League of Women Voters and others. I had a considerable amount of
22. mail from my district on it, from various of those members, indi-
23. cated my stand would be to support Senator Partee in that action.
24. But then, when I see what is proposed before us here today, to me,
25. it's the same old abuses once again, only it's has some window dress-
26. ing to it. ...You and I all know, in this Body, those same abuses
27. will continue on unless we have the courage to stand up here today
28. and vote for that change proposed by Senator Harris that says
29. definitely no proxies. You can't have it both ways, and my vote
30. will certainly be to abolish the use of proxies.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Dougherty. Senator Nudelman, you sought recognition.
33. The rule is that we recognize all those who have not spoken, then

1. we will start the round the second time. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Mr. Chairman and members of the Senate, it isn't very often
4. that I get up on the Floor, but on this particular subject, I have
5. been here for a number of years. It has been my experience as far
6. as proxy voting is concerned that there is one particular committee
7. in this Senate, and many times, there are only two members present -
8. the Chairman and the Minority Spokesman. And further, it has been my
9. experience that the legislation that was proposed who are handling
10. these committees, by these proxy voters, if you will, in this
11. particular committee of which I am most familiar, has never been
12. abused. I think that the legislation that was approved of or dis-
13. approved of by Committee by proxy voting, has generally been in the
14. public interest. I am going to resist this amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Have all spoken who wish the first time? One Senator sought
17. recognition to speak a second time. Senator Nudelman.

18. SENATOR NUDELMAN:

19. Mr. President, I wonder if the sponsor of this amendment would
20. answer a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rock.

23. SENATOR NUDELMAN:

24. Coincidentally, while the debate was on, I got a call that
25. the Transportation Committee wanted to set Senate Bill 53, which
26. I am the sponsor, for next Thursday at 2:30. I am also on
27. Judiciary Committee, which meets next Thursday at 2:30. Now this
28. is the first time up this bill has been set, and I want to know
29. if in order to get excused and in order to be permitted to leave
30. my proxy, I have to ask the Transportation Committee to put this
31. bill over or if I can swear that I have to be there without having
32. made that request. I think what I'm really trying to do is point
33. up the absurdity of the rule.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock, do you wish to respond?

3. SENATOR ROCK:

4. Well, ...apparently, I guess that was in the form of a question.
5. The idea is that when the Subcommittee of the Rules Committee was
6. discussing the abolition of proxies, it was brought out quite
7. forcefully that, in fact and in time, within the next month I
8. would expect, and yours happens to be within the next week, that
9. there will be just unavoidable conflicts. The question then
10. arises what does one do under those circumstances? We attempted by
11. virtue of these very limited circumscriptions to...to accomodate the
12. membership, so that if, in fact, I have a bill in Transportation,
13. and I also happen to be in Judiciary which is in a different,
14. separate room at the same time, I can, in fact, ask for the proper
15. consent, leave a proxy for the specific bill upon which I wish to
16. vote, get to the other committee, and hopefully, handle the bill
17. with some dispatch and get back to where I belong.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Well, do I go there at 2:30, or do I wait until I'm called
22. and said my bill is next and inconvenience that committee so that
23. they have to wait for me, or how do exactly do I handle...how much
24. time am I permitted? How much lee-time am I permitted? I think
25. Senator Knuppel hits the point. That's what this is getting to
26. be - a child's game. I want to leave the room, I got to hold up
27. one or two fingers, and then the Chairman, if he wants to, rec-
28. ognizes me, and if he doesn't want to, doesn't recognize me. I
29. repeat, we're all adults. We're all grown people, and we should all
30. know our own minds.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock, did you wish to respond?

33. SENATOR ROCK:

1. No, I think Senator Knuppel's argument was in the form of
2. a reductio ad absurdum, as they say, and I think he has done...
3. he has done that admirably.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion on the motion? Senator Rock
6. is recognized to close the debate.

7. SENATOR ROCK:

8. Thank you, Mr. President. I will be brief. I think that the
9. ...the discussion has covered most of the points. There was a move-
10. ment two years ago to abolish proxy voting. We have attempted to do
11. so by this Amendment to Rule 10. We have also attempted to accomo-
12. date those...irreconcilable conflicts that do, in fact, and will, in
13. fact, arise. I would move the adoption of this Temporary Rule No. 10.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. As the agreement with Senator Harris at the beginning, Senator
16. Harris is recognized for the motion to Table.

17. SENATOR HARRIS:

18. Now, Mr. President, before I get to that action, I have a
19. parliamentary inquiry. I believe that your answer should be yes
20. to the question I am going to ask you, and that is, is a sub-
21. stitute motion in order? And, let me explain why. I fully
22. appreciate the fact that to reject out of hand by a Tabling
23. motion, may be more difficult for some of the membership than to
24. support and determine whether there are thirty members who could
25. support a substitute motion. Now, if the substitute motion fails,
26. of course, we then revert to the main motion, which is Senator
27. Rock's motion. My question is, is a substitute motion in order?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Harris, in our rules or in Roberts, there is no
30. provision for a substitute motion. Senator Johns, in Executive
31. Committee, and I and Senator Graham, have gone over this matter
32. and it has been custom in our Body that in committee, we allow
33. a substitute motion. I, however, have never found that in any

1. rule of this Body. If that be the will of the Body that substitute
2. motions be allowed, then I think it should be put before the Rules
3. Committee and discussed and then adopted by this Body. As of
4. this morning, there is no rule allowing a substitute motion.

5. SENATOR HARRIS:

6. Well, Mr. President, I would cite you that in Roberts, on
7. Page 128 through 129, there is provision in this language, that a
8. substitute for a main motion is a primary amendment and can there-
9. fore be moved only when no other amendment is pending. No amendment
10. to Senator Rock's motion is pending, and therefore, I respectfully
11. suggest that a substitute motion to this motion is, in fact, in
12. order. Our rules do provide that on those matters, not specifically
13. addressed in our rules, that Roberts is the authority for our
14. action.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Harris, that provision of Roberts deals with amending
17. the primary motion...your...and you have not asked to amend, you
18. have asked to offer a substitute motion. Senator Rock's motion
19. is to adopt the committee report of the Rules Committee.

20. SENATOR HARRIS:

21. Well...well, it seems to me that the language of Roberts is clear
22. that Senator Rock's motion is a main motion and that a substitute
23. motion, which is an amendment, is in order, but if I'm...and I'm
24. not...have you definitively ruled that that would not be in
25. order?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Neistein is not here to help us over this rough,
28. rough water. I'm told by the Parliamentarian, if you wish to
29. amend Senator Rock's motion, that would be in order. However, we
30. cannot find out how you would do that, and I cannot give you any
31. guidance. Your...your action would be to substitute and amend his
32. motion to adopt.

33. SENATOR HARRIS:

1. That's correct, and my...my motion would be expressed this
2. way. I move to substitute the following language in place of
3. Senator Rock's amendment to Temporary Senate Rule 10, "Amend
4. Temporary Rule 10", by adding after the last paragraph, the follow-
5. ing: "No proxy voting shall be allowed in any Senate committee or
6. subcommittee and all voting shall be by members who are personally
7. present." Now, that would be my substitute motion and that would
8. be the language by which I would offer it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rock.

11. SENATOR ROCK:

12. I wonder, Mr. ...thank you, Mr. President. I wonder, Senator
13. Harris, if because of the fact that this motion was in writing, and
14. asked for the adoption of an amendment to Temporary Rule 10 as approved
15. by the Senate Rules Committee, whether or not it would be, in fact,
16. better practice to act upon this motion or a motion to Table this
17. motion, and then, subsequently act upon your proposed substitute?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Harris.

20. SENATOR HARRIS:

21. Well, ...I tried to explain what I think is a fact of life for
22. all of us to appreciate, and that is that I'm certain that there
23. are members who wish to support the intent of my motion, which I
24. can get to one of two ways - to offer a motion to Table yours and
25. determine whether a majority of those voting on that question
26. determine to Table your motion, then, I would be in a position to
27. offer a main motion suggesting what I intend to do. Now, as a
28. matter of...of being aware of our individual sensibilities, I honestly
29. believe there are those who would prefer not to support a Tabling
30. motion of your motion, which is the product of your leadership, but
31. to deal prior to a consideration of that on the question of absolutely
32. eliminating proxies. If that prevails, fine, then we have determined
33. the course of Senate action, if it...I'm sorry, if it prevails.--- If it

1. fails, if the substitute motion fails, then we revert to your main
2. motion, and I know that there are some who prefer to abolish in the
3. absolute. But in the alternative, the provisional suggestion which
4. is the recommendation of the Rules Committee would be supported.
5. So, I'm just trying to get this in an order to really get at what
6. is, I think, the majority attitude of the Body, but until we, of
7. course, get to a roll call that can't be determined. I...what I
8. really am saying is that there are some whose sense of...of loyalty
9. and performance to the leadership would prefer not to support a
10. Tabling motion, but they would prefer to support a substitute motion.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rock.

13. SENATOR ROCK:

14. Well, in my...in...in response to that, Senator, I think that
15. when, in fact, a committee report, such as a report from the Rules
16. Committee, is, in fact, offered and there are motions pursuant to and
17. subsequent to that report moving the adoption of what is, in fact,
18. in the report. I think the membership has the right and should have
19. the right to vote upon the recommendation of the Rules Committee, one
20. way or the other, and not be, frankly, worried about substitutes or
21. possible substitutes or alternatives. If, in fact, the membership
22. decides that the...the recommendation of the Senate Rules Committee,
23. as explained, is not the best course, then they should defeat it,
24. period. And then, it seems to me and I suggest, is the proper time
25. to offer a substitute.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Mr. President, may I try one possible alternative to see whether
30. or not this would solve our dilemma. As one of those who would like
31. to vote as Senator Harris has indicated, I would prefer to vote for
32. total abolition, but I certainly don't want to vote to Table a...an-
33. other provision which I would support as a second choice. Would it

1. be...would it be in form if Senator Harris' motion read this way
2. for him instead of using the language of substitution, to move to
3. amend Senator Rock's motion which is the primary pending motion, to
4. eliminate everything beginning with the word "except" in line 2,
5. so that what would be left is, "No proxy voting shall be allowed in
6. any Senate committee or subcommittee"? In other words, the...the
7. motion would be to amend Senator Rock's motion by striking everything
8. after the word "subcommittee" in line 2. Would that be in order?
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Well, Senator Netsch and Senator Harris, I will now make a ruling
11. that both your motions are out of order, for this reason. We are on
12. the motion to adopt a committee report. Roberts Rule says that you...
13. if you wish to make a substitute motion to adoption of that committee
14. report that would be in order. You have asked, however, to change
15. the committee report. That must be done by amendment after we've
16. done away with Senator Rock's motion. So, I will rule that...that
17. your motion is out of order. The only motion that you are...would
18. be recognized for is the motion to Table Senator Rock's motion.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Harris.

21. SENATOR HARRIS:

22. All right, I accept your ruling without objection, but then,
23. I wish to move to postpone consideration of the committee report. And
24. then, when we reach the order of motions, I will be in order to move
25. to amend the Senate rules, and that...so I will, therefore, not put the
26. motion to Table Senator Rock's motion, but I will move to postpone
27. consideration of the committee report.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Harris, do you wish to make that to a time certain?

30. SENATOR HARRIS:

31. Yes...to...to the time certain being that time following a
32. consideration of my motion to amend Temporary Rule 10.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Harris, I did not know you were an attorney, but you've
2. ...made...very unclear language. Perhaps we could say to the
3. next meeting of the Senate, or...Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President. I would move that Senator Harris'
6. motion to postpone lie upon the Table.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock's motion is in order and is not debatable. Senator
9. Harris.

10. SENATOR HARRIS:

11. Well, I can't pose the next point without a smile, so I'll
12. decline the opportunity to be recognized.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Graham, did you seek recognition?

15. SENATOR GRAHAM:

16. Well, I just want to remind us again of my statement yesterday
17. about an attempt to perpetuate the breed of elephants, and I would
18. also suggest that you having some of your rulings may be unable to
19. distinguish between apples and oranges because a motion from over
20. there seems to be recognized different from one from over here.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. I recognize Senator Harris' motion to postpone consideration,
23. and the motion to Table would be in order. Senator Davidson.

24. SENATOR DAVIDSON:

25. Point of order. Giving you the point to...the motion to Table is
26. in order it also, but is it not also the motion to Table the same de-
27. laying motion as the motion to postpone, and therefore, it...the motion
28. to Table would be a substitute motion tfor the postponed consideration?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. No. Senator Davidson, we find ourselves in this situation.
31. Senator Rock has made a motion to adopt the committee report. Senator
32. Harris has made a motion to postpone consideration of that motion,
33. and Senator Rock, then, moved that Senator Harris' motion lay upon

1. the Table. If Senator Rock's motion prevails, then we will revert
2. ...we will not revert to the motion to postpone. If he fails, we will
3. then revert to the motion to postpone. If Senator Harris prevails,
4. then we would not revert to Senator...Rock's original motion. Failure
5. to that to prevail, we would then consider the motion of Senator Rock
6. as originally made. It is the question before the Senate to lay
7. the motion of Senator Harris on the Table made by Senator Rock. All
8. those in favor vote Aye. All those opposed vote Nay. The voting is
9. open. ...(Machine cut-off)...a majority of those voting on Senator
10. Rock's motion to lay upon the Table, Senator Harris' motion to post-
11. pone consideration. Have all voted who wished? Take the record. We
12. are on roll call, Senator Carroll. Senator Carroll.

13. SENATOR CARROLL:

14. While we're waiting for the roll call, I just thought I would
15. ask a parliamentary inquiry. Is it a fact that our debates are now
16. transcribed?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Yes, it is, Senator Carroll.

19. SENATOR CARROLL:

20. Would it be possible, then, to have some of the members of the
21. other sides comments transcribed in granite so that should the dice
22. ever roll, we could repeat them back to them?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. We will check on the appropriation to have them etched in
25. granite, Senator Carroll. On that question, the Ayes are 28, the
26. Nays are 25, 6 not Present. The motion to lay upon the Table
27. prevails. We now revert to the main motion. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. I do now move the previous question.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. ...(Machine cut-off)...Senator Netsch, I saw you first, then
32. Senator Harris, then Senator Knuppel. Senator Netsch.

33. SENATOR NETSCH:

1. Mine is...is a kind of parliamentary inquiry; Mr. President.
2. Whatever happens to Senator Rock's motion, which is now the motion
3. to adopt the Rules Committee Report, right? There will, in one
4. parliamentary form or another, be an opportunity to vote on the
5. question of abolishing proxies in toto. Is that a correct premise?
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Netsch, I would have no idea what may come before us.
8. What is now before us is the adoption of the Rules Committee Report.
9. Senator Netsch.

10. SENATOR NETSCH:

11. If the motion to adopt this Rules Committee Report prevails and
12. the record is then open for the offering of an amendment to this
13. rule as then adopted, which would take the form of the total aboli-
14. tion, that would be considered an order at that point?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Yes, Senator Netsch, that would be true that the rules could be
17. amended by motion of anyone from the Floor. I would alert you, how-
18. ever, that that is a different vote requirement. A vote required to
19. adopt the committee report is a majority of those voting. To amend
20. those committee...to amend the rules as drafted would require a
21. majority of those elected or thirty votes.

22. SENATOR NETSCH:

23. Thank you, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Harris.

26. SENATOR HARRIS:

27. Well, I intend to get to the point of moving to Table
28. Senator Rock's motion to adopt the committee report. I don't
29. want to deny anyone the opportunity to discuss the question
30. further...when...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Well, Senator Harris, did you wish to make a motion to Table?

33. SENATOR HARRIS:

1. Well...yes, can you determine, does anyone else wish to be heard
2. on Senator Rock's motion?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. I believe not. I will...

5. SENATOR HARRIS:

6. Okay. All right. Preparatory to my putting the motion to
7. Table, I do want to acknowledge Senator Carroll's indication.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rock.

10. SENATOR ROCK:

11. What, in fact, Mr. President, happened to my motion to move the
12. previous question?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Well, that was a primary motion, we then went to two subsidiary
15. motions. We are now back on the primary motion and a motion to Table
16. the primary motion would be in order if Senator Harris would be brief
17. and so state, we can get to a roll call on that...on that matter.

18. SENATOR HARRIS:

19. Okay. Well, I just wanted to acknowledge Senator Carroll's...
20. acknowledgement that we will be in the majority some day, and I
21. appreciate that. I move to Table Senator Rock's motion.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is to Table the motion by Senator Rock to adopt
24. the committee report of the Rules Committee. All those in favor
25. vote Aye. All opposed vote Nay. The voting is open. ... (Machine
26. cut-off)...a majority of those voting on the issue. To state the
27. motion again, it is a motion by Senator Harris to Table Senator
28. Rock's motion to adopt. ... (Machine cut-off)...voted who wish?
29. Senator Romano.

30. SENATOR ROMANO:

31. A yes or a no vote, I...I kind of missed it, and I'd like to
32. have some...clarification.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. It's understandable, Senator Romano. Those who favor Senator
2. Harris would vote Aye. Those who favor the position of Senator
3. Rock would vote No. And we are on roll call. We are on roll call,
4. gentlemen, I...have all voted who wish? Take the record. On that
5. question, the Ayes are 29, the Nays are 22, 8 not Voting. The motion
6. to Table is adopted. Further motions? Senator Buzbee.

7. SENATOR BUZBEE:

8. Parliamentary inquiry, Mr. President. I'll have to admit that
9. ...that Robert lost me there somewhere along the line. Now, I'm
10. wondering, we have now Tabled Senator Rock's motion to limit the
11. use of proxy voting? Yes, we have Tabled his motion.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. We...we have Tabled his motion which, in effect, means the
14. committee report was not adopted. That's where we are.

15. SENATOR BUZBEE:

16. Yes...okay...that's my point. Now, so if...if I understand
17. correctly, unless another motion is offered, that means at this
18. point we still are operating under the old temporary rules which
19. means we still have unlimited proxy voting? Is that right?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. That...no...Senator Buzbee, you are in error. The old...you are
22. in error. The old rules are completely silent as to proxies. That
23. would, at this point, revert to our traditional approach of allowing
24. committee chairman to determine the use of proxies within their
25. respective committees.

26. SENATOR BUZBEE:

27. Thank you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Palmer.

30. SENATOR PALMER:

31. For my own edification, I'd like to ask a point of parliamentary
32. procedure. I didn't want to ask you before because you stated you
33. had some confusion, I didn't want to add to it. Senator Rock had a

1. motion and Senator Harris made a motion of postponed consideration.
2. Isn't it my...it's my understanding that only the sponsor can make
3. that motion. Am I right or not?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. No, Senator, a motion to postpone consideration would be appro-
6. priate. The sponsor can call the bill, and he would have the only
7. ...he would be the only person that could call it for consideration.
8. The Body, then, can decide whether or not...

9. SENATOR PALMER:

10. The Body's the only person that could postpone it. Why...why
11. ...what rule provides for any member to postpone any other member's
12. bill or measure or motion?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator, on roll call, we allow the sponsor to postpone con-
15. sideration. On roll call, the sponsor may postpone consideration.
16. Any other time, the Floor...well, you can entertain a motion from the
17. Floor to postpone. ...(Machine cut-off)... Netsch.

18. SENATOR NETSCH:

19. Mr. President, I am perfectly willing to defer to Senator
20. Harris. I think we both have in mind the same motion at the same
21. time. If you will recognize Senator Harris in my stead, I will
22. yield to him.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well, the Chair is reluctant to be guided around from side to
25. side. Senator Harris.

26. SENATOR HARRIS:

27. Well, thank you, Mr. President. I now would like to move that
28. the Senate amend Temporary Rule 10 by adding after the last para-
29. graph the following: "No proxy voting shall be allowed in any Senate
30. committee or subcommittee and all voting shall be by members who
31. are personally present."

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Harris moved to adopt an amendment to Temporary Senate

1. Rule No. 10. Is there discussion? Senator Kenneth Hall.
2. SENATOR HALL:
3. How many votes are required?
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Hall, it will require thirty affirmative votes to
6. adopt this amendment.
7. SENATOR HALL:
8. Thank you.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Further discussion? The question is the adoption of an amendment
11. to Temporary Rule Senate 10. All those in favor vote Aye. Those
12. opposed vote Nay. The voting is open. ... (Machine cut-off)... all
13. voted who wish. Take the record. On that question, the Ayes are
14. 39, the Nays are 13, 7 not Voting. The amendment to Temporary Senate
15. Rule No. 10 is adopted. Any further motions? Committee reports.
16. SECRETARY:
17. Senator Newhouse, Chairman of Pensions, Personnel and Veterans
18. Affairs, reports out the following bills:
19. Senate Bill 58, 70 and 164 with the recommendation Do Pass.
20. Senate Bill 20 with the recommendation Do Pass as Amended.
21. Senate Bill 7 with the recommendation Do Not Pass.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Messages from the House.
24. SECRETARY:
25. A Message from the House by Mr. O'Brien, Clerk...
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Excuse me, Mr. Secretary. Senator Romano.
28. SENATOR ROMANO:
29. Mr. President, I didn't hear the results of the last roll
30. call.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. I believe, Senator Romano, it was thirty-nine, twelve, and six
33. not Voting.

1. SENATOR ROMANO:

2. All right.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Thirty-nine to thirteen. I will consult the official record
5. now having heard three different votes. Senator Romano, we'll have
6. you the vote. The vote was thirty-nine to thirteen. Messages from
7. the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate that
11. the House of Representatives has adopted the following Preamble and
12. Joint Resolution, in the adoption of which I am instructed to ask the
13. concurrence of the Senate, to-wit:

14. House Joint Resolution No. 10 and Senator Sommer is
15. handling this.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sommer.

18. SENATOR SOMMER:

19. Mr. President, I move to suspend the rules for immediate
20. consideration and adoption of this...this resolution. This is the
21. ...this is to allow the Majority and Minority Leaders to make ap-
22. pointments on the Dirksen Memorial Commission. Senator Donnewald
23. and I have discussed this, and he asked me to handle it since
24. Senator Dirksen was from Pekin.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to suspend the rules for the immediate consider-
27. ation and adoption of the...of the message. All those in favor say
28. Aye. Opposed. Now on the adoption. All in favor say Aye. Opposed.
29. Message...resolution is adopted.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate that
33. the House of Representatives has adopted the following Joint

1. Resolution, in the adoption of which I am instructed to ask the
2. concurrence of the Senate, to-wit:

3. House Joint Resolution 17.

4. (Secretary reads title of bill)

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Adjournment Resolution. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. This is the Joint Resolution calling
9. for adjournment until Tuesday at noon. I would move its adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Daley, on this question? Well...we'll get to
12. announcement in...in a minute. Senator Rock has moved we adopt the
13. Adjournment Resolution. All in favor say Aye. All opposed, No.
14. Ayes have it. Senator...we have further messages from the House,
15. gentlemen. We'll get to announcements in one moment.

16. SECRETARY:

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

18. Mr. President - I am directed to inform the Senate that
19. the House of Representatives has passed a bill to the following
20. title, in the passage of which I am instructed to ask the concurrence
21. of the Senate, to-wit:

22. House Bill 37, 84.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Harber Hall.

25. SENATOR HALL:

26. Mr. President, I'd like the Journal to show that the reason
27. for Senator Clarke's absence this morning is that he had a tele-
28. phone call, his wife had a fall down the stairs and he had to rush
29. home.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The record will so note. Introduction of bills.

32. SECRETARY:

33. Senate Bill 279 introduced by Senators McCarthy, Bruce, Regner

1. and others.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. Senate Bill 280 introduced by Senators Joyce, Romano, Johns
5. and others.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. Senate Bill 281 introduced by Senators Joyce, Bruce, Latherow,
9. Demuzio and Knuppel.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. Senate Bill 282 introduced by Senators Glass, Fawell, Berning
13. and Nimrod.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. We now shall go to the order of Senate Bills 2nd reading.
18. Senator Donnewald, Senate Bill 8. Senator Fawell, Senate Bill 44.
19. Is anyone handling the bill for Senator Fawell? Senate...Senator
20. Nudelman, Senate Bill 48.
21. SECRETARY:
22. Senate Bill 48.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Any amendments from the Floor? Senator...
27. SECRETARY:
28. One Floor Amendment offered by Senator Partee. Senator...
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Nudelman, I think, will explain the amendment.
31. SENATOR NUDELMAN:
32. Mr. President, that's correct. It is my amendment, and it's
33. an amendment to add savings and loan and building and loan

1. associations to the provision in addition to banks. It's a simple
2. amendment. It...it's a red lining bill, and it...it's a little
3. more inclusive. I would move its...its acceptance of the amendment.
4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there any discussion of the amendment? Senator Nudelman
6. moves the adoption of Amendment No. 1 to Senate Bill 48. All those
7. in favor say Aye. All Opposed. The amendment is adopted. Any
8. further amendments? 3rd reading. Senate Bill 224, Senator Mohr.
9. ... (Machine cut-off)... Senate Bill 3rd reading. Senator Hickey,
10. Senate Bill 35. Hold. Senator Buzbee, Senate Bill 47.

11. SENATOR BUZBEE:

12. Yes, Mr. President, I would respectfully request that...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. One moment, Senator Buzbee, while the Secretary reads the bill
15. a third time. Senator Buzbee.

16. SENATOR BUZBEE:

17. Prior to the reading of the bill, I would like to alert Senator
18. Smith that Senate Bill 47 is coming back, the one that we were dis-
19. cussing yesterday, Senator.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Smith.

22. SENATOR SMITH:

23. As of yesterday, as well as of today, I have no opposition
24. whatever to the bill as printed. I did have objection to the
25. explanation of the bill that was given by the sponsor of the
26. bill as I called his attention this morning. And the tapes will
27. support what I'm about to say. I ask of him from what source
28. the appropriation would be made, and his answer was General
29. Revenue. I knew, then, and I know now that no appropriation for
30. that purpose should be made.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Well, Senator Smith, if I...if I may interrupt you. The bill
33. is...is not before the Senate at this point. It has not been read

1. a third time, and...and Senator Buzbee asked you the question
2. whether or not you had objection to having it called, I believe
3. was the question. No objection.

4. SECRETARY:

5. Senate...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. 3rd reading.

8. SECRETARY:

9. Senate Bill No. 47.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. Yes, Mr. President, Senator Smith was absolutely correct in
16. that I was inaccurate in saying that this money would come from
17. General Revenue Funds. The fact of the matter is that this money
18. would come from the SIU Income Fund which I know you are all aware
19. is where tuition goes into the Income Fund and so forth. Now, there
20. was some question as to the Comptroller's records as of the 31st day
21. of January, 1975, when he showed some sixty percent...pardon me, some
22. fifty-four percent of the commodities account unexpended. First of
23. all that is cash expenditures only, it's not what had been obligated
24. as of January 31st. As a matter-of-fact, as of the 31st day of
25. January, approximately seventy percent of this money had already
26. been obligated. Of this amount that had been expended, it had
27. been expended on the cheap coal, that part that was going to pay
28. for the coal was on the old seven, eight, and nine dollar a ton
29. coal. They are now paying better than twenty-seven dollars per
30. ton. There was a coal strike in December, and coal could not be
31. purchased during the month of December, so as a result they used
32. up their whole on hand supply. Now in January, the University
33. started getting heavy deliveries, and as of 31 January, this coal

1. had not been paid for yet. So again, it was not reflected in
2. the Comptroller's records as of 31 January because they had not
3. paid for it yet. Right now, they're in...they're in their
4. heaviest usage period, and they're going to be in the red very
5. fast. By the way, this is the first time that SIU has ever asked
6. for deficiency appropriation for energy purposes. I would be glad
7. to try to answer any questions or...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Egan.

10. SENATOR EGAN:

11. Yes, Mr. President and members of the Senate, let me just
12. point out that this is the identical situation for Southern Illinois
13. University as was the bill that we passed yesterday for the...the...
14. the...the Board of Governors for the State Universities at Western
15. and Eastern. So, I think with that technicality out of the way,
16. Senator Smith, that...I believe you now support it as...as you
17. supported my bill yesterday, and I'd appreciate that.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Smith.

20. SENATOR SMITH:

21. Including my seatmate. I have no objection to the appropriation,
22. never had. I gave the sponsor of this legislation a copy of the
23. statement of the supposed financial condition of the proper source from
24. which the money should have been appropriated. He insisted that the
25. money should come from the General Revenue Fund. Is that right,
26. Senator?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. No, Senator Smith. I...I stood corrected, what you said yester-
31. day was absolutely true. It does not come from General Revenue, it
32. comes from the SIU Income Fund.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Smith.

2. SENATOR SMITH:

3. The President sought to correct you, Senator. I further
4. said that if you intended to appropriate as much as a dollar and
5. fifty cents for this cause from the General Revenue Fund, I would
6. still object. I knew all the while that your bill didn't so state
7. that the money should come from the...General Revenue, but from a
8. particular portion of the monies originally appropriated and from
9. which your bill stated it should be drawn. I tried to find your
10. bill here, I don't seem to have it, but I called your attention as
11. of yesterday that there was a particular fund provided, I think
12. this is it. Yes. Your bill provides an appropriation from Southern
13. ...from the Southern Illinois University Income Fund. That was
14. my contention as of yesterday, and that is my...conviction as of
15. today. You merely erred, Senator, when you said from General
16. Revenue, when it should properly come from the fund known as the
17. Southern Illinois University Fund. I'll...no need for me to try
18. to explain where the money has come from into that fund, though
19. I can if you insist. I know that it's from tuition and from other
20. sources, and the bill was correctly drawn and is correctly drawn,
21. and what I'd hope to argue as of yesterday was that there apparently
22. was yet sufficient funds in that particular fund from which the
23. monies might be appropriated, and it is true that the bill says
24. from that particular fund, but the gentleman said...the Senator
25. had said from General Revenue. I have no objection to the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Senator Smith, you and I are absolutely in one-hundred percent
30. agreement. We are talking about funds that are already there, but
31. for the University to expend any funds in their Income Fund, they
32. have to have an appropriation measure passed through the Illinois
33. State General Assembly, and that's what this bill, in fact, does do.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Buzbee.

3. SENATOR BUZBEE:

4. I would ask for a favorable roll call, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee has moved the adoption, or the consideration
7. of Senate Bill 47 as amended. All those in favor vote Aye. All
8. opposed vote Nay. The voting is open. Have all voted who wish?
9. Take the record. ... (Machine cut-off) ... that question, the Ayes are
10. 40, the Nays are 2, 17 Not Voting. Senate Bill 47 having received
11. the constitutional majority is declared passed. Senate Bill 77,
12. Senator Schaffer. Senate Bill 143, Senator Shapiro.

13. SECRETARY:

14. Senate Bill No. 143.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President, Ladies and Gentlemen of the Senate, Senate
21. Bill 143 is similar to Senator Egan's and Senator Bruce's bill
22. in that it is a supplemental appropriation to the Board of Regents
23. for Northern Illinois University in the amount of three hundred
24. and eighty-nine thousand, six hundred dollars, for increased
25. utility costs. Electricity costs are twenty-eight percent
26. higher; natural gas thirty-four percent; water, thirty-five per-
27. cent; sewage rates have... will increase seventy-three percent
28. for an approximate twenty-eight to seventy-three percent increase
29. in cost. I am willing to answer any questions on this bill,
30. other than that, I would appreciate a favorable roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Any further... discussion? Senator Shapiro moves the considera-
33. tion of Senate Bill 143. The question is shall Senate Bill 143

1. pass. Those in favor will vote Aye. Those opposed vote Nay.
2. The voting is open. ... (Machine cut-off)...voted who wished?
3. Take the record. ...That question, the Ayes are 47, the Nays
4. are 1, 1 Voting Present, 10 Not Voting. Senate Bill 143 having
5. received the constitutional majority is declared passed. Senate
6. Bill 145, Senator Schaffer. ... (Machine cut-off)...hold? 146,
7. Senator Schaffer. Senate Bill...Senator Buzbee.

8. SENATOR BUZBEE:

9. Mr. President, I'd like to get it straightened out on this
10. Floor, once and for all. You, Mr. President, are Senator Bruce, I
11. am Senator Buzbee. Senator Shapiro, I understand, made that mistake
12. which a lot of people seem to do, and you and I have an identity
13. crisis, but I think we know who each other are.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Yes, I'm the better looking one. Senate Bill 224, Senator Mohr.

16. SECRETARY:

17. Senate Bill 224.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mohr.

22. SENATOR MOHR:

23. Yes, Mr. President and members of the Senate, to give you
24. a little background, Senate Bill 34...was the...affect of the
25. rehabilitation of the Senate Chamber, and this is the last phase as
26. the...of the rehabilitation of...of project. Senate Bill 34 did
27. pass this...both Houses, and it transfers four million dollars
28. for the project from Capitol Development Board to the Secretary
29. of State who has agreed to take the responsibility for the project.
30. An amendment was requested by the Governor and agreed to by the
31. Space Needs Commission that four million dollars come from Capitol
32. Development Bond Funds instead of General Revenue, and Senate Bill
33. 224 does just that, it adds four million dollar...and adds a four

1. million dollar authorization to the Capitol Development Bond Act.
2. And the cost burden of the Senate Chamber rehabilitation will be
3. spread over several years, rather than just one. I would remind
4. you, Mr. President, this would take three-fifths votes to pass this
5. legislation.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? The question is shall Senate
8. Bill 224 pass. Those in favor vote Aye. Those opposed vote Nay.
9. The voting is open. I would remind you, it will require thirty-
10. six votes. Senator Dougherty, would you vote me Aye. ... (Machine
11. cut-off)...voted who wished? Take the record... (Machine cut-off)
12. ...question, the Ayes are 42, the Nays are 1, 4 Voting Present, 12
13. Not Voting. Senate Bill 224 having received a constitutional
14. majority is declared passed. ...Senator Saperstein, do you wish
15. to call Senate Joint Resolution 1? Any further business to come
16. before the Senate? Senate Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President. I would like to ask leave to waive
19. the Sixth Day Rule for a subcommittee hearing of the Appropriations
20. Committee...which will meet on Tuesday, at 3:30 in...in the mezzanine
21. in one of the...M-1 it would be. But, I'd like to...have leave of
22. the Senate to waive the Six Day Rule.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan, if that is a subcommittee, it would...would
25. not require a six day notice in any event. If...I'm willing to waive
26. the rule, but there is not a rule relating to...

27. SENATOR EGAN:

28. Well, I wasn't sure. I just wanted to make positive. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, thank you, Mr. President. The...the Clerk for the ap-
33. propriation...or for the Committee on Executive on Appointments was

1. trying to get the notices down here today for the meeting for next
2. Tuesday. We're going to hear some of the Cabinet Appointments, so
3. we're going to possibly have to mail those to you sometime today.
4. So, I would have to ask leave for...to waive the Six Day Rule so that
5. these...these hearings can be next Tuesday afternoon.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Vadalabene has asked that the Six Day Notice Rule be
8. waived. Is there objection?

9. SENATOR VADALABENE:

10. Leave.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Leave is granted. Senator Daley.

13. SENATOR DALEY:

14. ...Mr. President and fellow Senators, the Senate Judiciary
15. Committee meeting today is postponed and continued to March 13th,
16. at 2:30 p.m., in Room 400, and all the bills were considered today
17. will be continued.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Any further announcements to come...any further business to
20. come before the Senate? Senator Harris.

21. SENATOR HARRIS:

22. Yes, Mr. President, for the benefit of the Republican members,
23. there will be a Republican caucus at 10:30, Tuesday, a.m. A
24. Republican caucus on Tuesday, at 10:30. I will communicate with
25. you by mail, but I just want you all alerted to it now. Now, it's
26. my understanding that we convene at noon on Tuesday, isn't that
27. correct?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. That is correct.

30. SENATOR HARRIS:

31. Yes, okay. Republican caucus at 10:30, Tuesday morning.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Any further business to come before the Senate? Senate will
stand adjourned until Tuesday, March the 11th, at 12:00 o'clock, noon.