

79th GENERAL ASSEMBLY

REGULAR SESSION

JULY 2, 1976

1. PRESIDENT:

2. The hour of ten having arrived the Senate will come to
3. order. Will our guests in the gallery please stand as we
4. have prayer by Senator Kenneth Hall?

5. SENATOR HALL:

6. Eternal God, our Father, reaching from end to end of
7. the universe and art in all things with Your mighty arm.
8. For You, time is the unfolding of truth that aready is. The
9. unveiling of beauty that is yet to be. Your Son has saved
10. us in history by rising from the dead so that transisting time
11. He might free us from death. May His presence among us lead
12. to the vision of unlimited truth and unfold the beauty of Your
13. love we ask this in the name of Jesus, the Lord. Amen.

14. PRESIDENT:

15. Reading of the Journal. Senator Johns.

16. SENATOR JOHNS:

17. Mr. President, I move that reading and approval of the
18. Journals of Wednesday, June the 23rd, 1976, Thursday, June
19. the 24th, 1976, Friday, June the 25th, 1976, Saturday, June
20. the 26th, 1976, Sunday, June the 27th, 1976, Monday, June the
21. 28th, 1976, Tuesday, June the 29th, 1976, Wednesday, June the
22. 30th, 1976 and Thursday, July the 1st, 1976 be postponed pending
23. arrival of the printed Journals.

24. PRESIDENT:

25. You heard the motion. All in favor say Aye. Opposed
26. Nay. The Ayes have it. The motion carries. May we have your attention
27. now for a very important announcement. Senator Johns. For
28. a very important announcement. Senator Rock is recognized.

29. SENATOR ROCK:

30. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
31. As the membership is aware, we are down to ten bills actually
32. necessary for the fundamental operation of State government.
33. I have just been informed by the House that they have, in fact,

1. recessed until 11:30 and I am going to suggest the Senate do the
2. same for this purpose: that the Conference Committee on the
3. Department of Mental Health, House Bill 3377, which is our
4. membership is Senators Joyce, Hynes, Buzbee, Weaver, and Regner,
5. the House has requested that they meet in Room 118 at 10:15.
6. The Conference Committee on the Omnibus Commission Bill, which
7. for our Chamber means Senators Egan, Hynes, Partee, Weaver
8. and Regner will meet at 10:45 in Room 122 A; and the Conference
9. Committee on Senate Bill 1934, the Judicial Omnibus Bill
10. which is Senators Carroll, Egan, McCarthy, Weaver and Shapiro
11. will meet at 10:45 in 122 B. If we can get these three
12. Conference Committees resolved, then I would strongly suggest
13. that the...we stand in recess until 11:30 and urge the membership
14. to be back here at 11:30 ready to vote on these remaining ten
15. bills and perhaps we can be out of here in about an hour.

16. PRESIDENT:

17. And the Senate will stand in recess until 11:30, but
18. please be back at 11:30 because we're going to start to move.

19. Recess

20. After Recess

21. PRESIDING OFFICER: (SENATOR ROCK)

22. The hour of 11:30 having arrived, I've just been requested
23. by the Speaker, because of these Conference Committees still
24. meeting down on the first floor, that the Senate will stand in
25. recess until the hour of noon.

26. Recess

27. After Recess

28. PRESIDENT:

29. The Chair has an announcement. I'm given to understand that
30. most of the paperwork has been done...most of the work has been
31. done with reference to the decision making process on the
32. Conference Committee Reports and that there yet remains the paper-
33. work to be done and putting it in form. So the Chair is going to

1. recess until 1:00 o'clock. Hopefully, that when we come back
2. at 1:00 everything will be in order and we can go right through
3. the Calendar and the Conference Committee Reports. The Senate
4. will be in recess until 1:00 o'clock.

5. Recess

6. After Recess

7. PRESIDENT:

8. We do have business that can be taken care and if those
9. of you who are still in your offices, if you'd just get over
10. here, we can start moving. We have three or four Conference
11. Committee Reports that are ready and ready to go, but we need
12. the membership here. For what purpose does Senator Schaffer
13. arise?

14. SENATOR SCHAFFER:

15. Mr. President, on the Secretary's Desk there is a resolution
16. which I believe is noncontroversial. We might handle that while
17. we are assembling strength.

18. PRESIDENT:

19. What is the number, 10...what is the number?

20. SENATOR SCHAFFER:

21. 105, Mr. President.

22. PRESIDENT:

23. House Joint Resolution 105, Senator Schaffer.

24. SENATOR SCHAFFER:

25. House Joint Resolution 105 extends the date of the Data
26. Information Systems Commission. The reporting date from
27. December 31st 19...or to December 31st, 1976. I don't believe
28. there's any Middle Fork money or anything else controversial
29. in the resolution.

30. PRESIDENT:

31. Any discussion? Senator Schaffer moves the suspension
32. of the rules for the immediate consideration of this resolution.
33. All in favor say Aye. Opposed Nay. The Ayes have it. The resolution...

1. the rules are suspended. Senator Scahaffer now moves immediate
2. adoption of this resolution. All in favor say Aye. Opposed
3. Nay. The resolution is adopted. Now, we have but one other
4. resolution in that category in terms of extending a date. Would
5. you...that's Senator Buzbee's on the...let me just see it a moment,
6. please. That is on Senate Resolution 267 to extend the date of
7. reporting to January 15th, 1977. Senator Graham moves to
8. suspend the rules for the immediate purpose of consideration
9. of this resolution. The number please, should be 425 or something
10. like that.

11. SECRETARY:

12. 424. Senate Resolution 424 introduced by Senators Buzbee and
13. Graham.

14. PRESIDENT:

15. Senator Graham moves to suspend the rules for the immediate
16. consideration of this resolution. All in favor say Aye. Opposed
17. Nay. The rules are suspended. Senator Graham moves the immediate
18. adoption of this resolution. All in favor say Aye. Opposed
19. Nay. The resolution is adopted. Introduction of bills.
20. Introduction of bills.

21. SECRETARY:

22. Senate Bill 2020 and 2021.

23. PRESIDENT:

24. Rules Committee. The gentleman with the leisure suit,
25. Senator Donnewald, seeks to be cosponsor of your bill, Senator Hall.
26. Is leave granted? Leave is granted. Senator Hall, the number is
27. 2020. It shows you have good vision. That's Harber Hall, yes,
28. I know. On the order of Consideration Postponed, Senator Mitchler
29. here? On the order of the Secretary's Desk, page three, House
30. Joint Resolution 101, Senator Morris.

31. SENATOR MORRIS:

32. Thank you, very much, Mr. President. This is a rather
33. perfunctory resolution. This is the resolution concerning the
34. Waukegan Port District and that's Port, P-o-r-t and this would

1. authorize the Department of Transportation to allow the
2. Waukegan Port District to build a rubble break water and what it
3. really says is that the land under Lake Michigan, which is
4. owned by the State, they could put fill on that spot. The Department of
5. Transportation is prepared to issue this permit and this resolution
6. is somewhat perfunctory, but apparently the corps of engineers
7. has told the attorney for the Waukegan Port District that a
8. resolution is necessary in filing for application of all of the
9. papers and that's really what this is all about. I'll answer
10. any questions and I'd appreciate a favorable vote.

11. PRESIDENT:

12. Senator Netsch.

13. SENATOR NETSCH:

14. Senator Morris, did I understand you to say you're going
15. to build into our lake?

16. PRESIDENT:

17. Senator Morris.

18. SENATOR MORRIS:

19. Well, a break water, but on that break water will be two
20. landing strips and one stadium.

21. PRESIDENT:

22. Senator Netsch.

23. SENATOR NETSCH:

24. That has a familiar ring. I thought only we could do that.

25. PRESIDENT:

26. Senator Morris.

27. SENATOR MORRIS:

28. Well, we think this one will be no difficulty because it's
29. near what is known as the Government Pier and it really where there
30. are two break waters already there, this is just to put a
31. break water across for what is known as a northeaster and that's the
32. winds that knock over the sailboats, so that they can park
33. the sailboats without tipping them over. This would be somewhat like

1. the...many of the harbors in Chicago are just inland and they
2. have the breakwaters going out and that's what this is. It
3. would be behind two existing breakwaters.

4. PRESIDENT:

5. Senator Netsch.

6. SENATOR NETSCH:

7. Well, I will accept you at your word, but if I were you,
8. Senator Morris, that's the way it always begins and I'd keep
9. my eye on that breakwater.

10. PRESIDENT:

11. Senator Morris.

12. SENATOR MORRIS:

13. Well, I'm going to keep my eye on it and I've invited
14. Senator Daley and the Chicago delegation to Lake County in three
15. weeks to go coho fishing, but what I'm really bringing them up
16. for is to take a look at how you can build in a lake and we'll
17. see if we can work things out. Yes, as Senator Daley said the
18. RTA may run to this breakwater.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR MORRIS:

22. And if they put me on the bus, it may run off the edge.

23. PRESIDENT:

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President. Sponsor will yield, I also
27. in the same line read in that this resolution is for the northeastern
28. Illinois boating public. Is that the six county region? And are
29. we intending to set up a boating authority for the six county
30. region?

31. PRESIDENT:

32. Senator Morris.

33. SENATOR MORRIS:

1. As I understand it, that's called the BBA. We are willing
2. to allow anybody who would like to boat, to use the facilities
3. at Lake Michigan, because the lake is not owned by Waukegan or
4. any other element of government. The lake is owned by the
5. Illinois Department of Transportation according to legal
6. documents and it is as much your lake as mine, Senator Carroll,
7. and in fact over half the boats now using Waukegan Harbor,
8. have ownership which is in Cook County, because the...there are
9. something like six thousand people within the Chicago metropolitan
10. region right now who are looking to put boats into the water and
11. there's a shortage. Chicago has got a waiting list quite long
12. and so does Waukegan, so yes, it is for the entire regional
13. area.

14. PRESIDENT:

15. Senator Palmer.

16. SENATOR PALMER:

17. Not on this subject.

18. PRESIDENT:

19. No, just stand on dry land. We'll get back to you. Senator
20. Morris moves for the suspension of the rules for the immediate
21. adoption of House Joint Resolution 101. All in favor will say
22. Aye. Opposed Nay. The Ayes have it. The rules are suspended.
23. Senator Palmer now moves the adoption of House Joint Resolution...
24. pardon me, Senator Morris moves the adoption of House Joint
25. Resolution 101. All in favor say Aye. Opposed Nay. The Ayes have
26. it. The resolution is adopted. Told you so, didn't I? For what
27. purpose does Senator Bloom arise?

28. SENATOR BLOOM:

29. Thank you, Mr. President. Are there other resolutions that
30. we could consider while we're awaiting action of the House?

31. PRESIDENT:

32. Pardon me, Sir?

33. SENATOR BLOOM:

34. Are there other resolutions that we could consider while we
35. await action from the House?

36. PRESIDENT:

37. If we started that, we may not get to the other matters. So,...

1. SENATOR BLOOM:

2. Thank you.

3. PRESIDENT:

4. ...we'll hold those. Senator Rock.

5. SENATOR ROCK:

6. There are, in fact, some Conference Committee Reports upon
7. which we can act. I have 3392 which is the Department of Children
8. and Family Services. Senator Netsch has a noncontroversial one
9. which we might establish some kind of roll call on, that's House
10. Bill 2736.

11. PRESIDENT:

12. Will the members be in their seats?

13. SECRETARY:

14. Second Conference Committee Report on House Bill 2736.

15. PRESIDENT:

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. I would move adoption of the
19. Second Conference Committee Report on House Bill 2736, for a
20. noncontroversial bill, I must say this one has had a tortuous
21. history. What happened was that after the First Conference
22. Committee Report, one member of the House asked us please to remove
23. the provisions which changed the election code to reflect the fact
24. that our six months residency requirement is unconstitutional
25. under the United States Supreme Court decision of Dunn versus
26. Bradstreet. We could not persuade that member of the House that the
27. Supreme Court opinion was indeed applicable also to the State
28. of Illinois, and rather than create a huge furor in the House at this
29. stage, when they have enough of those to go around, we decided
30. simply to take those sections out and to put the bill back in the
31. form where it includes basically only two things, the original
32. purely revisory provisions making changes that reflect changes in the
33. Judicial Article of the Constitution and a second section which does

1. reflect the provisions of the Federal Overseas Voting
2. Rights Act. We felt it was necessary still to include those
3. because there are some procedural provisions which ought to be
4. applicable for the election this November and we did not want
5. that to pass by. So, in the meantime, we have removed all of
6. the reference...we have removed from the Conference Committee
7. Report those provisions which attempted to comply our law with
8. the Federal law on durational residency requirements for voting.
9. It's too bad. It just means we'll simply have to come back
10. next year and clean up the Statutes. But, was better to do that...

11. PRESIDENT:

12. Well, just...just a moment. Just a moment. Will all not
13. entitled to the Floor, please leave the Floor? Go right ahead,
14. Senator.

15. SENATOR NETSCH:

16. In any event, I think it is too bad to have to forego
17. this opportunity to clean up the Statutes before November
18. but it is not worth a three and a half or four hour harangue
19. in the House and so we have backed down. Senator Davidson has
20. been a participant in this from the beginning. We both agreed
21. here as well as the House sponsors, that this was the better
22. course to take. The bill, now, does only those two things,
23. the purely revisory aspects and the conformance of our law to the
24. Federal Overseas Voting Rights Act. I would move adoption
25. of the Second Conference Committee Report on House Bill 2736.

26. PRESIDENT:

27. Any further discussion? At a convenient time the Chair
28. would like to have a citation to that decision. The question is
29. shall the Senate adopt the Conference Committee Report on House
30. Bill 2736? Those in favor vote Aye. Opposed Nay. The voting
31. is open. Have all voted who wish? Take the record. On that
32. question the Ayes are 44, the Nays are none with none Voting
33. Present. The Senate does adopt the Second Conference Committee

1. Report on House Bill 2736 and the bill having received the
2. required constitutional majority...three-fifths majority, is
3. declared passed. Senate Bill 1608, Senator Knuppel.

4. SENATOR KNUPPEL:

5. Mr. President, when the Senate Bill 1608 went to the
6. House, there were four amendments adopted, No. 1, No. 2,
7. No. 4, and No. 8. The bill returns in that posture and at this
8. time, I would move that the...that the Senate accede to the
9. four amendments which did increase by some amount restorations
10. in the original appropriation for the Department of General
11. Services. The first amendment was a technical amendment to correct
12. a...an amendment in our own amendment...the Senate amendment
13. which was designed to restore twenty-one thousand dollars, but in
14. fact, went in the wrong direction and took off an additional
15. forty-nine thousand so that this now will add seventy thousand
16. dollars which has been and is to be used for some kind of a
17. garage situation. The Amendment No. 2 is...affects a transfer
18. of MID Service Bureau from the Department of Finance to the Department
19. of General Services, No. 4 restores eight thousand dollars
20. to the equipment line in the Procurement Division and No. 8 restores
21. funding for...for Vehicle Information Management System which
22. was cut out by the Senate. I have secured assurances from
23. those people connected with the...the Department of General
24. Services that the money restored will not be used to replace
25. jobs that have...that were cut by the Senate Appropriations
26. Committee. This is about all I can say about this matter. I think
27. in this status and this state of affairs that we should accept
28. and accede to the amendments placed on this appropriation in the
29. House and I would move for a favorable roll call.

30. PRESIDENT:

31. Any further discussion? The question is shall the Senate
32. concur in Amendments Numbered 1, 2, 4, and 8 to Senate Bill
33. 1608? Those in favor vote Aye. Opposed will vote Nay. The

1. voting is open. Have all voted who wish? Take the record.
2. On that question the Ayes are 45, the Nays are none with none
3. Voting Present. The Senate does concur in Amendments No. 1, 2,
4. 4, and 8 to Senate Bill 1608 and the bill having received the
5. required constitutional majority, is declared passed. Let
6. the record show that it had the three-fifths required vote.
7. Senate Bill 1936, Senator Rock. You want 3392 first?

8. SENATOR ROCK:

9. No, 3411.

10. PRESIDENT:

11. All right...Senate Bill...take 1936 out of the record.
12. House Bill 3411, Senator Buzbee.

13. SENATOR BUZBEE:

14. Yes, Mr. President. This is the annual appropriation for the
15. Department of Local Government Affairs. We had some problems in
16. the House in their refusing to concur in our amendment which put in
17. money for...some...grants...NIPS and SIPC and they have now
18. concurred in our amendment and I would move for adoption.

19. PRESIDENT:

20. Any further discussion? The question is shall the...shall the
21. Senate adopt the First Conference Committee Report on House Bill
22. 3411? Those in favor will vote Aye. Opposed Nay. The voting is
23. open. Have all voted who wish? Take the record. On this question
24. the Ayes are 47, the Nays are none. The Senate...and none Voting
25. Present. The Senate does adopt the First Conference Committee
26. Report on House Bill 3411 and the bill having received the required
27. three-fifths constitutional majority is declared passed. House
28. Bill 3403, Senator Demuzio.

29. SENATOR DEMUZIO:

30. Thank you, Mr. President, members of the Senate. House Bill
31. 3403 on Postponed Consideration is the appropriation bill for the
32. Department of Conservation. Very briefly, the...in the Conference
33. Committee we reduced the land and historic sites by an additional
34. forty-five thousand dollars, put back forty thousand dollars in

1. law enforcement. In Amendment No. 3...we restored one hundred
2. thousand dollars to drain...to dredge the drainage ditch in Union
3. County, a hundred and ten thousand or a hundred thousand to purchase
4. land in Hamilton County, two hundred and fifty thousand dollars for
5. a lake in Crawford County, deleted thirteen thousand for the main-
6. tenance of the Carroll Custom House, deleted the Seven Mile Lake and
7. restored the little Saline Lake. And basically, that is...that is
8. it. I move to adopt the First Conference Committee Report.

9. PRESIDENT:

10. Any further discussion? The question is shall the Senate adopt
11. the First Conference Committee Report on House Bill 3403? Those in
12. favor vote Aye. Opposed Nay. The voting is open. Have all voted
13. who wish? Take the record. Senator Harris.

14. SENATOR HARRIS:

15. Should...would it be improper for me to say that Jim Helfrich
16. can go back to his office now?

17. PRESIDENT:

18. On this question the Ayes are 46, the Nays are none with 2
19. Voting Present. The Senate does adopt the First Conference
20. Committee Report on House Bill 3403 and the bill having received
21. the required three-fifths constitutional majority is declared
22. passed. Senate Bill...Senate Bill 1739, Senator Regner.

23. SENATOR REGNER:

24. Mr. President and members of the Senate. Senate Bill
25. 1739 started out in the Senate here as a simple little bill
26. to resolve a potential problem in the acquiring of...of for
27. self insurance of State owned vehicles that the State couldn't
28. purchase commercial insurance. Went out of the Senate 56 to
29. nothing, came back from the House with a five page amendment
30. on that I didn't understand very well, moved to nonconcur and a
31. Conference Committee was appointed. I went to the Conference
32. Committee. Senators Carroll, Senator Glass, Senator Palmer,
33. Representatives Epton, Representative Berman were there, with
34. staffs of Saul Morris and David Epstein and the Director of the

1. Department of Finance, Elliot Epstein was there. I sat through
2. the meeting for about ten minutes with all these distinguished
3. lawyers, didn't have the foggiest notion of what they were
4. talking about and I looked at the makeup of the committee and
5. I said to myself, I don't have the...any right at all to be in
6. this group, especially being a poor German butcher boy. So,
7. I appointed Senator Howard Carroll as my council and I went
8. to the Conference Committee on Mental Health. I do want to move
9. to adopt this Conference Committee Report, but if there are
10. any questions of the five page Conference Committee Report,
11. I would wish they would be asked of Senator Howard Carroll.

12. PRESIDENT:

13. Any further discussion? Senator Harber Hall.

14. SENATOR HALL:

15. Question for Senator Carroll.

16. PRESIDENT:

17. He indicates he'll yield.

18. SENATOR HALL:

19. Would you explain what is in that five page Committee Report?

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Yeah, Epstein, Berman, Epton, Palmer and the other Epstein.
24. Additionally, what we did is take the House amendment, make a
25. few changes...very minimal changes to it. This deals with
26. the idea of the State becoming a self-insurer and what we have
27. said is that the Director of the Department of Finance has
28. the power to authorize settlements of claims against the State up
29. to a hundred thousand. We have provided for up to two million
30. in coverage where a State employee is sued and the State is
31. indemnifying that employee, between a hundred thousand and two
32. million, it will take the cosignature of the Governor to settle
33. any claims. This provides, therefore, that when people are sued
34. in the regular court system as opposed to the Court of Claims,

1. the State now has the power to self-insure. They've
2. found that they are paying an excessive amount of premiums
3. when the loss factor was only about thirty percent of the premium
4. dollars. It is presumed that this will save the State several
5. thousands of dollars each year.

6. PRESIDENT:

7. Senator Graham.

8. SENATOR GRAHAM:

9. Senator Carroll, would you say that this much...pretty much
10. indicates that once this Session, the Jewish block has prevailed?

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. It at least indicates that once this Session, the Jewish
15. block could agree to vote on anything. We still can't elect
16. a chairman.

17. PRESIDENT:

18. Any further discussion? The question is shall the Senate
19. adopt...the First Conference Committee Report on Senate Bill 1739?
20. Those in favor will vote Aye. Opposed Nay. The voting is open.
21. Have all voted who wish? Take the record. Have all voted
22. who wish? Take the record. On that question the Ayes are
23. 47, the Nays are none, with none Voting Present. The Senate
24. does adopt the First Conference Committee Report on Senate Bill
25. 1739 and the bill having received the required three-fifths
26. constitutional majority is declared passed. You want to go with
27. 3392? House Bill 3392, Senator Rock.

28. SECRETARY:

29. Second Conference Committee Report on House Bill 3392.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32. House Bill 3392 is the annual appropriation for the Department
33. of Children and Family Services. The Second Conference Committee

1. met on two occasions and we have determined by virtue of this
2. Committee Report that the House will concur in Senate Amendments
3. 1 and 2. Amendment No. 1, you will recall, is the Partee fifty
4. percent amendment. Amendment No. 2 made a three hundred and
5. thirty-six thousand dollar cut of which two hundred and seventy-
6. five thousand dollars represents the designated amount for the
7. collective bargaining agreements. Additionally, we have by
8. virtue of this Conference Committee Report, put back some
9. thirty thousand dollars for day care services. The House had
10. cut sixty out of a requested eight hundred and ninety thousand
11. dollar appropriation. We put back thirty thousand of that.
12. And finally, we have added the...an FY '76 deficiency at the request
13. of the Department and the Comptroller in the amount of thirty-
14. six thousand dollars for the subsidized adoption program. That
15. is the program to which the Department is subjected by court
16. order. The Department has absolutely no control over the amount
17. to be expended. It depends on court order, and they are...
18. they will have or do have a thirty-six thousand dollar deficiency
19. which should be paid. So, the Department's budget and sum total
20. is roughly one hundred and twelve million dollars, two million
21. dollars over the FY '76 budget. I think it's generally agreed
22. by both Houses and I would move the adoption of the Second
23. Conference Committee Report on House Bill 3392.

24. PRESIDENT:

25. Senator Rock...Senator Rock moves the adoption of the Second
26. Conference Committee Report on House Bill 3392. And the question
27. is shall the Senate adopt the Conference Committee Report on House...
28. Second Conference Committee Report on House Bill 3392? Those
29. in favor vote Aye. Opposed Nay. The voting is open. Have
30. all voted who wish? Take the record. On this question the Ayes
31. are 38, the Nays are 7 with 2 Voting Present. The Senate does adopt
32. the Conference...Second Conference Committee Report on House
33. Bill 3392 and the bill having received the required three-fifths
34. majority is declared passed. Senator Harris. House Bill...Senate

1. Bill 1934, who is the sponsor? Senator Carroll. 1934, Senator?
2. Is it here? Take it out of the record. We'll find it.
3. Senate Bill 1936, Senator Rock. Hold it? House Bill 3377,
4. Senator Joyce. Hold it a little bit. All right. Senator
5. Vadalabene, on the Secretary's Desk on the order of
6. nonconcurrence, you have House Bill 2804, you want to Table it or
7. what? Senator Vadalebene.
8. SENATOR VADALABENE:
9. Yes, Mr. President, can I just leave it there? I like
10. to look at it every day and...but I don't want to do anything with it.
11. PRESIDENT:
12. Well, I want to do something with it and I don't like to
13. look at it.
14. SENATOR VADALABENE:
15. Don't you think we ought to have a Conference Committee then?
16. PRESIDENT:
17. You won again, Sam. We'll leave it there.
18. SENATOR VADALABENE:
19. Thank you.
20. PRESIDENT:
21. Senator Bruce and Senator Harris, would you come here a moment?
22. Senator Johns.
23. SENATOR JOHNS:
24. Mr. President, on the bill on Children and Family Services,
25. I...I was trying to find that number here right quick.
26. PRESIDENT:
27. 3392. House Bill 3392.
28. SENATOR JOHNS:
29. 3392. I was looking away at other lights and I inadvertently
30. hit green when I meant to hit red and I'd like to have that as
31. a matter of record, Mr. President.
32. PRESIDENT:
33. The record will show that it was your intention to have voted
34. in opposition.

1. SENATOR JOHNS:

2. Thank you for that privilege.

3. PRESIDENT:

4. Thank you. Senate...Senate Bill 1934, Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. This is the Second Conference
7. Committee Report on Senate Bill 1934 which is the Omnibus Judicial
8. bill for the Judicial Inquiry Board, the Judges Retirement
9. System, the Court of Claims, the State Appellate Defender,
10. and the Prosecutors Advisory Council. The difference of this
11. Conference Committee from the prior one is that we have agreed
12. to reduce the level of funding for the Prosecutors Advisory
13. Council below the level, by about ninety thousand dollars below
14. the level of what we had passed it out of this Chamber in the
15. First Conference Committee. I would answer any questions and
16. ask for a favorable roll call.

17. PRESIDENT:

18. Any discussions? The question is shall the Senate adopt
19. the Second Conference Committee Report on Senate Bill 1934?
20. Those in favor vote Aye. Opposed Nay. The voting is open.
21. Have all voted who wish? Take the record. On that question
22. the Ayes are 45, the Nays are none with none Voting Present.
23. The Senate does adopt the Second Conference Committee Report
24. to Senate Bill 1934 and the bill having received the required
25. three-fifths majority is declared passed. House Bill 3377,
26. Senator Joyce.

27. SENATOR JOYCE:

28. Yes, Mr. President. That's the Mental Health appropriations
29. and I would move to concur in the Second Conference Committee
30. Report. What it did was the Senate receded from Amendments 3 and 4
31. and concurred in the rest and we put a million five hundred
32. thousand dollars back in for personal services. Now, possibly
33. this may mean that the Department is going to be back here for a

1. supplemental appropriations when we get back in the...in the fall.

2. But, I would move to concur in the Conference Committee.

3. PRESIDENT:

4. Any further discussion? The question is shall the Senate
5. adopt the Second Conference Committee Report on House Bill
6. 3377? Those in favor will vote Aye. Opposed will vote Nay.
7. The voting is open. Have all voted who wish? Take the
8. record. On that question the Ayes are 39, the Nays are 6
9. with none Voting Present. The Senate does adopt the Second
10. Conference Committee Report on Senate...on House Bill 3377
11. and the bill having received the required three-fifths constitutional
12. majority, is declared passed. For what purpose does Senator Carroll
13. arise?

14. SENATOR CARROLL:

15. Thank you, Mr. President. A few moments ago we were on the
16. order of Introduction of Bills and we had introduced House Bill 2...
17. Senate Bill 2021. I would ask now, Mr. President, that the
18. bill be discharged from the Committee of Rules, read a first
19. time and advanced to the order of 2nd reading. This bill was
20. part of the Conference Committee action on the Omnibus Judicial
21. Bill, Senate Bill 1934, wherein we agreed to reduce the salary
22. of the executive director of the Prosecutors Advisory Council
23. and take out the prohibition of him practicing law. We have to
24. do this by substantive language. It cannot be in the appropriations
25. bill and I would therefore, move you that the Rules Committee
26. be discharged and the bill be read a first time and advanced to the
27. order of 2nd, so that in November prior to his statutory pay raise,
28. we can reduce the salary and take out that prohibition.

29. PRESIDENT:

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. As a member of that Conference Committee, I concur with
33. Senator Carroll's remarks and I hope that members on this side will

1. join us in discharging the Committee of that bill so that
2. when we return in the fall, we can reduce the salary of the
3. director of the...of that agency by substantive language.

4. PRESIDENT:

5. Senator Carroll has moved that Senate Bill 2021 be discharged
6. from the Rules Committee, read a first...read a first time,
7. discharged from the Committee on Rule, bypass the Committee
8. on Assignment of Bills and be placed on the order of 2nd reading.
9. Senator...Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, I also want to concur in that because I was a member
12. of that Conference Committee, Mr. President and members of the
13. Senate.

14. PRESIDENT:

15. I will not repeat the motion. All in favor say Aye. Opposed
16. Nay. The Ayes have it. Is the bill present? Read the bill.
17. Senate Bills 1st reading.

18. SECRETARY:

19. Senate Bill 2021.

20. (Secretary reads title of bill)

21. 1st reading of the bill.

22. PRESIDENT:

23. 2nd reading. Mr. O'Keefe. For what purpose does Senator
24. Bell arise?

25. SENATOR BELL:

26. Thank you, Mr. President. While we've got a few moments,
27. here, I think most of the Senators are aware today that the United
28. States Supreme Court has made a ruling in reference to...in
29. reference to the death penalty. I know there's been some interest
30. on the part of the members of this Senate that have submitted
31. legislation affecting that particular ruling here in the State
32. of Illinois. Mr. President, of course, with the end of Session here
33. upon us now, there's little that can be done about those bills
34. that are before the General Assembly at this time. But, I would

1. like to ask you, Mr. President, as we go into that November
2. 16th Session for some form of commitment whereby the leadership
3. of this General Assembly will address those and that particular
4. issue and those bills that are now before the General Assembly.
5. What are your thoughts, Mr. President?

6. PRESIDENT:

7. Your comments will certainly be considered. Senator
8. Palmer.

9. SENATOR PALMER:

10. Mr. President, so long as you've been on the order of
11. Introduction of Bills, I wonder if we can go...I can make
12. an announcement.

13. PRESIDENT:

14. Senator Palmer.

15. SENATOR PALMER:

16. Would that be in order?

17. PRESIDENT:

18. Senator Palmer desires your attention for the purpose of
19. an announcement. Senator Palmer.

20. SENATOR PALMER:

21. On June 30th last some time ago, Senator Hynes asked and
22. made a motion which was carried and you rereferred Senate Bill
23. 153 to the Education Committee. And I'd like to make an announcement
24. of a meeting of that committee, which will be held on June
25. 12th at the Waldorf Astoria in New York City and I'd like to
26. make that announcement and also that to address themselves to that
27. bill there's been a subcommittee also appointed which will meet
28. in Kansas City on August 17th at the Plaza Hotel. Thank you,
29. very much.

30. PRESIDENT:

31. Thank you, very much, Senator. Senator Mitchler.

32. SENATOR MITCHLER:

33. May I make an announcement, Mr. President?

1. PRESIDENT:

2. Yes, levity is in order.

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate, as Representative
5. DiPrima did in the House, I would like to extend on behalf
6. of the Department Commander of the American Legion Ed Brennan
7. an invitation to all of you to attend the Illinois State Department
8. Convention of the American Legion, which is being held at the
9. Palmer House in Chicago starting Wednesday of next week through
10. Sunday. Now, it's customary that at the business session
11. on Friday and Saturday that when members of State government
12. or local government appear that they are escorted to the
13. rostrum and made an honorary delegate to the convention. So,
14. any of you that find it within your schedule to be in or near
15. the Palmer House in Chicago on Friday afternoon or Saturday
16. morning, if you would come to the Distinguished Guests Room
17. on the twentieth floor, I believe it's 2035 W, we will make
18. arrangements and have you made an honorary delegate to the convention.
19. The big parade is on Sunday stepping off at 1:00 o'clock and the
20. convention of the American Legion this year is destined to be
21. a very interesting one. Commander Ed Brennan of Jacksonville
22. is the outgoing commander. The incoming commander will be
23. Eugene Corum of Lemont. And the incoming senior vice commander
24. known to many of you is Jim Kisner from up in Palatine. So,
25. you're all invited and be glad to have you come aboard. Thank
26. you.

27. PRESIDENT:

28. Senator, I'm sure that was not in levity, I just sort
29. of assumed that was what you were going to do. Senator Howard
30. Mohr.

31. SENATOR MOHR:

32. Question of Senator Mitchler.

33. PRESIDENT:

1. Senator Mitchler.

2. SENATOR MOHR:

3. Senator, I know a number of dignitaries and members would
4. like to attend. Have you arranged for transportation?

5. PRESIDENT:

6. Senator Mitchler. 3840...you have 38...

7. SENATOR MITCHLER:

8. You all...you all will be...

9. PRESIDENT:

10. You have 38 hours and 40 minutes.

11. SENATOR MITCHLER:

12. You all will be properly transported wherever you may go.
13. Regardless of whether the CTA or RTA is running.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President and colleagues. As long as announcements are
18. being made, I figured why not? This is the twentieth anniversary
19. of our Classic Theatre Season in Rock Island and since the plays
20. we're doing this year seem to pertain so much to this Session,
21. Shakespeare's Much Ado About Nothing, and the Tempest, I
22. would like to extend an invitation to any of you who happen
23. by Rock Island we'll be doing our classic plays, if I ever get
24. there to start rehearsals, every weekend through the summer.

25. PRESIDENT:

26. Senator Berning. I'm just sure you want to comment on this,
27. wouldn't you, the Thespians and that sort of thing?

28. SENATOR BERNING:

29. Well, thank you, Mr. President, I'm delighted to respond
30. to my distinguished colleague, Senator Wooten and I am amazed
31. to learn that he is a Shakespearean Thespian. We do have something
32. in common.

33. PRESIDENT:

1. Drama makes strange bedfellows. The Senate will come
2. to order, the members will be in their seats. In the middle
3. aisle, please. In the middle aisle, please. For what purpose
4. does Senator Harris arise?

5. SENATOR HARRIS:

6. Mr. President, I rise for an important consideration with
7. respect to our procedure here. There is raised the question by
8. the arrival of July 1st that problem of an effective date of bills
9. passed prior to July 1 by the Senate and passed after July
10. 1 by the House. The Illinois Constitution in Article IV,
11. Section 10 states, "A bill passed after June 30 shall not become
12. effective prior to July 1 of the next calendar year unless the
13. General Assembly, by the vote of three-fifths of the members
14. elected to each House, provides for an earlier effective date."
15. We have two bills in the situation that both Houses did not pass
16. by three-fifths vote to mandate the immediate effective date.
17. Mainly, Senate Bill 1625 and House Bill 3417. It is, therefore,
18. my suggestion that final action be taken on these bills, the
19. Conference Committee Reports still being in our possession.
20. By the necessary three-fifths vote to assure that the orderly
21. operation of State government will be free from all doubt and the
22. bills can become effective when signed and further, Mr. President,
23. that the Secretary of the Senate be directed to send a supplemental
24. Message to the House to inform the House that we have reaffirmed
25. our prior action on these bills by the required constitutional
26. majority.

27. PRESIDENT:

28. It's a good suggestion, Senator, thank you. Senator Rock.

29. SENATOR ROCK:

30. Yes, thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. I rise in support of that suggestion and wish to inform the
32. membership that the...the House is similarly situated with respect
33. to two bills that they passed before July 1 in which we've acted
34. upon afterwards and they are making a similar effort in the House.

1. There are, in fact, three bills, Senator Harris, as I read the
2. Journal, Senate Bill 1625 and Senate Bill 1650 plus House Bill
3. 3417, I would concur in that motion and request an Aye vote from
4. all members.

5. PRESIDENT:

6. Senator Harris.

7. SENATOR HARRIS:

8. Well, yes, Senate Bill 1650 did pass here with 49
9. Yeas and that was the reason I did not include it. I have no
10. objection to dealing with it since it is one we can reaffirm
11. that vote, although it no doubt will not be 49 votes, but it
12. will be more than the three-fifths requirement. I have no objection
13. to its being included.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President, I recall a bill the first Session, three bills,
18. that I handled that passed this House prior to the deadline with
19. 30 or 31 votes and then passed the House with over a 107
20. votes later on. The question was raised and I don't believe
21. it was ever put to the test, but that precedent, at least,
22. has occurred in my experience.

23. PRESIDENT:

24. We appreciate that, but I think they may not raise questions
25. on the others. We want to make sure this time. The question is
26. on the adoption of the Conference Committee Report to Senate
27. Bill 1625? Those in favor will vote Aye. Opposed will vote
28. Nay. The voting is open. Senator Harris.

29. SENATOR HARRIS:

30. Mr. President, I think it probably ought to be stated
31. that we are considering the adoption of the Second...yes, okay.

32. PRESIDENT:

33. Second Conference...

1. SENATOR HARRIS:
2. Conference...
3. PRESIDENT:
4. ...Committee Report.
5. SENATOR HARRIS:
6. Yes.
7. PRESIDENT:
8. Yes. Have all voted who wish? Take the record. On
9. that question the Ayes are 43, the Nays are 4 with none Voting
10. Present. The Senate does adopt the Second Conference Committee
11. Report on Senate Bill 1625 and the Secretary is instructed to
12. reaffirm this vote with the House Clerk and the bill having
13. received the required three-fifths majority is declared again
14. passed. House Bill 3417. Take 3417 first. The question is shall
15. the Senate adopt the Second Conference Committee Report on House
16. Bill 3417? Those in favor vote Aye. Opposed Nay. The voting
17. is open. Have all voted who wish? Take the record. On this
18. question the Ayes are 45, the Nays are none with 2 Voting Present.
19. The Senate does adopt the Second Conference Committee Report
20. on House Bill 3417 and the bill having received the required
21. constitutional majority is again passed and the Secretary is
22. informed to inform the Clerk of the House of the reaffirmation
23. of this position. For what purpose does Senator Buzbee arise?
24. SENATOR BUZBEE:
25. Mr. President, I'd like the record to reflect the fact that
26. I was off the Floor temporarily, I would have voted Yes on
27. 3417 had I been here.
28. PRESIDENT:
29. Let the record so reflect. Senate Bill 1650. The
30. question is...Senator Bruce.
31. SENATOR BRUCE:
32. Thank you. Thank you, Mr. President and members of the Senate.
33. On this one I think we're being super technical since the bill does

1. have an effective date in the...in the Act and it passed the Senate
2. on June the 30th by 49 to nothing. I have no objection to going
3. along but I think for the record, we ought to make sure of the
4. fact that I think this one we are dotting the i's and crossing
5. the t's too many times. On the other ones, I think there was a
6. question, on this one I don't believe so, but I'm willing to go along
7. with the...the program we have but it did pass 49 to nothing
8. prior to July 1st with an effective date of July 1.

9. PRESIDENT:

10. Senator Rock. Well, just to...just to be absolutely certain,
11. let's run it. I think...

12. SENATOR ROCK:

13. Yes, my...my...my position has not, in fact, changed.
14. I think it...it probably is overly technical but being the purist
15. that I am, I think it's correct.

16. PRESIDENT:

17. Senator Harris.

18. SENATOR HARRIS:

19. Welcome to the club.

20. PRESIDENT:

21. The question is shall the Senate adopt the Second Conference
22. Committee Report on Senate Bill 1650? Those in favor will vote
23. Aye. Those opposed Nay. The Voting is open. Have all voted
24. who wish? Take the record. On this question the Ayes are 48, the
25. Nays are none with none Voting Present. The Senate does adopt the
26. Second Conference Committee Report on Senate Bill 1650 and the bill
27. having received the required three-fifths constitutional majority
28. is declared passed. And the Secretary of the Senate is instructed
29. to inform the Clerk of the House that the...this Body has reaffirmed
30. its action on that bill. For what purpose does Senator Hynes
31. arise?

32. SENATOR HYNES:

33. I just wanted to point out that, Mr. President, if Senator
34. Chew had been here he would have voted Aye and it would have been

1. 49 to nothing as the preceding time.
2. PRESIDENT:
3. Message from the House. That doesn't mean to leave, I
4. just want you to know that.
5. SECRETARY:
6. A Message from the House by Mr. O'Brien, Clerk.
7. Mr. President, I am directed to inform the Senate
8. that the House of Representatives has adopted the following
9. Joint Resolution in the adoption of which I am instructed
10. to ask the concurrence of the Senate, to-wit:
11. House Joint Resolution 109.
12. (Secretary reads HJR 109)
13. PRESIDENT:
14. Senator Rock.
15. SENATOR ROCK:
16. Thank you, Mr. President. As you indicated, this is the
17. Joint Resolution, the adjournment resolution. I would move to
18. suspend the rules for the immediate consideration and adoption.
19. This does not, however, mean that we are leaving immediately,
20. unfortunately. There are three bills still pending. One in the
21. House and two in the Senate. And the House, I'm told, will be
22. back in action at 4:30 to finally decide the course of action
23. of House Bill 3656 which is the bonding authorization bill
24. raising the bonding authority by some ninety million dollars.
25. When that is done, or if it's done, then we have Senate Bill
26. 1936 and Senate...the Conference Committee Report on Senate
27. Bill 1932. But, for immediate action, I would move to suspend
28. the rules for the immediate consideration and adoption of this
29. adjournment resolution.
30. PRESIDENT:
31. Senator Rock moves the...the suspension of the rules for the
32. immediate consideration of this resolution. All in favor say Aye.
33. Opposed Nay. The Ayes have it. The rules are suspended. Senator
34. Rock now moves the adoption...immediate adoption of this resolution.
35. All in favor say Aye. Opposed Nay. The Ayes have it. The resolution

1. is adopted. The Senate will stand at ease for a moment.
2. The Senate will come to order. On the order of Consideration
3. Postponed, Senate Bill 1936, Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President, Ladies and Gentlemen of the
6. Senate. I'll wait till it gets on the board. This is the
7. Second Conference Committee on Senate Bill 1936. Thank you,
8. Mr. President, Ladies and Gentlemen of the Senate. The Second
9. Conference Committee Report on Senate Bill 1936 contains the
10. FY '77 appropriation for the operations of the Capital Development
11. Board in the amount of six million dollars and for the various
12. capital projects in the amount of eighty million four hundred
13. and eighty thousand dollars. The House has attached twenty-
14. one amendments to this bill by virtue of this Second Conference
15. Committee Report. We do, in fact, concur in sixteen of these
16. House amendments and the House recedes from five. Additionally,
17. we have added six projects in Conservation which the Department
18. felt were absolutely necessary. I know of no objection and I
19. would solicit a favorable vote.

20. PRESIDENT:

21. Senator Johns.

22. SENATOR JOHNS:

23. Tell us about the...tell us about the six additional sites.

24. PRESIDENT:

25. Senator Rock.

26. SENATOR ROCK:

27. The six additional sites, they're written on the report. I am
28. not sure what you mean.

29. PRESIDENT:

30. Senator Johns.

31. SENATOR ROCK:

32. Oh, the report was issued. All right. It's Anderson
33. Lake Conservation Area, Spring Lake Conservation Area, Lee County
34. Conservation Area, Vandalia State House State Memorial, Red Hills and

1. Rock Cut State Parks, Fort de Chartres. These were added by House
2. amendment. The House amendments were, in fact, technically incorrect
3. and the House was pretty adamant about keeping them in. We had
4. to rewrite them into the Conference Committee Report in their
5. correct form.

6. PRESIDENT:

7. Any further discussion? The question is shall the Senate
8. adopt the Second Conference Committee Report on Senate Bill 1936?
9. Those in favor will vote Aye. Opposed Nay. The voting is open.
10. Have all voted who wish? Take the record. On that question the
11. Ayes are 42, the Nays are 5 with none Voting Present. The Senate
12. does adopt Senate Bill 1930...the...the Second Conference Committee
13. Report on Senate Bill 1936 and the bill having received the three-
14. fifths constitutional majority is declared passed. Senator
15. Egan, are we ready with 1932? Senator Howard Mohr.

16. SENATOR MOHR:

17. Mr. President, I'd like to suggest that we go to the order
18. of...out of the order and to the order of resolutions to consider
19. resolution that Secretary has on his...

20. PRESIDENT:

21. Is leave granted?

22. SENATOR MOHR:

23. ...on his desk.

24. PRESIDENT:

25. Leave is not granted. Senator Mohr.

26. SENATOR MOHR:

27. You're going to call one more bill and then we're going home?
28. Is that...

29. PRESIDENT:

30. I'm going to ask if there's any further business to come before
31. the Senate.

32. SENATOR MOHR:

33. Well, I have...have an option, Mr. President, to make a motion

1. to adjourn or hear this bill. I think we'll...we'll hear the
2. bill and then see what happens.

3. PRESIDENT:

4. Very good. Senate Bill 1932, Senator Egan. Try it again.
5. Try it again. Go to another mike. Take Senator Chew's mike.

6. SENATOR EGAN:

7. Thank you, Mr. President and Senator Mohr and fellow
8. members. Senate Bill 1932 has amendments from the House, numbers
9. 1, 3, 4, 6, 7, 8, 9, 10, 14, 15, 18, 19, 20, 21, and 24 and
10. Section 27 was added which is technical in nature. It changes
11. the...the fund for some expenditures for the Secretary of
12. States Office from General Revenue to the Capital Development
13. Bond Fund. It contains, also, Section 28 which is an addition
14. of two million ninety-five thousand twenty-four dollars to the
15. college board of...for distribution for the senior courses
16. in the community colleges. Section 29 adds five thousand for
17. funding the already existing Legislative Advisory Committee
18. to the Regional Transportation Authority. Section 30
19. adds fifty thousand to the Fair Employment Practices Act for
20. investigation and...and Section 31 adds seventy thousand dollars
21. to the...it changes the...the appropriation for the Commission
22. on Economic Development from sixty thousand to a total of seventy
23. thousand dollars and because the House amendments have been on
24. for some time I'll briefly explain them, but I think that I would
25. rather I ask questions but I'll briefly explain all of them.
26. Number one, deleted many of the commissions that were resting in
27. the Rules Committee in the House and we funded for one dollar
28. having not passed through the Rules Committee, we have deleted
29. them from the bill. It changes township government laws from
30. fifteen to ten. Sudden Infant Death Syndrome Study Commission from
31. six to four five...four thousand five hundred that...House
32. Committee number three add...adds sixty-five thousand dollars for
33. alterations at the Dirksen Parkway Computer Site. Number four

1. adds a hundred thousand to Mines and Minerals which was
2. not in the original bill. Number six appropriates one...one...
3. one thousand two hundred dollars for services rendered by Mr.
4. Wayne Eckus in 1974 State Fair from the Agricultural Premium
5. Fund. Number seven deletes the Space Needs Commission which passed
6. out as an individual bill from both Houses. Number eight is a
7. police training board amendment to allow them to spend Federal
8. funds. Number nine corrects an error providing that the money
9. for the State Fair would come from Agricultural Premium rather
10. than the General Revenue Fund. Number ten appropriates twenty
11. thousand five hundred dollars to the Recreation Council and
12. ...well, the rest are...are...well,...Mr. President and members
13. of the Senate, there...there so few, let me finish. And the number
14. fourteen is twelve thousand five hundred for the Commission on
15. Urban Education. Number fifteen is the deletion of the General
16. Assembly Retirement System because it passed in a separate bill.
17. Number eighteen increases twenty to twenty-five the appropriation
18. for the Commission on the Uniformity of Legislation. Nineteen
19. puts in Motor Vehicle Laws Commission, that ninety-four thousand
20. dollars which was inadvertantly omitted. Number twenty reduces the
21. appropriation of the State's Attorney Study Commission by eighteen
22. thousand eight hundred dollars and finally, number twenty-one
23. appropriates fifty thousand to the Department of Registration and
24. Education and I move the adoption, Mr. President and members of the
25. Senate, of the Conference Committee Report on Senate Bill 1932.

26. PRESIDENT:

27. Any further discussions? Senator Mohr.

28. SENATOR MOHR:

29. Normally, Mr. President, this might be a good bill, but under
30. the circumstances, I think it's a bad bill and I would encourage
31. our members to vote No or abstain from voting.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Partee.

1. SENATOR PARTEE:

2. Well, Mr. President and members of the Senate, in the
3. waning hours, I guess it's politics as usual, but I will tell
4. you, if you want to take the credit for killing this bill, sobeit.
5. But, just be prepared to tell the members of the...General
6. Assembly Retirement System that you killed their appropriation,
7. tell the Legislative Council and its service unit that by
8. withholding your votes, you killed it. Tell the Legislative
9. Information System that they get no money. The Legislative
10. Investigative Commission, tell the Legislative Reference Bureau
11. that you just under these circumstances, didn't want to pass this
12. bill, and the Commission on Economic Development and the
13. Commission on Children and the one on Intergovernmental Cooperation.
14. Tell the Cities, Villages and Towns Problems Commission and the
15. County Problems Commission that the bill is no good this time.
16. The Data Information Systems, the Economic and Fiscal Commission,
17. the Electronic Funds Transfer Commission, the Energy Resources
18. Commission, the Judicial Advisory Council, the Legislative Advisory
19. Council on Public Aid, the Pension Laws Commission, the School
20. Problems Commission, the State Property Insurance Commission,
21. the Transportation Study Commission, the Mental Health and
22. Developmental Disabilities Commission, the State Employees
23. Insurance Commission, the Water Resources Commission, the Real
24. Property Laws Commission, the Public Utilities Commission, the
25. Insurance Laws Study Commission, the Labor Laws Commission,
26. the Aggregate Mining Commission, the Sudden Death Infant...the Atomic
27. Energy Commission, and Model School for the Deaf and Hard of Hearing,
28. the Space Needs Commission, your own commission you're killing,
29. the Revenue Study Commission, the Agricultural Economic Fair
30. Commission, and divers and sundry others, you tell them
31. that under these circumstances because you couldn't run a resolution
32. twice that you ran yesterday and because you couldn't agree on any
33. procedure for that, tell those many, many people that politics

1. dictated that they should not have funding for their commissions
2. next year. Now, I know that the problem...what the problem is
3. and I know that momentarily there is a bit of pique and a bit
4. of frustration, you made your point on the question of the RTA.
5. We just can't run the same thing day in and day out and the votes
6. aren't here to do what you desire to do. We don't always agree,
7. but we try to be reasonable, but we have to be reasonable in
8. the context of the futuristic planning of this State. And to let
9. this bill go down for that kind of a reason, is really beneath
10. ...beneath the gentleman who has made the motion. He's a fine
11. gentleman who ordinarily is on balance and doesn't get upset,
12. but I'll tell you, if it goes down, we're going to put the votes
13. on here to pass it and if you are persuasive to others many of whom
14. are involved with their own commissions, then sobeit.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Howard Mohr.

17. SENATOR MOHR:

18. Mr. President, many of those commissions that were named,
19. if they weren't funded, we wouldn't lose a thing. We would gain.
20. I'm prepared to tell the people anybody that takes the time to call
21. me, or write me or any members of this Body why I'm taking this
22. action, it's just not me. I think it's most members
23. on this side of the aisle, but that will be determined when we
24. take the roll call. Anytime you can't get a resolution considered
25. or passed, Senator, for something as important as the RTA covering
26. six counties of this great State, there is something wrong. I don't
27. know who is hiding what, but maybe we'll find out. Now, I would...
28. I would say...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just...just a moment.

31. SENATOR MOHR:

32. ...Mr. President, that if there's any...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Partee, for what purpose do you arise?

2. SENATOR PARTEE:

3. Well, I...there's a very great difference in saying that
4. you can't get a resolution called and you can't get it passed.
5. Nobody has ever been denied the right to get a resolution
6. called. Getting it passed is not within the province of the
7. Chair.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Howard Mohr.

10. SENATOR MOHR:

11. I was just denied that opportunity. I wanted that resolution
12. called this evening and I was denied that opportunity. I admit
13. that it failed last night and it failed like the Senate Bill
14. 1977, Senator, because of your timing and your maneuvering this
15. Senate Body waiting till Senator Graham left and was followed to the
16. hospital to make sure he was in the hospital and we'd come up
17. with twenty-nine votes. I'll tell the people that. I'm prepared
18. to tell the people that you failed to recognize the problem in the
19. six county area, so when they call me, I'm going to refer them
20. to you when I get through talking to them. Now, let's
21. take the roll call.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rock.

24. SENATOR ROCK:

25. Well, just in response to that, as I indicated yesterday
26. and will again indicate, that there is a statutorily mandated
27. committee to do exactly what your resolution would have a
28. special committee do. When we were, in fact, considering Senate
29. Bill, I think it was 27, some years ago, we definitely put
30. that in for that purpose. Upon the creation of the RTA there
31. was also created this study committee bipartisan, both Houses,
32. three Democrats and three Republicans from each House so that
33. it's a twelve member continuing legislative committee to do

1. exactly what this special resolution attempts to do. So, I
2. don't think your characterization is quite fair.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Egan.

5. SENATOR EGAN:

6. I might add to that, Mr. President and members of the
7. Senate, that this bill which you are urging people not to vote
8. on, Senator Mohr, contains an appropriation for that already
9. legislatively enacted group and it's...it's in a sum which will
10. allow them to function.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Howard Mohr.

13. SENATOR MOHR:

14. That's fine. They won't need the money because they don't
15. meet.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Mr. President and fellow Senators. In line with this
20. you know, reasonable people should always be able to find a
21. reasonable solution. And I've had a resolution sitting on the
22. desk since yesterday and I can concur in what Senator Rock has
23. said and I agree that that commission ought to have a right to...
24. the committee ought to have a right to meet and should have
25. its direction and should be able to make its report. And I support
26. that. But I...maybe what we have here is an issue that needs
27. to have two committees. One that Senator Howard Mohr is suggesting
28. and one that Senator Rock is suggesting. So, my commission...my
29. resolution provides for both. Now, you're going to say, well,
30. it might be a little bit wasteful and it might be doing the same
31. thing. But, all I can tell you is that it's sure a lot more
32. wasteful what we're doing here today; and what we're going to do
33. tomorrow is going to cost many times what it would cost to have

1. these two committees to meet the report. And I think that this
2. seems to be...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Just...just a moment.

5. SENATOR NIMROD:

6. ...a sensible solution...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator.

9. SENATOR NIMROD:

10. ...and it makes a...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just a moment. Senator Bloom, for what purpose do
13. you arise?

14. SENATOR BLOOM:

15. Point of order.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. State your point.

18. SENATOR BLOOM:

19. Is...is this germane to the bill?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Not really.

22. SENATOR BLOOM:

23. Well, I'd like him to confine his...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Nimrod will confine his remarks to the...

26. SENATOR NIMROD:

27. Well, anything...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...matter at hand.

30. SENATOR NIMROD:

31. ...that would help the bill to pass and evidently, it seems
32. that there is the resolution on the RTA was what is preventing
33. this bill from passing and certainly if you offer a solution, that

1. ...that people can expect, I would like to have some reaction
2. from Senator Rock whether or not he might accept this kind of a
3. proposal since it does accept his particular amendment yesterday
4. and it also takes care of Senator Howard Mohr. I was just
5. wondering what Senator Rock's reaction would be to this.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rock.

8. SENATOR ROCK:

9. It was communicated to me that it was Senator Mohr's
10. resolution or nothing.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Well, let's...let's ignore that request of communication.
15. I'm sending a new communication to you. How would you react...
16. how would you react to the new amendment which...which was
17. presented on the Floor today...which includes...which includes
18. yours, Senator Rock?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just a moment. Just a moment. Just a moment. Now, we're
21. going to...there are several people that wish to speak to this.
22. Please, please gentlemen, ladies, confine yourself to the matter
23. at hand. Senator Nimrod.

24. SENATOR NIMROD:

25. Yeah, can I ask Senator Rock if he can answer the question?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Well, I...I suggested an amendment yesterday which was
30. summarily turned down and at this point in time, frankly, at
31. 6:00 o'clock in the evening on July 2nd, Senator Mohr had
32. communicated to me earlier it was his resolution or none. My frank
33. reaction is none.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Carroll.
3. SENATOR CARROLL:
4. My point of order, Mr. Chairman...Mr. President, was that
5. we are dealing with a piece of legislation that involves State
6. government and the appropriations to certain specific agencies
7. and I would ask the members to confine their remarks to whether
8. or not they want to fund the government. Thank you.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. The point is well taken. Senator Schaffer.
11. SENATOR SCHAFFER:
12. Senator Egan, does this bill include the entire budget of
13. the Legislative Council?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Egan.
16. SENATOR EGAN:
17. Yes.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Schaffer.
20. SENATOR SCHAFFER:
21. Wonderful.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. The question is shall the Senate adopt the Conference
24. Committee Report No. 1 on Senate Bill 1932? Those in favor
25. vote Aye. Those opposed Nay. The voting is open. Have all those
26. voted who wish? Have all those voted who wish? Take the
27. record. On that question the Ayes are 26, the Nays are 5, 5
28. Voting Present. The Conference Committee Report is not adopted,
29. and the Secretary shall so inform the House. Senator Hynes.
30. SENATOR HYNES:
31. Mr. President, I, in view of that last vote, I have to alter
32. what I was going say, but I was going to mention that the...as a
33. result of the appropriations process this year, we have passed a

1. budget in the...in the vicinity of ten billion dollars and the
2. total General Revenue Fund appropriation in excess of the budget
3. are fifty-five...or were fifty-five million dollars, which I think
4. is, frankly, a...a demonstration of the responsibility that has
5. been exercised by the members of this Body throughout this year.
6. With the action on the last bill, that has been reduced to forty-
7. seven million dollars over budget and I think we owe ourselves
8. a congratulations and I think we can go home and safe in the
9. knowledge that we've now saved another eight million dollars
10. for the taxpayers of this State.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. Yes, I would just point out that the House has, in fact,
15. adjourned until November the 17th, before I move, pursuant
16. to our adjournment resolution, I wish you would recognize
17. Senator Harris.

18. SENATOR HARRIS:

19. Thank you, Mr. President. Might I have about a five minute
20. recess, no more than five minutes, please, Mr. Chairman...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Harris requests that and I think we've always
23. granted that to either side, so the Senate will stand at ease
24. for five minutes or so. Senator Bruce, for what purpose do you
25. arise?

26. SENATOR BRUCE:

27. Just for the purpose of...of announcements, Mr. Chairman.
28. Many of us knew Larry Reinold who was a lobbyist for the American
29. Federation of State County Municipal Employees. His wife had
30. a serious illness which occurred in Florida. He has not been
31. here for two weeks and I was asked to announce that his wife
32. passed away last evening, in Florida, and those of you who
33. wish to send cards or condolences, may send it to Pascarella

1. Funeral Home, 7 Carlson Street, Everett, Massachusetts.

2. Thank you.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Weaver wishes to announce that there is a Conference...

5. excuse me...we'll stand at ease.

6. PRESIDENT:

7. Is there leave for Channel Three and Channel Twenty to

8. make television pictures? Leave is granted. For what purpose

9. does Senator Mitchler arise?

10. SENATOR MITCHLER:

11. Mr. President, may I ask a...a point of inquiry of the

12. Chair?

13. PRESIDENT:

14. Would you hold it just one minute, Senator?

15. SENATOR MITCHLER:

16. I'll be glad to.

17. PRESIDENT:

18. Senator Mitchler, may I see you a moment, please, here on the

19. podium? ...did you seek recognition? ...Mitchler.

20. SENATOR MITCHLER:

21. Yes, Mr. President, a point of inquiry of the Chair.

22. On the...

23. PRESIDENT:

24. State your point.

25. SENATOR MITCHLER:

26. On the Senate Bill 1932, the First Conference Committee

27. Report, having failed to receive the constitutional number

28. of votes to pass, if that bill were to be brought back for consideration,

29. could a motion to bring that bill back for reconsideration

30. be made by a member of this Senate who cast a Present vote?

31. PRESIDENT:

32. The answer is Yes. The prevailing side on a motion which

33. is lost...on a bill which was lost, are votes which were either

34. in the negative or Present. So, either a negative vote or a Present

1. vote was a vote on the prevailing side and either could make
2. a motion for reconsideration. Senator Mohr.

3. SENATOR MITCHLER:

4. Mr. President, when we reconvene, if you would be kind
5. enough to recognize me at the proper time for the purpose of
6. making a motion.

7. PRESIDENT:

8. Senator Howard Mohr.

9. SENATOR MOHR:

10. Mr. President, I would suggest that you look at Rule 51.

11. PRESIDENT:

12. Yes, Senator, I'm looking at the rule.

13. SENATOR MOHR:

14. Maybe you ought to read it to us, Mr. Senator.

15. PRESIDENT:

16. Sure.

17. SENATOR MOHR:

18. Mr. President.

19. PRESIDENT:

20. Rule 51. "If a bill shall fail to pass on account of not
21. having received the constitutional majority, any Senator having
22. voted in the negative shall have a right to move a reconsideration."
23. It says, "any Senator who voted in the negative may have a right
24. to move a reconsideration," which is not exclusive of the right
25. of a member who voted Present. Now, Senator...Senator Howard
26. Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. By way of parliamentary inquiry,
29. however, that says a bill. And we are dealing with a Conference
30. Committee Report and if you look at Rule 49, 49 says, "a
31. question once having been put and carried in the affirmative
32. and negative, it shall be in order for any member on the prevailing
33. side to move that same, the following...the same or the following
34. legislative day." I would submit to the Chair that this is not a

1. bill before us but a Conference Committee Report and therefore,
2. we would have to look at Rule 49 which talks in terms of the
3. question having been put.

4. PRESIDENT:

5. There is that recognized difference between a bill and a
6. Conference Committee Report and the 51 does, in fact, relate
7. to bills whereas 51...49 relates to questions being put.

8. Senator Howard Mohr.

9. SENATOR MOHR:

10. Mr. President, what are we voting on?

11. PRESIDENT:

12. We have...we're not voting on anything at the moment.

13. SENATOR MOHR:

14. When Senator Mitchler makes his motion, we'll be voting on
15. a Senate Bill?

16. PRESIDENT:

17. No. When Senator or...Mitchler or whoever makes a motion...
18. makes a motion to reconsider the vote by which the Conference
19. Committee Report was not adopted, that would be the first
20. question on which we would vote. ...Howard Mohr.

21. SENATOR MOHR:

22. Well, Mr. President, we're playing games here. The...it's
23. a Senate Bill that we're talking about for...coming up for final
24. passage. I submit that that's a bill. And I submit that Present
25. does not mean negative, but...well, I'll...I'll just hold that
26. last remark, that I was about to...

27. PRESIDENT:

28. Any other Senator desire recognition? Senator Mitchler.

29. SENATOR MITCHLER:

30. Are we back in Session now?

31. PRESIDENT:

32. We are, indeed.

33. SENATOR MITCHLER:

34. Oh, all right. Mr. President, having voted on the prevailing

1. side and having cast a Present vote on the question of adopting
2. the First Conference Committee Report to Senate Bill 1932, I
3. do now move that the First Conference Committee Report to Senate
4. Bill 1932 be reconsidered.

5. PRESIDENT:

6. The motion is in order. You've heard the motion. All in
7. favor say Aye. Opposed Nay. The Ayes have it. The Conference
8. Committee Report is on the order of reconsideration. You're asking
9. for a roll call? Fine. ...Yes...the question is on the reconsider-
10. ation...no that hasn't...there's a roll call requested on that
11. question. A roll call was...was requested on the last roll...on
12. the last motion we took, the motion of Senator Mitchler's to
13. reconsider the vote by which Senate Bill 1932 lost...the Conference
14. Committee Report was not adopted. So, the question is, shall...
15. just a moment, Sir. We have already voted, Sir. This is the
16. roll call that was requested by Senator Schaffer. Now, all in
17. favor of reconsidering the vote by which Conference Committee
18. Report 1 on Senate Bill 1932 lost will vote Aye. Opposed will
19. vote Nay. The voting is open. Howard Mohr.

20. SENATOR MOHR:

21. I didn't appreciate or think that was a fair ruling on
22. Senate Rule 51. I'd ask you from time to time, we use the
23. Roberts Rules of Orders, I'd suggest that you turn to page 265,
24. number 36 under "Reconsider" and it states there, Mr. President,
25. it can, "be made only by a member who voted with the prevailing
26. side." In other words, a reconsideration can be moved only by
27. one who voted Aye. That was not Senator Mitchler.

28. PRESIDENT:

29. Well, Senator, the Rule 49 does not strictly...51 does
30. not strictly apply to Conference Committee Reports. A more
31. pertinent section of the rules was Rule 49 which Senator Howard
32. Carroll cited. But, I did rule that a negative vote...a Present
33. vote was not...was on the prevailing side and as a consequence,

1. the person would have the right to make it. Have all voted who wish?
2. Let me...let me take this record, please. Have all voted who
3. wish on this question? Take the record. Majority of those voting.
4. Take the record. On this question the Ayes are 32, the Nays
5. are 4 with 1 Voting Present. ...question the Ayes are 32, the
6. Nays are 4 with 1 Voting Present. The bill...the Conference
7. Committee Report 1 to Senate Bill 1932 is reconsidered. Verification
8. is requested. Would the members...you want the affirmative votes,
9. is that right? A verification of the affirmative votes is requested.
10. Will the members please be in their seats?

11. SECRETARY:

12. Brady, Bruce, Buzbee, Carroll, D'Arco, Daley, Davidson,
13. Demuzio, Donnewald, Dougherty, Egan, Kenneth Hall, Hickey,
14. Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Merritt,
15. Mitchler, Netsch, Newhouse, Nimrod, Palmer, Rock, Shapiro,
16. Vadalabene, Welsh, Wooten, Mr. President.

17. PRESIDENT:

18. Senator Vadalabene on the Floor? Take him off the roll.
19. Senator Buzbee on the Floor? Yes, he's here. Senator Dougherty
20. on the Floor? Take him off the roll call. Senator Joyce
21. is here. Bruce is here. Roll call has been verified. On that
22. question the Ayes are 30, the Nays are 4 with 1 Voting Present.
23. The roll call is verified. Now, we're on the question of the
24. adoption of a Conference Committee Report 1 of Senate Bill 1932.
25. Any discussion? Senator Howard Mohr.

26. SENATOR MOHR:

27. Think...think we all...all have a copy of that. I don't
28. have one on my desk. I don't know if anybody else does, but I'd
29. like to take the time to go through that. I think it...personally
30. I think it might be of some interest.

31. PRESIDENT:

32. Would you please give the Senator a copy? I thought...think
33. it has been heretofore distributed. See that he gets a copy.

1. Any further discussion? Senator Weaver.
2. SENATOR WEAVER:
3. Mr. President, might we have a few minutes for a Republican
4. caucus, please?
5. PRESIDENT:
6. We've never denied it, to anyone who asks. Any indication
7. of the time? Our...our members are really getting antsie.
8. SENATOR WEAVER:
9. Hopefully within about fifteen minutes.
10. PRESIDENT:
11. Please. Senator Hall, for what purpose do you arise?
12. SENATOR HALL:
13. I just wanted to know if the President was going to provide
14. us with food while we're waiting?
15. PRESIDENT:
16. I went on a diet the 1st of July and I'd suggest you do the
17. same. Senator Egan, have you a motion?
18. SENATOR EGAN:
19. By way of explanation, Mr. President.
20. PRESIDENT:
21. Make it short, please.
22. SENATOR EGAN:
23. Well, I inadvertantly failed to tell the Body that Senate
24. Amendment 24 was also included in the...in the package of amendments
25. and I failed to explain that. So, I thought I better do that so
26. that we'd all understand entirely the...the bill.
27. PRESIDENT:
28. Senator, I...you want to make...make the motion.
29. SENATOR EGAN:
30. Yes, Mr. President and members of the Senate, I move that
31. the Senate concur in the Conference Committee Report on Senate
32. Bill 1932.
33. PRESIDENT:
34. Any discussion? Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President. I, in all honesty, hesitate
3. to rise. However...as you have learned, Mr. President, it's
4. nice to have friends. The resolution which was asked for
5. was not a matter of great moment or State of Illinois shaking
6. significance, but it did provide a vehicle for a very...meaningful
7. activity and I personally regret that the wisdom of this
8. Senate was to deny Senator Mohr passage of that resolution.

9. PRESIDENT:

10. Any further discussion? Senator Schaffer.

11. SENATOR SCHAFFER:

12. Mr. President, I hesitate not in the least. We're going
13. to have a roll call here in a few minutes. I think a No vote
14. is defensible on two grounds. One, on the bill. I can justify
15. my No vote without any problem a dozen different ways. Two,
16. on the denial of a simple resolution calling for a committee,
17. a meaningful committee to look into the RTA. I want to know...
18. I want this Senate to know because I said it yesterday and I still
19. don't think you've got the message but there are those in this Body
20. who feel strong enough about RTA to pick this State up and shake
21. it if we can.

22. PRESIDENT:

23. Senator will confine his remarks to the bill under
24. consideration. This is not germane but I'm not going to cut
25. you off. Continue.

26. SENATOR SCHAFFER:

27. I appreciate that, Mr. President. I've always tried to keep
28. my remarks pertinent and germane. I'm explaining, if you will,
29. a little ramification on this bill. I think the message is simple.
30. Give us justice on the RTA or be prepared for trouble and a lot
31. of opposition from this point forward. Not only from those four
32. suburban board members who, God bless them, have had the guts
33. so far to stand up to the people they represent. But, also
34. from those of us from the collar counties and the suburbs.

1. Going to have a roll call a few minutes from now and it's
2. going to be on the RTA question and we're going to see how many
3. pussycats we've got and how many tigers.

4. PRESIDENT:

5. Any further discussion? Senator Mitchler.

6. SENATOR MITCHLER:

7. I want to just make, Mr. President and members of the Senate,
8. one comment on the Conference Committee Report specifically,
9. Senate Bill 1932 that we're voting on. Really, there's
10. probably only about three, and I'd expand it to maybe four,
11. items in this bill that are appropriated for that are absolutely
12. what I would consider necessary for the function of our government.
13. All the rest are what we get every year, but we've had this
14. Omnibus Commission Bill for many, many Sessions and we've
15. always had to sort of swallow it, because it's got something
16. in it for everybody. It's a...bigger than any creek bill or anything
17. that comes out. And things get slipped in and I hope you all have
18. a copy so you know what...what you're voting on as far as the
19. ...the various commissions. I've communicated to the Senate
20. Appropriations Minority representation on Appropriations Committee,
21. my feelings about even some commissions that I serve on about some
22. things in there that I dislike, the salaries of the employees
23. and that...that I think is a ripoff on the taxpayer. But, there's...
24. you've got to get it going and let this be the warning on this
25. type of bill that you don't ever get into to put in all the appropriation
26. bills for all the agencies, code departments, and commissions into
27. one omnibus bill that I heard breathed out at the start of this
28. Session. Lord help the taxpayer if that ever happens, but we've
29. swallowed this every year and really the percentage that's involved
30. here to the cost to State government is minuscule. And I can vote
31. for it and I'm going to vote for it tonight so that we don't have
32. to be called back into a Special Session or something because that's
33. exactly what would have to happen because you would stop government

1. if you didn't pass this.

2. PRESIDENT:

3. Any further discussion before Senator Egan closes debate?

4. Senator Harris.

5. SENATOR HARRIS:

6. Thank you, Mr. President. Mr. President, I will perhaps
7. stray somewhat from the matter before us. I will do my best
8. to stay reasonably close to the mark. We have before us, now,
9. the bill appropriating to various commissions of State government
10. many of which are essential, essential to State government, many
11. of which are less than superfluous. But, also before us is
12. an issue of prime significance to the twelve million people of
13. Illinois. Mr. President, two years ago, I was the President.
14. Mr. President, two years ago, seeking to accept my responsibility
15. to legislate on behalf of all of the people of Illinois, I believe
16. I was critical to the enactment of the Regional Transportation
17. Authority Act. For years, legislation such as that, legislation
18. that would assist mass transportation has passed the other Chamber
19. of the Illinois General Assembly. But, in 1973, by joining
20. aggressively as the President and the persuader of many men on
21. my side of the aisle, we created the Regional Transportation
22. Authority. It's had a little over a year to function. An
23. important commitment of State funds that otherwise would be
24. available for our other State purposes is now appropriated by mandate
25. in the overall result of that work by the 78th General Assembly.
26. And, Mr. President, I'm proud of the leadership role that I took
27. in the creation of the Authority. This Session of the General
28. Assembly there have been made on several occasions, attempts
29. to remedy what have begun to be appreciated as infirmities
30. in the Act. We have not succeeded in any of those legislative
31. proposals to repair. Yesterday, a largely innocuous request
32. was made of this Chamber to structure a committee of the Senate
33. to study the Regional Transportation Authority for several reasons.

1. And let me be the first to acknowledge that the structure
2. of the committee itself was one whose membership might be
3. questioned with respect to their viewpoint. The form of that
4. resolution provided for seven members. It would have been
5. my responsibility to appoint two. I will say no more about
6. it except to say that those among you from within the City
7. of Chicago and those among you who have no great interest in
8. the Regional Transportation Authority joined in the frustration
9. of the adoption of that resolution. And I recognize that a
10. counter proposal was offered. On many occasions, on really
11. important issues, reasonable people of differing viewpoints
12. can ultimately conclude that they can't agree. So today,
13. we are in the posture of being at the very end of a long
14. and arduous Session, at the very end of two hard weeks of work,
15. to most important of all, fund the essential operations of
16. State government. There are a tremendous number of people in
17. Illinois who are not persuaded today, that our conclusion of two
18. years ago was wise. There are many...there are many who believe
19. that our conclusion of two years ago was so unwise that the
20. entire Act should be scrapped. I'm not among those. I am
21. among those who believes that steps should continue to be taken
22. to evaluate our product. To determine whether the aspirations
23. of some eighteen months ago are, in fact, being met, realized,
24. or not being met. The request yesterday was not, well, in relation
25. to the importance of this bill, and the importance of the
26. resolution itself, do not equate. This bill could be concluded by
27. those who resist any change to the RTA that the resolution was not
28. important. But, I must say to you, Mr. President, that that
29. resolution really is important. And, Mr. President, it cannot
30. escape anyones notice that I am a candidate for a constitutional office
31. of Illinois. And one of the things about which I am most proud,
32. has been, as I look back on over twenty-one years of service, my
33. willingness to meet responsibility. I suggest, Mr. President, that

1. the full responsibility of this Senate has not been met when
2. we asked for a somewhat innocuous resolution concerning
3. an issue whose importance is major. And we asked to take a look
4. at the structure and function and operation of the Regional
5. Transportation Authority. Mr. President, between now and
6. November 2nd our two great major parties will take to the
7. people of Illinois, what they believe to be the important issues
8. in the campaign to determine who will lead the Executive Department
9. of Illinois for the next two years. I'm personally sad about the
10. fact that I will not be here in this Chamber continuing the
11. service that I do love, attempting to work out the difficult
12. questions and the important solutions that serve a majority
13. of the people of Illinois. Mr. President, I am...I am truly
14. sad about the fact that we were not given that option yesterday
15. to take a look at the operation of the RTA. And as I visited
16. with you privately tonight, my conclusion was that for us to wrap
17. together an evaluation of the Regional Transportation Authority
18. by a committee of this House, and the passage of a major
19. appropriation bill of Illinois was unwise and a mistake. And,
20. Mr. President, since I communicated that to you, I have honestly
21. searched my soul to determine what is the wiser course of action.
22. And, Mr. President, I've had tremendous conflicts involved in the
23. determination of my conclusion. A man with whom I have served
24. for some ten years and a man for whom I have the personal love
25. as that of a brother to a brother, is the focal point of that
26. resolution. And I know it will be difficult for the people of
27. Illinois to judge my conclusion as anything other than an abandonment
28. of responsibility for a commitment to political expediency.
29. But, Mr. President, that is not my conclusion. My conclusion is
30. that with respect or that is not the basis on which I have made
31. my conclusion. My conclusion is, Mr. President, that the twelve
32. million people of Illinois, in fact, do need to have a dispassionate
33. evenhanded view to evaluate that importance agency of the
34. State government, the Regional Transportation Authority. The

1. opportunity for that is probably gone for the remainder of this
2. Session. At least, until after the election. Mr. President,
3. I am committed to the principle that it never hurts to look
4. at a question carefully and with candor. Mr. President,
5. thus far this evening, I have refrained from voting, but I
6. determine that the people of Illinois, in fact, want me to
7. communicate to them that important questions between now and
8. November 2nd have to be viewed with candor and dispassionate
9. evaluation. Thank you, Mr. President.

10. PRESIDENT:

11. The question...Senator Howard Mohr.

12. SENATOR MOHR:

13. Yes, Mr. President. This really isn't easy to get us into
14. this kind of position. I'm not really that kind of a person.
15. There are people in this Body that would keep us here for
16. indefinite periods, people...a person in the House, for example,
17. that delights in this kind of activity, I don't. To me this is
18. a matter of principle. It's really what it's all about. I, too,
19. was a part of the members on both sides of the aisle and both
20. sides...both Houses that put the RTA together. I still think
21. it's something that we have to have. I still think it is something
22. that has to be looked at. And, all that we are asking that resolution,
23. Mr. President, was for seven members of this Body to look at the
24. RTA. Just look at it. Obviously, there is something wrong when
25. the budget has not been adopted; when four members fail to agree
26. on adopting a budget. It kind of leads me to believe there's
27. something wrong. Privately, members of your side of the aisle have
28. told me that I am right; that they do have problems with the
29. RTA, but they couldn't publically state that, and I can appreciate
30. that. I apologize for keeping the members here as long as we have
31. and two people, Mr. President, know you and Senator Harris know
32. that if anybody has a reason to be home, it is me and should have
33. been home almost a week ago or five days ago. But, I am here and
34. I would stay here until hell freezes over when it comes to such a

1. matter. I proposed earlier this evening that we consider this
2. resolution. Senator Rock told me that we're not going to get
3. into that. And I suggested that we had another bill to hear
4. and I didn't think it would pass, and he said, well, then,
5. sobeit, let's go home. We'll determine that very shortly,
6. Mr. President, whether we will pass or not and either way
7. will we...we will be going home. It's interesting to see
8. members of this Body that when there's matters of great concern
9. for their district, they stand up and shout and holler and
10. do all that is necessary to get their district taken care of,
11. and I commend them for it, that's what they're here for.
12. I would suggest to the members on the other side of the aisle
13. that are outside of the Chicago area, to start looking and start
14. questioning some of the problems that we have in Cook County.
15. I also find it amusing, Mr. President, the ruling that was
16. made here earlier this evening, which in my opinion, was
17. a bad ruling, but I certainly can't argue that point when it's
18. been ruled by the Presiding Officer who has the gavel and interprets
19. the rules as he sees fit from day to day. And I would
20. suggest, Mr. President, that that really isn't a way to...to rule
21. if you are an elected official or have other aspirations.
22. I would point out on the last roll call that I verified, I missed
23. Senator Knuppel, so don't push his button this time, cause
24. we'll be watching for him. To take a stand as many people do,
25. not always popular, but I commend the suburban board members
26. of the RTA for standing up what they think is right. They want to
27. get some recognition, they want to...not recognition, they want
28. to be heard on the problems that they're having with the RTA
29. and they can't be heard, and I think this Body owes it to them
30. to support those members and get on with the proper running of a
31. good RTA. And it's quite interesting to see after that ruling
32. by a member that voted Present, that has sounded off ever since
33. the RTA was founded, condemning it, could never say enough bad things

1. about it, but we all have to go back to our districts,
2. Mr. President, and tell the people why we vote a certain way.
3. And that's one press release that I'm going to be watching
4. for. I'd like to know how that's going to be explained. In this,
5. there is some talk about bringing us back here for a Special
6. Session. The press will say that will cost money. True, it
7. will, but I think if we really look at the bill before us,
8. we could have our Special Session, cut out some of the special
9. commissions in here that aren't really worthy, if we would admit,
10. and I think we could end up saving some money. But, a study
11. of some of these commissions might prove very, very interesting.
12. And I think that that should probably be done. In the...
13. PRESIDING OFFICER: (SENATOR ROCK)

14. Your time is up, Senator.

15. SENATOR MOHR:

16. ...bill...I will conclude, in the bill, Senator Partee
17. mentioned, all the people that I would be held accountable to.
18. He failed to mention, Mr. President, that I would hear from the
19. people concerned about FEPC for fifty thousand dollars, which is
20. the last entry on the two page list of commissions. That came in
21. late in the day for fifty thousand dollars. I will answer
22. to those people, Senator Partee. I would conclude right now,
23. Senator, in saying that we had a healthy caucus. Fortunately
24. or unfortunately, we don't make the determinations that
25. you people on the other side of the aisle do. Our people are
26. free to vote their conviction. I know this will be argued, but
27. if we look at the record, you'll know what I mean. There is no
28. caucus position on this and I have stated to our membership they
29. could vote any way they want and really in a Special Session, the
30. only ones that would have to come down that...are...would be those
31. that would have a very special interest. Thank you, Mr. President.
32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Partee.

1. SENATOR PARTEE:

2. I'd first like to disabuse Senator Mohr of the thought
3. that I control them over here. I'll tell you, I don't.
4. The Illinois Legislature, the Senate, is composed on this side of
5. thirty-three prima donnas and your humble servant. Now, I
6. could start off with some sort of flippant remarks like saying that now
7. it isn't so, that this issue, as Senator Schaffer said, had
8. united the party in light of what Senator Mohr said about
9. Senator Mitchler. And I could talk about how much it's
10. costing today to stay here which was the big theme yesterday.
11. But, this is a very serious question. I said here yesterday
12. that a look at the operation of the RTA is required. I opened
13. with that statement yesterday. I said that this is an agency
14. which, as I read in the papers, has from time to time had, from
15. the press reportings, many, many problems. It's survival,
16. essential agency for the transportation needs of people
17. in that area and I also said that every branch of governmental
18. activity ought to be run competently. I said that yesterday,
19. I'm repeating it today, and I will say it tomorrow. But, this is
20. an issue, which in my judgement, which entails very, very large
21. dollars, has many political ramifications, and any look or
22. investigation ought to be made outside of the political
23. arena by self-effacing politicians and not by self-effacing
24. politicians and people who are there to grind their own axes.
25. I would suggest to you, Mr. President, that I am as of this moment,
26. making myself available to Senator Harris, Senator Schaffer,
27. Senator Mohr, Senator Morris in his absence and to any other
28. person who is interested in really bringing about an investigation
29. of competence and not one of political structuring. That's a
30. large organization and the people who look at it and who investigate it,
31. should be thoroughly knowledgeable people in the field and have
32. skills in management, fiscal expertise, and they should know
33. a great deal about transportation. Yesterday, we offered a
34. substitute motion. Since we were not going to have people

1. with expertise in transportation, in fiscal management and
2. did have...not have the skills really required to take the
3. look at this kind of an operation, I thought the least we ought
4. to do is to go with the legislative Body that has already been
5. structured. And we offered that. And that was denied. So,
6. I'm saying to you today, that this is like the song, bigger than
7. the two of us. It's larger than the Democratic party and
8. larger than the Republican party in this context. It is an issue
9. which ought to be looked at carefully, nonpolitically. It
10. affects the lives of a lot of people. I object not to the
11. look at this agency; I think it ought to be looked at. What
12. I object to is the methodology suggested by politicians running
13. for office in those particular areas who would be more
14. concerned about posturizing themselves and getting in the paper
15. and on television they would...than they would be about doing the
16. ...the job required, if per chance, they had the personal
17. capability to do so. As about my rulings, I don't need to defend
18. them. I'll compare them with the rulings of anybody who ever
19. held a gavel in this House. I have a book of rulings that took
20. place the last two years. It will surprise you. I can show
21. you where we catalogued them, where on one day it's this way,
22. one day it's the next. I'm not trying to defend it. No, that's
23. history. My records are written. But, I say to you that God
24. as my judge, I would make every ruling consistent with what...
25. what my mind tells me the facts are, and the interpretation that
26. should be. So, in closing, let me say to you, that I am ready
27. Tuesday morning, to sit down with you, anywhere, and help to structure
28. a blue ribbon committee of knowledgeable people, nonpoliticians,
29. who in this period between now and the November election, can do
30. a job for us and for the people. Thank you.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Latherow.

33. SENATOR LATHEROW:

1. Thank you, Mr. President, and I wonder if it's all right
2. if I say something about Senate Bill 1932.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. That would be a pleasant change. Thank you, Senator.

5. SENATOR LATHEROW:

6. I've sat here...I've sat here and thought about a lot
7. of sayings that I've heard in my time. And, as I mentioned to some
8. people a while ago, you don't make many mistakes looking back,
9. you know. And I think when we look at what we're really talking
10. about here tonight as what we knew was going to come for several
11. days, we've waited for it, we knew it was going to be this
12. one critical time when we would be voting for something
13. that we didn't want to vote for in order to continue the
14. operation of government and such things as the Legislative Reference
15. Bureau and a few others. And I don't know. I didn't want to
16. vote for this bill, myself, Mr. President, but I'm not going to
17. vote against stopping the operations of government, and I've said
18. many times when you start feeling responsible down here in
19. government it sometimes...it might be time for you to get out
20. and I'm on my way, you know. So, I'd just like to move the
21. previous question, Mr. President.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Latherow has moved the previous question. All
24. those in favor signify by saying Aye. All those opposed.
25. The Ayes have it. Senator Egan to close.

26. SENATOR EGAN:

27. I just would like to make one observation very briefly,
28. and that is that there are perhaps three, probably two and
29. certainly there is one commission that is not included in this
30. bill and it happens to be chaired by Senator Mohr.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. The question is shall the Senate adopt the Conference Committee
33. Report on Senate Bill 1932? Those in favor will vote Aye.

1. Those opposed will vote Nay. The voting is open. Have all
2. voted who wish? Have all voted who wish? Take the record. Is
3. your...your motion in order, Senator? On that question the
4. Ayes are 34, the Nays are 3, 5 Voting Present. The Senate
5. does not adopt the Conference Committee Report on Senate
6. Bill 1932 and the Secretary shall so inform the House. Senator
7. Donnewald for what purpose do you arise?

8. SENATOR DONNEWALD:

9. Yes, Mr. President, I move that the Senate now adjourn
10. to November 17th, at 4:00 o'clock p.m.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. All those in favor signify by saying Aye. All those
13. opposed. The Ayes have it. The Senate stands adjourned.

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