

79TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 20, 1975

1. PRESIDENT:

2. The hour of ten having arrived, the Senate will come to order.

3. Will our guests please stand while we have the prayer by Rabbi

4. Abramowitz, B'Rith Sholom Temple Springfield, Illinois.

5. RABBI ABRAMOWITZ:

6. (Prayer given by Rabbi Abramowitz)

7. PRESIDENT:

8. Reading of the Journal. Senator Rock.

9. SENATOR ROCK:

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

11. I move that the reading and approval of the Journals of Tuesday,

12. November the 18th, 1975 and Wednesday, November 19, 1975 be post-

13. poned pending the arrival of the printed Journals.

14. PRESIDENT:

15. You heard the motion. All in favor will say Aye. Opposed Nay.

16. The motion carries. Senate Bills on 2nd reading. Senate Bill 1520,

17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, Senate Bill 1520 is, as was stated
20. yesterday in the Rules Committee, of some urgency and importance.

21. Senator Egan is attending another meeting and I would ask leave of

22. this Body to move that bill to 3rd pending his arrival, and I'm

23. sure that if, in fact, an amendment is offered or is necessary,

24. you will, in fact, call it back. I'd like it moved.

25. PRESIDENT:

26. Read the bill.

27. SECRETARY:

28. Senate Bill 1520.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor? 3rd reading. House Bills on

33. 1st reading. Page 3, House Bill 592. House Bill 1137. House Bill

1. 1476. House Bill 2529. House Bill 3099. Senate will be in recess
2. for a few moments.

3. (RECESS)

4. (AFTER RECESS)

5. PRESIDENT:

6. Resolutions.

7. SECRETARY:

8. Senate Resolution 193 offered by Senator Bell and Moore.

9. It's congratulatory.

10. PRESIDENT:

11. Senator Bell.

12. SENATOR BELL:

13. Yes, thank you, Mr. President. I don't think it's necessary
14. for the Secretary to go through in the reading of the resolution.
15. I would...

16. PRESIDENT:

17. You might indicate what it's about, Senator.

18. SENATOR BELL:

19. All right. Thank you. Yes, I have in my district a eighty-
20. six year old gentleman that was originally with the Scouting Movement
21. in Great Britan under Lord Baden-Powell and he's been active in
22. scouting here in the State of Illinois for many, many years, and I
23. would really like to have the Senate honor this individual for his
24. many years of fine work with the youth of Illinois in my particular
25. area. So, I would move, Mr. President, that...that we consider the
26. resolution this morning.

27. PRESIDENT:

28. Senator Bell moves for the suspension of the rules for the immediate
29. consideration of this resolution. All in favor will say Aye. Opposed
30. Nay. The resolution is under consideration. And Senator Bell moves
31. for the immediate adoption of this resolution. All in favor will say
32. Aye. Opposed Nay. The resolution is adopted.

33. SECRETARY:

1. Senate Resolution 194 introduced by Senator Regner. It's
2. congratulatory.

3. PRESIDENT:

4. Senator Regner.

5. SENATOR REGNER:

6. Yes, Mr. President and members of the Senate, Senate...this Senate
7. Resolution commends St. Zachary's School of Des Plaines who won
8. first place in Illinois for the President's Council on Physical
9. Fitness. It's the second year in a row. I move for the suspension
10. of the rules for the immediate consideration and adoption of this
11. resolution.

12. PRESIDENT:

13. Senator Regner moves for the suspension of the rules for the
14. immediate consideration of this resolution. All in favor say Aye.

15. SENATOR REGNER:

16. Aye.

17. PRESIDENT:

18. Opposed Nay. The rules are suspended. Senator Regner now moves
19. for the adoption of this resolution. All in favor say Aye.

20. SENATOR REGNER:

21. Aye.

22. PRESIDENT:

23. Opposed Nay. The resolution is adopted.

24. SECRETARY:

25. Senate Resolution 195 introduced by Senator Donnewald, Bruce
26. and Harris. Relative to petroleum products.

27. PRESIDENT:

28. Senator Donnewald.

29. SENATOR DONNEWALD:

30. Yes, Mr. President and members of the Senate, this resolution
31. urges Congress to change their position on the posture that most of
32. them assume concerning the energy crisis that we have in this country
33. today. If the Congress pursues the path that they have chosen at the

1. present time, we will have a...an energy shortage worse than
2. anyone can imagine within four or five years from now. And I
3. can elaborate, but I would urge that the...I would move you,
4. Mr. President, that the rules be suspended for the immediate
5. consideration of this resolution.

6. PRESIDENT:

7. Senator Donnewald moves for the suspension of the rules for
8. the immediate consideration of this resolution. Senator Nudelman.

9. SENATOR NUDELMAN:

10. Mr. President, I think that's much to important an issue to
11. pass on without at least having heard the resolution read. I would
12. not want to vote on that sort of thing without hearing it read.

13. PRESIDENT:

14. Secretary will read the resolution. Will the members be in
15. their seats.

16. SECRETARY:

17. Senate Resolution 195.

18. (Secretary reads Senate Resolution 195)

19. PRESIDENT:

20. Senator Nudelman.

21. SENATOR NUDELMAN:

22. I certainly have no problem with the resolution, Mr. President.
23. Thank you for having it read.

24. PRESIDENT:

25. Senator Donnewald moves for the suspension of the rules for the
26. immediate consideration of this resolution. All in favor...Senate...
27. Senator Latherow.

28. SENATOR LATHEROW:

29. Well, Mr. President, I think I'd like the opportunity to see the
30. bill...the resolution before it goes on. If it's not...I know I
31. heard it read, but if not, I'd have to object to moving it.

32. PRESIDENT:

33. Well, we have two or three others. Would you give the gentleman

1. a copy. We'll get right back to it, Senator Donnewald. Senator
2. Donnewald moves for the immediate consideration of this resolution.
3. All in favor say Aye. Opposed Nay. The resolution is under con-
4. sideration. Senator Donnewald moves for the immediate adoption
5. of this resolution. All in favor will say Aye. Opposed Nay. The
6. resolution is adopted.

7. SECRETARY:

8. Senate Resolution 196 introduced by Senators Savickas, Daley,
9. Lenke and Hynes. It's congratulatory.

10. PRESIDENT:

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. It's a congratulatory resolution congratulating Stanley Balzekas
14. for service, I guess, with the museum of Chicago.

15. PRESIDENT:

16. Senate...Senator Savickas moves for the suspension of the rules
17. for the immediate consideration of this resolution. All in favor
18. say Aye. Opposed Nay. The rules are suspended. Senator Savickas
19. moves for the immediate adoption of this resolution. All in favor
20. will say Aye.

21. SENATOR SAVICKAS:

22. Aye.

23. PRESIDENT:

24. Opposed Nay. The resolution is adopted.

25. SECRETARY:

26. Senate Resolution 197 introduced by Senator Davidson and all
27. members. It's congratulatory.

28. PRESIDENT:

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Mr. President and members of the Senate, this is a congratulatory
32. resolution to three individuals in Illinois. They so happen to reside
33. in Springfield, who won the World Championship titles at Toronto on the

1. trampoline competition throughout the world against twenty-six
2. other nations. And this is a congratulation to these three, in
3. outstanding recognition of what they accomplished for the State
4. of Illinois.

5. PRESIDENT:

6. Senator Davidson moves for the suspension of the rules for the
7. immediate consideration of this resolution. All in favor say Aye.

8. SENATOR DAVIDSON:

9. Aye.

10. PRESIDENT:

11. Opposed Nay. The rules are suspended. Senator Davidson now
12. moves for the immediate adoption of this resolution. All in favor
13. say Aye.

14. SENATOR DAVIDSON:

15. Aye.

16. PRESIDENT:

17. Opposed Nay. The resolution is adopted.

18. SECRETARY:

19. Senate Resolution 198 offered by Senator Berning. It's congratu-
20. latory.

21. PRESIDENT:

22. Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President. Yes, this is a congratulatory resolution
25. for our Deerfield High School football team which as you may know is
26. in the finals for the State Championship in the Class A division. I
27. would appreciate all Senators joining me, and would move that the
28. rules be suspended for the immediate consideration of this congratu-
29. latory resolution. They are...

30. PRESIDENT:

31. Senator Berning moves for the suspension of the rules for the
32. immediate consideration of this resolution. All in favor will say
33. Aye. Opposed Nay. The rules are suspended. Senator Berning now

1. moves for the immediate adoption of this resolution. All in favor
2. will say Aye. Opposed Nay. The resolution is adopted.

3. SECRETARY:

4. Senate Resolution 199 introduced by Senators Buzbee, Knuppel
5. and Philip. It's congratulatory, Marine Corp.

6. PRESIDENT:

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Thank you, Mr. President. This is the resolution congratulating
10. United States Marine Corps on the celebration of its two hundredth
11. birthday, and I would ask for the favorable consideration of this
12. Body in the adoption of this resolution.

13. PRESIDENT:

14. Any discussion? Senator Buzbee moves for the suspension of the
15. rules for the immediate consideration of this resolution. All in
16. favor say Aye. Opposed Nay. The rules are suspended. Senator
17. Buzbee now moves for the immediate adoption of this resolution.
18. All in favor will say Aye. Opposed Nay. The resolution is adopted.

19. SECRETARY:

20. Senate Resolution No. 200 introduced by Senator Egan and all
21. Senators.

22. PRESIDENT:

23. Let me see it a minute please. Senator Kosinski, on behalf
24. of Senator Egan, moves for the immediate considerate...for the
25. suspension of the rules for the immediate consideration of this
26. resolution. All in favor say Aye. Opposed Nay. The rules...the
27. rules are suspended. Senator Kosinski, on behalf of Senator Egan,
28. moves for the immediate adoption of this resolution. All in favor
29. say Aye. Opposed Nay. The resolution is adopted.

30. SECRETARY:

31. Senate Resolution No. 201 introduced by Senator...Senators
32. Donnewald, Mitchler and all Senators.

33. PRESIDENT:

1. Senator Donnewald. Take it out of the record. Resolutions.
2. Senator Donnewald.

3. SECRETARY:

4. Senate Resolution 201 introduced by Senators Donnewald,
5. Mitchler and all Senators.

6. SENATOR DONNEWALD:

7. It's...this is congratulatory. I would move that the rules
8. be suspended for the immediate consideration of the resolution.

9. PRESIDENT:

10. Senator Donnewald. Senator Donnewald moves for the suspension
11. of the rules for the immediate consideration of this resolution.

12. All in favor say Aye. Opposed Nay. The rules are suspended.

13. Senator Donnewald now moves for the immediate adoption of this

14. resolution. All in favor say Aye. Opposed Nay. The resolution

15. is adopted. Specific Recommendations for Change on the order

16. of business is Specific Recommendations for Change on Page 6,

17. House Bill 222, Senator Londrigan...Senator Newhouse. House Bill

18. 600, Senator Weaver. House Bill 601, Senator Weaver. Pass.

19. PRESIDENT:

20. House Bill 1999, Senator Harris. House Bill 2058, Senator

21. Harris. House Bill 2193, Senator Howard Mohr. House Bill 2216,

22. Senator Kenneth Hall. Senator Hall.

23. SENATOR HALL:

24. Thank you, Mr. President. Ladies and Gentlemen of the Senate,
25. this was the bill we had before you...yesterday, and Senator Harber
26. Hall had some quesitons about it...

27. PRESIDENT:

28. Will the members be in their seats?

29. SENATOR HALL:

30. ...that this...this has been straightened out. The Republican
31. side of the aisle are now satisfied, and I just want to go back

32.

33.

H. B. 222
700, 20, 1975

1. through this to tell you what this bill...to refresh your
2. memory. House Bill 2216, it restores the requirement for a
3. drivers license examination every nine years rather than every
4. four years. It retains the eight dollar drivers license fee
5. rather than increases it to ten dollars. The analysis by the
6. Secretary of State Office indicates that they do not have suf-
7. ficient funds to begin implementing a four year drivers license
8. and testing program at this time. The ten dollar fee every four
9. years rather than eight dollar fee every three years was tied
10. to the four testing program. So, therefore, we're right back
11. where we were. That's re-examination every nine years rather
12. than four and the license fee is eight dollars rather than ten.
13. So, I accept the Specific Recommendation of the Governor.

14. PRESIDENT:

15. Any further discussion? The question is shall the Senate
16. accept the Specific Recommendations of the Governor as to House
17. Bill 2216. Those in favor will vote Aye. Opposed Nay. Secretary
18. will call the roll.

19. SECRETARY:

20. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
21. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
22. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
23. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
24. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
25. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
26. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
27. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

28. PRESIDENT:

29. Rock, Aye. Mitchler, Aye. Chew, Aye. On this question, the
30. Ayes are 45, the Nays are none. The...the Specific Recommendations
31. of the Governor as to House Bill 2216 having received the required
32. majority vote of the Senators elected, are declared accepted. House
33. Bill 222, Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Thank you, Mr. President. Mr. President, Senators, House
3. Bill 222 amends the Pension Code relating to State employees,
4. and I move that we accept the Governor's Specific Recommendation
5. for Change by its adoption.

6. PRESIDENT:

7. Is there a request for an explanation? Any further discussion?

8. SENATOR NEWHOUSE:

9. There was an amendment put on by Senator Rock, and that amend-
10. ment was taken off. Senator Rock has no objection to the bill, as
11. I understand it.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Yes, thank you, Mr. President and Ladies and Gentlemen of the
16. Senate, Senator Newhouse is correct. He was kind enough when the
17. House Bill was first before us to call it back for an amendment
18. which I offered, which, in fact, the Governor found to be object-
19. ionable. By virtue of his amendatory veto, he took my amendment
20. out. I have spoken with both Senator Newhouse and Representative
21. Londrigan, the House sponsor. The two changes that this bill does,
22. in fact, make are both very important in terms of the State Employees'
23. Pension Fund. My amendment, I will pursue on another bill, hopefully
24. next Session. But, for the time being, I think the bill has no
25. objectionable features either to the Governor or the Pension Laws
26. Commission or to any of the membership, and I would urge an Aye vote.

27. PRESIDENT:

28. Any further discussion? The question is shall the Senate accept
29. the Specific Recommendations of the Governor as to Senate Bill...as
30. to House Bill 222. Those in favor will vote Aye. Opposed will vote
31. Nay. Secretary will call the roll.

32. SECRETARY:

33. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,

1. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
2. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
3. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
4. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
5. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
6. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
7. Vadalabene, Weaver, Welsh, Wooten, Mr. President.
8. PRESIDENT:
9. Aye. Davidson, Aye. Bloom, Aye. Bell, Aye...no, Bell, No.
10. Glass, No. Davidson, Aye, I've said it. Brady, Aye. Berning,
11. Aye. Hynes, Aye. Harris, Aye. Clarke, No. On this question, the
12. Ayes are 44, the Nays are 5. The Specific Recommendations of the
13. Governor as to House Bill 222 having received the required majority of
14. votes of Senators elected are declared accepted. Senator Weaver, you
15. ready on 600? House Bill 600, Senator Weaver.
16. SENATOR WEAVER:
17. Thank you, Mr. President. House Bill 600 has to do with the
18. manner in which zoning notices are...notices of...posted for zoning
19. changes. The Specific Recommendation of the Governor is to strike
20. the home rule amendment on...on Lines 29 and 30. So, I would move
21. that the Specific Recommendations of the Governor...
22. PRESIDENT:
23. A little louder Senator Dougherty...I mean Senator Weaver.
24. A little louder, we can't hear you. Yeah.
25. SENATOR WEAVER:
26. A little louder.
27. PRESIDENT:
28. (Machine cut-off)...heard you. That's all right.
29. SENATOR WEAVER:
30. Senator Dougherty, I...
31. PRESIDENT:
32. Any further discussion? Any further discussion? Question...
33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the Senate,
3. I rise in opposition to House Bill 600. I think when the bill was
4. passed originally the proper amendment was, in fact, adopted, namely
5. the Home Rule Amendment. This legislation has returned from the
6. Governor now with his message, is in my judgement, pre-emptive, and
7. I would ask the Chair to so rule, so that when and if it's called for
8. adoption, it will, of course, require the requisite thirty-six votes
9. under the appropriate section of the Constitution.

10. PRESIDENT:

11. Senator, it does pre-empt home rule? It would, in the judgement
12. of the Chair, require thirty-six votes. Any further discussion?
13. Question is shall the Senate accept the Specific Recommendations
14. of the Governor as to House Bill 600. Those in favor vote Aye.
15. Opposed will vote Nay. Secretary will call the roll.

16. SECRETARY:

17. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
18. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
19. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
20. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
21. Lenke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
22. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
23. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
24. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDENT:

26. Senator Palmer desires to change his vote from Aye to No.
27. Senator Dougherty. How is Senator Dougherty recorded?

28. SECRETARY:

29. Recorded Aye.

30. PRESIDENT:

31. You're recorded Aye. He desires to change his Aye to No.
32. Senator Kosinski. How...how is Senator Kosinski recorded.

33. SECRETARY:

1. Not recorded.
2. PRESIDENT:
3. He wants to vote No. Senator Bruce. How is Senator Bruce
4. recorded.
5. SECRETARY:
6. Not recorded.
7. PRESIDENT:
8. He desires to vote Aye. Senator Fawell. How is Senator Fawell
9. recorded.
10. SECRETARY:
11. Not recorded.
12. PRESIDENT:
13. Not recorded. He desires to vote Aye. Senator Harber Hall, is
14. he...
15. SECRETARY:
16. Not recorded.
17. PRESIDENT:
18. He desires to vote Aye. The call for the absentees.
19. SECRETARY:
20. Carroll, Chew, Daley, Donnewald, Kenneth Hall, Harris, Hynes,
21. Howard Mohr, Netsch, Newhouse, Nudelman, Roe, Smith, Soper, Vadala-
22. bene, Mr. President.
23. PRESIDENT:
24. Savickas...Senator Savickas, how's he recorded.
25. SECRETARY:
26. He's not recorded.
27. PRESIDENT:
28. He's not recorded. He wants to...record it. On this question,
29. the Ayes are 31, the Nays are 12. The Specific Recommendations of
30. the Governor as to House Bill 600 having failed to receive the
31. required three-fifths vote of Senators elected are declared not
32. accepted. 601, Senator Weaver.
33. SENATOR WEAVER:

1. I'll accept the same roll call.

2. PRESIDENT:

3. Is there leave to apply the same roll call to House Bill 601?

4. And the...the same ruling, of course, obtains. The vote on House

5. Bill 601, 31 Ayes, 12 Nays. The Specific...the Specific Recommenda-

6. tions of the Governor as to House Bill 601 having failed to receive

7. the required three-fifths vote of Senators elected are declared not

8. accepted. House Bill 1730, Senator Howard Mohr. House Bill 1999,

9. Senator Harris. House Bill...House Bill 2193, Senator Howard Mohr.

10. House Bill 2249, Senator Dougherty. Senate Bill 2832, Senator

11. Carroll. House Bill 2832.

12. SENATOR CARROLL:

13. Thank you, Mr. President and members of the Senate. I move

14. to accept the Governor's Specific Recommendations for Change as to

15. House Bill 2832. This bill dealt with the medical factors of those

16. who take the accounts receivable from doctors and attempt to collect

17. them. The Governor made some very good changes to this legislation,

18. and what we did is before this factors were an unregulated activity

19. wherein a finance company would take the bills from the doctors and

20. try and collect them and discount them from the doctors. There was

21. no licensing, no regulations and no controls, and they were suing

22. the Department of Public Aid if they weren't getting paid. This

23. law established a licensing act and the Governor put it under the

24. Department of R and E, took out the holder...we took out originally

25. the holder in due course concept, and this now says that while they

26. are still to be a licensed activity, there's no requirement that you

27. use a factor, that if they are to be used, that they be properly

28. regulated, that their books and records be available to the Depart-

29. ment. I would move, therefore, that we accept the Governor's Recom-

30. mendation for Change to House Bill 2832.

31. PRESIDENT:

32. Any further discussion? Senator Schaffer.

33. SENATOR SCHAFFER:

1. If the sponsor would yield, I'm curious...

2. PRESIDENT:

3. He indicates he'll yield.

4. SENATOR SCHAFFER:

5. ...where does a factor end up in suing the Department of Public
6. Aid at the end of where the bill is today? Are they prohibited or
7. permitted or not?

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. We all look alike. Thank you, Mr. President. Senator Schaffer,
12. my understanding is that at present there is litigation against the
13. Department because under a rule they did not pay a factor. This law
14. provides that they would be a licensed activity, and those licensed
15. ones would, you know, put in for collecting them. I don't see where
16. the element of suit comes into it once they are a licensed activity,
17. but the only ones that would be eligible to receive it would be a
18. licensed factor. Who would...there would be defenses by the Depart-
19. ment against that factor also, they are not a holder in due course

20. PRESIDENT:

21. Any further discussion? Senator Newhouse.

22. SENATOR NEWHOUSE:

23. Mr. President, Senators, I...I talked to the Senator on this
24. bill. There was some strenuous objections to this bill by the Cook
25. County Physicians Association, among others, and there was a sense
26. of the resolution passed in a recent meeting of the Medical Associa-
27. tion here in...in Springfield. The problem is this, that those medical
28. providers, that is the doctors, who are providing medical care for
29. people on Public Aid and on Medicare are not able to get their monies
30. from the State of Illinois and they're waiting six months, a year
31. sometimes for their monies. They discount their paper to a factor
32. who is apparently able to get his money from the State of Illinois.
33. I have seen vouchers that have been submitted by physicians from my

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1. district to the State of Illinois. Those vouchers have reached
2. Springfield and the vouchers have been changed. They've been
3. changed in two ways. One - the address of the physician has been
4. removed from the voucher and the name of the address of a factor
5. substituted for the address of the doctor. The rates have been
6. changed upward. For example, I've seen billings changed from twenty-
7. five dollars that was submitted by the doctor, to fifty dollars after
8. they arrive here in Springfield. Doctor Carroll Hutchinson and
9. other doctors have come to me with this and asked me to represent
10. this on the Floor of the Senate. I will make... the evidence
11. of these available to any one who wants to see it through Doctor
12. Hutchinson. Now, what this bill will do... I understand what the
13. sponsor is attempting to do, but what this bill will do instead
14. is lock in the factors. And as a matter-of-fact, lower the level
15. of health care, because the physicians cannot get their money. It
16. means that some physicians then will cease to service green card
17. patients. Doctor Hutchinson has already ceased to do this and is
18. taking green card patients only as a voluntary matter. You cannot
19. serve all the persons who have green cards as a volunteer matter,
20. and this means that some people will go unserved. So, I would
21. want to put that on the record and have it before the Legislators
22. before they vote, and I will oppose the override of the veto on
23. this bill. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President. I would like to ask Senator Newhouse
28. a question about his last statement, if he will yield.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. He indicates he will.

31. SENATOR GLASS:

32. I...I think that was a persuasive argument, Senator Newhouse, but
33. I'm wondering. You said this bill would lock the factors in. Can you

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1. explain that a little bit further. Why is that true?

2. SENATOR NEWHOUSE:

3. My understanding...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. Thank you. Thank you, Mr. President. My understanding is
8. presently that the use of...use of factors is presently not...not
9. permissible. How this has gotten around, I'm not quite sure. As
10. a matter-of-fact, I understand that there...there are HEW regulations
11. against such action. So, there is some question about the validity
12. of whatever it is we're about to do. But, that is the story, Senator,
13. and that's the answer to the question.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berning.

16. SENATOR BERNING:

17. I'd like to ask the sponsor a question.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Newhouse indicates he will respond.

20. SENATOR BERNING:

21. Senator Carroll, I...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Oh, Senator Carroll. I'm sorry. I beg your pardon.

24. SENATOR BERNING:

25. Senator, didn't we have a bill that set a maximum time limit
26. during which the State must meet its obligations, make its pay-
27. ments, sixty days as I recall.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Carroll.

30. SENATOR CARROLL:

31. Senator Berning, my understanding is that we did set a time limit
32. after which the State is going to have to pay interest to anybody who
33. has a claim coming. The effect, which means, if the doctor can still

1. pursue his claim if he's not paid within sixty days, as I recall
2. it, he's then entitled to one percent a month interest. Yes.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Berning.

5. SENATOR BERNING:

6. With...with that provision, we are not faced with quite the
7. problem any longer that we were prior to that so that this may
8. almost be a moot situation. Is it still, in your opinion, necessary
9. that this act be established and if so, can you clarify for me what
10. is meant by this...the report that I have which says - that the...
11. that they may not collect from individual payments or from individual
12. patients. If the factor is unable to collect from an individual pa-
13. tient, are we saying that he may only collect from the State, and is
14. that a desirable inclusion in the bill?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Senator Berning, it is my personal opinion that as to the sixty
19. day rule, there will be less providers, less doctors, hospitals, et
20. cetera, using what we call factors. They...if they know they're going
21. to get paid within sixty days or at least get back what it cost them
22. to borrow the money from a bank, they're not going to be selling their
23. paper at a discount to factors. I agree with you there, on your first
24. question. And also, as to that, however, I still feel that if there
25. are going to be factors allowed, they should be a regulated...they
26. should be a regulated and licensed activity. Today, collection agencies
27. are regulated and licensed, banks, savings and loans, but not these
28. people who are discounting monies and then collecting from the State,
29. as to your first question. So, I think there is still a need, as long
30. as they are going to be attempting to provide their service. As to
31. your second point, the protection to the individual patient. The patient
32. who is either on Public Aid...Senator Donnewald, could we try...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Just a moment. Will the members please be in their seats.

2. SENATOR CARROLL:

3. Thank you so much.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Proceed.

6. SENATOR CARROLL:

7. As to the collection from the individual patient, we think that
8. was a very needed protection. The Governor felt there was ambiguity
9. in our language and made good corrections to make sure that the fac-
10. tor cannot then go to the patient's house and try to collect from
11. him. If he buys the paper from the doctor and if he cannot collect
12. it from Blue Cross or Blue Shield or Public Aid or whoever is supposed
13. to be the...the final payer of the monies, then he's got to go back
14. to the doctor and get his money back from the doctor. He cannot
15. harass the patient as a factor. Let him get his money back from
16. the doctor and let the doctor collect from the patient.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Berning.

19. SENATOR BERNING:

20. Senator Carroll, you may have answered my next question and that
21. is, would the doctor be precluded in the future from approaching the
22. patient by...by enacting this?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Carroll.

25. SENATOR CARROLL:

26. Not at all. That's the whole point in that part of the act
27. to make that very clear, that the factor is not a holder in due
28. course. That if the patient claims the services were not provided
29. or if the State claims that the patient was not eligible for this
30. service then in that case the factor will not be paid. He has to
31. go back to the doctor and the doctor has to pursue his normal remedies.
32. That's why we did not make them a holder in due course. The defenses
33. are there as against the factor.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Partee.

3. SENATOR PARTEE:

4. Well, Mr. President and members of the Senate, there's a lot
5. of discussion about this bill. You know what's...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator, just a moment. We all want to listen. If we would
8. have some order in the back in the gallery, and will the members
9. please be in their seats. Proceed.

10. SENATOR PARTEE:

11. What's really wrong with this bill is its existence. There
12. should...they shouldn't be any factors to begin with. One of the
13. things that has caused Illinois to have such a high cost of public
14. assistance is the existence of factors. Farmers grow grain, farmers
15. grow tomatoes, they get x number dollars for them, there's six
16. middlemen in between them and the consumer and when the consumer
17. finally gets it, it cost him some astronomical cost. And that's
18. the same thing with this public aid system. Factors - who needs
19. them? We don't need factors at all. The State has an obligation
20. to pay a doctor or patient for medical services, it ought to be a
21. direct payment. I know what the factors do and what Senator Newhouse
22. talked here about today is really distasteful to me and it's just
23. an abomination to the existence of a fair orderly run government.
24. Can you imagine, as he said, a bill being submitted by an individual
25. doctor, being returned, say in the amount fifty dollars, and
26. being returned through a factor where the amount of service charge has
27. been changed to a hundred dollars to...to accommodate that factor. And
28. he, of course, then takes his profits out of this amount. I don't
29. know who makes the change. It's obvious who makes it. I make no
30. accusations when anybody who is...with a sixth grade...who is six
31. years old can tell you who does it, and that's why we're now in the
32. billions of dollars on Public Aid. And old people and people who
33. need help are the whipping boys of this Legislature and everybody

1. else, because the big money in Public Aid is not going to the
 2. people who need it, but it's going to factors. And I say to you
 3. that it's time we called a halt. I wish we had time today. I'd
 4. put a bill in here to take away factors and prohibit them entirely
 5. from dealing with this situation. I saw this happen a few years
 6. ago when a young dentist from the west side came to see me and said
 7. that he was not getting the money he was entitled to get, because
 8. factors were taking his money and he couldn't really keep books
 9. with them because he couldn't get to the Department of Public Aid
 10. and the factors could, and he thought that the factors were cheating
 11. him. He realized that he, then at that time, needed to have advance
 12. money and that's why he went to the factors. And I went to the
 13. Illinois Investigating Commission, by letter, by call, to the Director
 14. and asked them to get involved into this situation, because to me,
 15. it direly needs the attention of a deep and thorough investigation.
 16. We've read very recently about a lot of other dollars that have been
 17. wasted in the Public Aid area. And I think it's time, high time, we
 18. did something about it to save some of this money that's being wasted
 19. and squandered that ought to be in our regular revenue fund and ought
 20. to be used for things of higher priority. And I'm going to vote against
 21. accepting these recommendations here. If we're going to have this
 22. bill at all, we ought to have it in the form it's in, but something
 23. ought to be done about getting rid of it. Pardon me. Oh, I thought
 24. you were trying to give me a signal. Thank you. Cause I can't read
 25. lips, my wife can, I can't.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Don Moore.

28. SENATOR MOORE:

29. Thank you, Mr. President and members of the Senate. I have to be
 30. honest. I don't recall this bill when it came over from the House. I
 31. did notice, however, that there are five pages of Specific Recommendations
 32. of the Governor on this bill. Now, I am familiar with the problems
 33. with factoring. I can agree with Senator Partee. If the Department

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1. of Public Aid would pay their bills within thirty to forty-five days,
 2. there would be no need for factors whatsoever. The Hospital Associa-
 3. tion, the State Medical Society, they all agree if we can have our
 4. money in thirty to forty-five days, we can wait that long. When it
 5. goes beyond that point, that's when we run into problems. I also
 6. have to agree with Senator Partee that a large portion of the Public
 7. Aid budget approaching fifty percent of the total one billion, eight
 8. hundred million dollars, is in the medical line item. I think a lot
 9. of us are under the supposition that when we come in with a budget
 10. for the Department of Public Aid, it's all ADC. That is not the
 11. case. Forty some percent of that whole budget is medical, and I
 12. agree with Senator Partee, we can eliminate factors once and for all
 13. if the State Department of Public Aid would pay their bills within
 14. thirty to forty days. There isn't a professional health care organ-
 15. ization or member of any of those organizations that would not be
 16. willing to wait thirty or forty days to get their money. When it
 17. goes beyond that, then their cash flow problem arises and as a result
 18. they have to go to factors. Now, at a meeting that the Legislative
 19. Advisory Committee had in October, there was one hospital in the
 20. City of Chicago that is one hundred and one days behind on its
 21. billings with the Department of Public Aid. What do they have to do,
 22. they have to go out and borrow money. They cannot afford the usurious
 23. rates that the factors charge them. I agree with Senator Partee. I
 24. think that if the Department of Public Aid would pay their bills in a...
 25. within a reasonable time, there wouldn't be a factor in the State of
 26. Illinois and there would not be any need for House Bill 2832. I,
 27. therefore, would vote to not to sustain the Governor's five pages
 28. of Specific Recommendations.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Carroll may close the debate.
 31. Oh, Senator Glass, for the second time.

32. SENATOR GLASS:

33. Thank you, Mr. President, and I will be brief for the second time.

1. I...I take it, and maybe Senator Carroll will comment on this in
2. closing, I take it if this bill does not pass, the...the present
3. rule of the Department which prohibits factors from dealing with
4. the Department of Public Aid, that will be the existing situation
5. unless it's overturned by legislation, and I don't know. Did you
6. hear that?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. If he did, it's a miracle.

9. SENATOR GLASS:

10. Well, that's what the Veto Message says, and I think the membership
11. should be aware of that. I...I support what Senator Partee and
12. Senator Moore have said, and it seems to me that if the bill is defeated
13. and if the public...Department of Public Aid's rule is upheld in
14. court, then there will be no factors permitted to deal with the
15. Department, and I would appreciate it if in closing, Senator Carroll
16. would comment on that.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? If we can have a little peace, order
19. and quiet, Senator Carroll may close the...oh, Senator Harris, excuse
20. me.

21. SENATOR HARRIS:

22. Well, I know there is a great deal of confusion on this side.
23. We do have a lot of collateral commotion going on here, and this is
24. a pretty serious piece of legislation, but I'm inclined just to commun-
25. icate to my side and this isn't anything about which to be partisan.
26. I'm inclined to believe that this bill, either way, in its specifically
27. recommended change by the Governor form, and as a matter-of-fact, in
28. its original form and the Department of Financial Institutions is a
29. far more appropriate agency for this kind of regulatory power on the
30. part of the State. I...I'm just deeply troubled about where that
31. regulatory power has been applied now, and I am inclined to believe
32. that we should not act on this bill in its present form now, and take
33. it up when we're back here in the Spring and more carefully construct

1. this whole answer. In the meantime, that litigation can proceed
2. and whichever way the court decides with respect to the Department's
3. rule of not paying factors, we would have the guideline of the court
4. action to base more sound legislative action on.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR ROCK:

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

9. I rise to agree with both Senators Newhouse, Partee and Harris. I...

10. I, too, think that because of the many, many substantive changes
11. made by the Governor, one of which I might point out was an immediate
12. effective date, so that the acceptance would, in my opinion, require
13. thirty-six votes, but in addition to that, the many, many substantive
14. changes. I think, in fact, he has constructed a new bill and one which
15. would be better...our purposes would be better served to run it by the
16. committee again. I think there's a lot of unanswered questions, and,
17. frankly, I do not think that this bill is timely.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further debate? Senator Carroll may close the debate.

20. SENATOR CARROLL:

21. Thank you, Mr. President and members of the Senate. I'm glad
22. we had a little interest this morning in some legislation. I thought
23. it was going to be a dull day for awhile. There's been a lot of
24. misunderstanding, however, on the Floor of this Senate. Let me
25. state to Senator Glass, in closing, yes, I will touch upon that
26. point. Point is that the Department has been restrained from denying
27. payment. The Department issued a rule that factors would not be paid.
28. The court restrained them from enforcing that rule and if you read
29. the Governor's message, he says that the...that the enforcement of
30. that rule has been delayed by the litigation. They were enjoined
31. from stopping the payments to the factors, so, in fact, the Depart-
32. ment is paying factors now. And those factors who are being paid on
33. unlicensed, unregulated and unexamined type of financial dealings

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1. institution. What this bill was originally intended to do, and what
2. I still feel it does do, is to say that if that you are going to be in the
3. business of factoring medical payments, the State has a legitimate
4. interest in regulating you, in licensing you and in examining you...
5. examining you. They have the right to come in and see the books and
6. records. They have the right to come in and make sure that the things
7. that Senator Newhouse is talking about are not going on. And I would
8. suggest to Senator Newhouse that he is right. That if those activities
9. are going on, people should be brought before a grand jury, indictment
10. should be sought and there should be trials and hopefully convictions,
11. because nobody is entitled to change those original requested amounts.
12. And as to Senator Berning's original point, if we do have the law that
13. requires payment in sixty days, it is very possible, very possible,
14. that there will be no need for factors in this State, which I think
15. also would be a good. However, as long as they are in activity that
16. is conducting itself in this State, we should not allow them to go
17. without being examined, licensed and regulated. While I don't feel
18. that the R and E is the proper place either, I think that's the best
19. we have for now, and here and now is when we must deal with this
20. problem - not put it off till next Spring. The appropriate action
21. to take next Spring would be to take it from R and E and put it back
22. in Financial Institutions. Without this now, these payments will go
23. to unregulated people. I would urge that we do sustain...or we do
24. adopt the Governor's...Specific Recommendations for Change. Thank
25. you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question...the question is shall the Senate accept the Specific
28. Recommendations of the Governor as to House Bill 2832 in the manner
29. and form just stated by Senator Carroll. Those in favor vote Aye.
30. Those opposed vote Nay. Secretary will call the roll.

31. SECRETARY:

32. Bell, ...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

5-23-52
10-20-1975

1. The Chair wants to advise the membership that this will take
2. thirty-six votes.

3. SECRETARY:

4. Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
5. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
6. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
7. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
8. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
9. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
10. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
11. Wooten, Mr. President.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Partee, No. Nudelman, Aye. On that question, the Yeas are
14. 14, the Nays are 32. The Specific Recommendations of the Governor
15. as to House Bill 2832 having failed to receive the required three-
16. fifths majority of the Senators elected are declared not acceptable.

17. PRESIDENT:

18. House Bill 3024, Senator Daley. House Bill 2229, Senator Rock.
19. Senator Rock is recognized.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. I'm seeking leave to handle this bill for the sponsor who is at this
23. time presiding.

24. PRESIDENT:

25. Leave is granted.

26. SENATOR ROCK:

27. Thank you, Mr. President, Ladies and Gentlemen of the Senate, there
28. is a motion filed to accept the Governor's Specific Recommendations
29. for Change with respect to House Bill 2229. That bill, you will recall,
30. had...made two substantial revisions in the law as administered by
31. the Secretary of State. One was with respect to the Franchise Disclosure
32. Act, and the second and more importantly was a broadening of the Illinois
33. Securities Law of 1953, which is administered by the office of the

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1. Secretary. Now, the only change made by the Governor was to change
2. the effective date until January 1 of 1976, and this was at the
3. specific request of the Secretary, because under the law, as passed,
4. approximately two hundred persons who are engaged in the business of
5. selling securities will have to re-register and be re-tested by that
6. office. And in order to allow the Secretary of State an opportunity
7. to...to conduct this re-testing, he solicited the help of the Governor
8. with respect to the change in the effective date and the Governor
9. complied with his request. I think this recommendation is a good
10. one, and one that we should accept and I would seek a favorable
11. vote.

12. PRESIDENT:

13. Any further discussion? The acceptance requires thirty-six
14. votes. The question is shall the Senate accept the Specific Recom-
15. mendations of the Governor as to House Bill 2229. Those in favor
16. will vote Aye. Opposed Nay. Secretary will call the roll.

17. SECRETARY:

18. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
19. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
20. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
21. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
22. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
23. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
24. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
25. Welch, Wooten, Mr. President.

26. PRESIDENT:

27. Joyce, Aye. Nimrod, Aye. On this question, the Ayes are 53,
28. the Nays are none. The Specific Recommendations of the Governor
29. as to House Bill 2229 having received the required majority of
30. Senators elected, three-fifths of Senators elected, and are declared
31. accepted, and the bill having received the affirmative vote of three-
32. fifths of the members elected is effective immediately upon its be-
33. coming a law. House Bill 2249, Senator Dougherty.

1 SENATOR DOUGHERTY:

2 Thank you, Mr. President. You know, Mr. President, my position
3 here remember most of my life I've been fighting an uphill battle.
4 This is the first time I've ever been in the down hill position.
5 It makes it a little bit difficult. However, in asking that we
6 concur in the Governor's suggested amendatory veto to House Bill
7 2249, briefly, the bill, as introduced, provided for a five member
8 board, a commission of uniform laws, and the...provides one member
9 be appointed by the Governor and four by the Legislative leaders.
10 In his...in his message, the Governor suggests a nine member board,
11 five be appointed by the Governor, four by the Legislative leaders.
12 And since the sponsor of the bill, Representative Farley, concurs
13 in it, I too, concur in it, recommend that we adopt the Governor's
14 recommendations, but this bill contains an effective date. It
15 will need thirty-six votes. I move to concur.

16 PRESIDENT:

17 Any further discussion? The question is shall the Senate
18 accept the Specific Recommendations of the Governor as to House
19 Bill 2249. Those in favor will vote Aye. Opposed will vote Nay.
20 Secretary will call the roll.

21 SECRETARY:

22 Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
23 Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
24 Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
25 Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
26 Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
27 Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
28 Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
29 Welsh, Wooten, Mr. President.

30 PRESIDENT:

31 Demuzio, Aye. Bell, Aye. Hynes, Aye. Netsch, Aye. Course,
32 Aye. Schaffer, Aye. Howard Mohr, Aye. Regner, Aye. Donnewald, is
33 Donnewald...how is Donnewald recorded? He's recorded Aye. How is

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1. Senator Lemke recorded? Not recorded. Aye. On this question,
2. the Ayes are 49, the Nays are 2. The...the Specific Recommenda-
3. tions of the Governor as to House Bill 2249 having received the
4. required majority vote of Senators elected, are declared accepted.
5. House Bill 2193, Senator Howard Mohr.

6. SENATOR MOHR:

7. Yes, Mr. President. I would move that we concur in the Gov-
8. ernor's Recommendations. House Bill 2193 extends the after care
9. supervision of community placements to include conditional dis-
10. charged persons from State Mental Institutions. All this does
11. is reduce the...the visitation time from two months to one month.

12. PRESIDENT:

13. Any further discussion? The question is shall the Senate
14. accept the Specific Recommendations of the Governor as to House
15. Bill 2193. Those in favor will vote Aye. Opposed Nay. Secre-
16. tary will call the roll.

17. SECRETARY:

18. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
19. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
20. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
21. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
22. Lemkc, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
23. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
24. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
25. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

26. PRESIDENT:

27. Johns, Aye. On this question, the Ayes are 49, the Nays are
28. none. The Specific Recommendations of the Governor as to House
29. Bill 2193 having received the required majority vote of Senators
30. elected are declared accepted. House Bill 3057, Senator Welsh.
31. Pass. On Page 7, Specific Recommendations for Change, House Over-
32. ride of an Amendatory Veto. House Bill 709, Senator Savickas.

33. SENATOR SAVICKAS:

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11-20-75

1 Yes, Mr....Mr. President and members of the Senate, I seek to
2 join the House's action in overriding the Governor's Specific Recom-
3 mendations for a Change in House Bill 709. The change that was added
4 was an automatic repealer of House Bill 709. This is the bill that
5 would allow you to play cards in your home or private club without
6 any interference. I would hope and suggest, in the Governor's own
7 terms, that there is definitely a need for a change and that the
8 purpose of this bill is to remove the legal sanctions against the
9 friendly card games played in the home or private club. I don't
10 know of any other piece of legislation that I've seen introduced
11 in this House that's ever had an automatic repealer after one year,
12 and I would hopefully suggest that we sustain the House's action
13 in overriding the Governor's Amendatory Veto.

14 PRESIDENT:

15 Any further discussion? Senator Mitchler.

16 SENATOR MITCHLER:

17 Mr. President, may I inquire? If the Amendatory Veto of the
18 Governor is not accepted, what is the status of the bill?

19 PRESIDENT:

20 Now, let me...let me put it in another way. This is a motion to
21 override the Specific Recommendations of the Governor by way of an
22 Amendatory Veto. The House has already overridden that Specific Recom-
23 mendation. If this Body does not override it, then it occurs to me
24 that the bill fails, I would think, because both Houses must do
25 the identical thing. Senator Mitchler.

26 SENATOR MITCHLER:

27 Then, Mr. President, I would like to speak in defeating the
28 motion to override the Governor's Amendatory Veto with the intent
29 of giving House Bill 709 a burial right here and now. Now, on the
30 outside, as explained by Senator Savickas, that this will allow
31 a friendly card game in your home, it does do that, but this bill
32 goes even further than that. And what we're doing now, I'm sort of
33 arguing the...the bill itself, because of the Amendatory Veto.

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1 But, this bill will open up gambling, card playing in all of the
2 various clubs and organizations. Now, I...you know that I'm
3 very much acquainted with what goes on in American Legion homes,
4 Moose Lodges and fraternity groups, and I know that there's
5 no House cut, but this does not preclude a special price on the
6 beverages sold or a special price on the cards being used to
7 play. Now, what you're doing here, you're opening up Pandora's
8 Box to wide open gambling, just as in the Lottery, you now got
9 this instant Lottery game that's nothing...nothing more than
10 like pulling those little slips off of a...a cardboard like are
11 operating in many places. And it's...it's really opening up
12 gambling, so watch your vote on this. I'm not trying to influence
13 you one way or the other, you're all over twenty-one and know
14 how to vote. But watch what you're doing here. This is a
15 bad, bad bill, and vote no on the Amendatory...on a motion to
16 accept the Amendatory...or override the Amendatory Veto with the
17 idea of killing the bill in its entirety.

18 PRESIDENT:

19 Any further discussion? Senator Savickas may close the
20 debate. Oh, Senator Fawell, I'm sorry.

21 SENATOR FAWELL:

22 Mr. President and members of the Senate, I simply want to also
23 rise in opposition. I think we've got an opportunity here to rectify
24 the error that we made during the Session in passing this thing in
25 the first time. All you got to do here is simply have any building
26 that can be called a residence, that is to say if you just put a
27 bedroom anywhere, which might serve a dual purpose for an establish-
28 ment like this, then you've got a building that can operate any type
29 of card game for profit and the various gambling activities which are
30 set forth in this bill. The only other legal gimmick that you have
31 to watch out for is that there is no rent charged, but, of course,
32 a cut in the profit is much better than any type of rent anyway and
33 the agreement can be worked out in that regard. I...I can't for the

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1 life of me what we...what we need here is to bring back Hudson
2 Sours to give a little talk on this one, and I'm sure he'd spend
3 a long time berating us for even considering legislation like this.
4 Not...not too long ago, in the City of Chicago, there was a company
5 that said that they had the right to operate a business of off-
6 track betting. And one of the reasons they set forth to the court
7 was the many changes that the Illinois Legislature has already made
8 which is authorizing gambling in the State of Illinois. He ticked
9 them off, the Lottery and so forth and so on, and the expansion
10 of...of the betting at the track two, which we have expanded during
11 this Session. One of these days, the people are going to be rather
12 stunned to...to find out what we are slowly, not so slowly, but
13 quite surely doing in the State of Illinois. I don't think the
14 Legislature can continue on this track, and when the people finally
15 realize what we are doing, at least the Governor had sense enough
16 to say that there ought to be an automatic repealer, what he...what
17 he should have done is just outright vetoed the bill, because it is...
18 it is poor legislation. It's something we shouldn't even be thinking
19 about down here, and we ought to now give it a proper burial and...and
20 hope that it doesn't attempt to resurrect itself again. I...I urge
21 all of us to vote against this distasteful piece of legislation.

22 PRESIDENT:

23 Is Senator Bloom on the Floor? Senator Soper.

24 SENATOR SOPER:

25 Thank you, Mr. President. Now, when this bill originally came
26 upon the Floor, I questioned Senator Savickas on it and he's adept
27 of avoiding all answers pertainate to the question. But, I say this
28 that if we're going to have a Las Vegas, then I think that we ought
29 to give the State the right to tax and to collect and the people to
30 receive some remuneration in lower taxes. Now, this...all this will
31 do is open up unlimited gambling and you...and without...without the
32 benefit of either some church or some club receiving something out
33 of it, the State having its taxes lowered. It's too much...it's too

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1. wide an opening in this thing. Now if you want to have open
2. gambling, let's put it before the people and...let the State
3. get some taxes, otherwise, this...this is a very, very, bad
4. concept and...oh, I like to play cards, but I think that when
5. you say that a policeman can't come in and stop gambling because
6. you say it's in somebody's home, huh...it's always going to be in
7. some home and Senator Harris talks about, I mean Fawell said
8. that they're going to use the bedroom for some other purposes,
9. so I don't know what he was talking about but...I don't know who
10. they are going to move out of the bedroom. So you'd have a...a
11. double...

12. PRESIDENT:

13. Just a moment, Senator. You're being a little noisy, folks.

14. SENATOR SOPER:

15. You'd have a double...you'd have a double use for a single
16. bedroom.

17. PRESIDENT:

18. Cut it down.

19. SENATOR SOPER:

20. So, I...I rise in opposition to this and I think it should be
21. soundly defeated. Thank you.

22. PRESIDENT:

23. Senator Nudelman.

24. SENATOR NUDELMAN:

25. Thank you Mr. President, Ladies and Gentlemen of the Senate.
26. I realize that there is room certainly for opposition to any given
27. bill, but I think when somebody opposes something he should look
28. at the bill honestly and not misrepresent what the bill states. And
29. I think Senator Fawell, if you would read the bill, you will realize
30. that the representation you made relative to a cut of proceeds of
31. gambling is strictly prohibited by the bill. The...the allowed
32. gambling, if that's what you want to call it would be only under
33. specifically set out circumstances in a private home or in a private

1 club, with the further specification that no charge be made, no
2 seat charge, or entry charge, or any other charge be made and also
3 that no amounts of money be taken from any proceeds of any wager
4 made. So that to say that this would be open to professional gambling
5 I think is ludicrous and let's view the bill in its proper context.
6 If you don't like the bill, sobeit, but let's not put the flag of
7 motherhood against this thing. This is a simple thing and we are
8 not opening the door to racketeers and gamblers and what-not. I
9 think it's a simple proposition that we should all reasonably
10 support. I know a lot of fellows who got up and spoke about this
11 thing, are fellows I played cards with in one form or another, some of
12 whom I've lost money to and I hate to think that they are on one hand
13 willing to take my money and on the other hand admitting they want
14 to continue to be criminals who are engaging in illegal activities.
15 It's just an unreasonable position to take. Thank you.

16 PRESIDENT:

17 Senator Howard Mohr.

18 SENATOR MOHR:

19 Mr. President, the one thing that I liked about the Governor's
20 suggestion of a repealer is that I am reminded of the nineteen year old
21 drinking bill and I wished somebody would have come up with that
22 idea at that time where we would have had a...a test period where
23 we could have gone back and...and reviewed the experiences that the
24 people have that have to enforce the law, the local and the county
25 people and if they would have some of this...some of these problems
26 brought to our attention, I think that we'd...we'd act on a different
27 manner at sometime. Again I say that the idea of a repealer is good
28 and anybody that doesn't think there are floating card games around
29 is not really with it. I would...I would ask, Mr. President, how
30 many...how many votes would this require?

31 PRESIDENT:

32 Thirty-six votes.

33 SENATOR MOHR:

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1. All right, thank you, Sir.

2. PRESIDENT:

3. Senator Ozinga.

4. SENATOR OZINGA:

5. Question on this bill. Now, if we vote to sustain the Governor's
6. Amendatory Recommendation here, the House having overridden it.

7. PRESIDENT:

8. Now, that's not the way the question will be put Senator. The
9. question will be put, does the Senate vote to override the Governor's
10. Amendatory Veto.

11. SENATOR OZINGA:

12. So, a No vote on this particular issue would then practically,
13. for all practical purposes, kill the bill. Am I correct?

14. PRESIDENT:

15. If there were enough, yes.

16. SENATOR OZINGA:

17. If there...if there were not enough to override the Governor.

18. PRESIDENT:

19. If there are not enough votes to override the Governor, it
20. practically, it does kill the bill, yes.

21. SENATOR OZINGA:

22. And in its entirety.

23. PRESIDENT:

24. In its entirety. That is correct.

25. SENATOR OZINGA:

26. Okay, with that circumstance in mind, I would urge each and
27. every person on this Floor to vote No.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. I...in...in response to some of
32. the comments of Senator Nudelman, I...I think a couple of things
33. are in order. What he says is in large measure true and I remember

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1 when this bill was up before, some of us were interested in
2 amending it to strictly limit the scope of it to what we would
3 call friendly card games in the home and I...I think our concern
4 is this bill does go further. Senator Nudelman, in response
5 to your comment about the bill prohibiting the payment to the
6 person who would operate the card game of rent, that may be
7 correct and the languages that - if a...if a card game is played
8 at a person's residence, it's all right when no one receives any
9 payment or other thing of value directly or indirectly for providing
10 the place for the card game. But, I submit that that doesn't prohibit
11 him from receiving other kinds of remuneration that...that might
12 be attentat on a game or even a cut of the profit. So, I think
13 what Senator Fawell said earlier is a real threat and that in its
14 present form this bill should not become law.

15 PRESIDENT:

16 Any further discussion? The question is shall the Senate...
17 Oh, pardon me, sure. Senator Savickas may close the debate.

18 SENATOR SAVICKAS:

19 Thank you, Mr. President. It seems that once again our opposition
20 has been consistant and their ignorance of the true facts of what
21 legislation they speak on. They pop up like jack rabbits just to
22 talk and to be a little sanctimonious, to go back to their constituents
23 or to the news media to say that they're against gambling while in
24 the back dark rooms of their hotel rooms they consistently indulge
25 in these acts. I will read from the Governor's Message exactly what
26 this bill does. This bill amends the Criminal Code to provide an
27 exception to the general prohibition against gambling for card games
28 when played at a persons residence or on the premises of a bona fide
29 and nonprofit labor, veteran, fraternal or other organization having
30 membership dues and in either instance there's no compensation for
31 providing the premises. Once again, our great flag waver from across
32 the aisle is going to go back home and say, well, he stood for the
33 veterans as they get raided each day by their sheriffs or local
34 police and he's gonna tell them, he did it for them and good luck

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1. on the 4th of July. Mr. President and members of the Senate, I
2. think there's been too much emphasis placed on this particular bill
3. and the concerns with it. The bill was put in with the intention
4. of providing those people that play a little pinochle, a little
5. cards at home, or at these veteran's organizations, just to make
6. sure that there is no repercussion as there was if we can remember
7. on the bingo days when grandma was playing bingo. And Governor
8. Ogilvie was then the Sheriff of Cook County and said this is against
9. the law and nobody can play bingo so he started to raid each and
10. every church and each and every bingo house and so poor grandma,
11. poor grandpa, they had to come to the State Legislature to get this
12. back into law. This is all this does, is provide for the card player
13. what we did for the bingo player and I solicit your favorable vote.

14. PRESIDENT:

15. Senator Soper, he was closing the debate, and you have already
16. spoken, but this must be of some real magnitude. Senator Soper.

17. SENATOR SOPER:

18. Well...Mr. President on the point of personal privilege.

19. PRESIDENT:

20. State your point.

21. SENATOR SOPER:

22. My point is that there was a reference to the ones who had
23. spoken against this proposition as being jack rabbits that got up
24. to talk. Now, if Senator Savickas has some jack rabbits that talk,
25. I'll give him twice the prevailing weight price on each jack rabbit
26. that talks.

27. PRESIDENT:

28. Cut the cards. The question is shall House Bill 709 pass
29. the Specific Recommendations of the Governor to the contrary notwith-
30. standing. Those in favor vote Aye. Those opposed vote Nay. Thirty-
31. six votes are required. The Secretary will call the roll.

32. SECRETARY:

33. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,

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1. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
2. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
3. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
4. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
5. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
6. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer,
7. Soper, Vadalabene, Weaver, Welsh, Wooten, Mr. President.

8. PRESIDENT:

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. Mr. President, I would appreciate at this time to take this
12. bill out of the record. I am sure that some of our card playing
13. friends on the other side of the aisle may change their mind later,
14. if and when the local constabulary raids their game tonight. So I
15. would at this time ask that it be removed from the record.

16. PRESIDENT:

17. The bill will be placed on postponed consideration. House
18. Bill 2692, Senator Schaffer. Senator Schaffer do...do you...all
19. right. On the order of bills on Total Vetoes, page 4 of your
20. Calendar, House Bill 342, Senator Netsch. (Machine cut-off) is
21. recognized.

22. SENATOR NETSCH:

23. Mr. President, this is House Bill 342 which has come to be
24. known as No Smoking Bill, although as you recall from the original
25. debate, in fact, it is not that. What it does do is to name...

26. PRESIDENT:

27. Just a moment, Senator. Can we restore order. Senator Netsch.

28. SENATOR NETSCH:

29. What the bill does do is to list certain types of institutions,
30. hospitals, elevators, indoor theatres, libraries, art museums, concert
31. halls and buses, with respect to which smoking will be prohibited
32. unless there is a designated smoking area named for the institution.
33. In other words for example, a hospital could set aside a room, a
34. lounge for example, designate that as a smoking area and smoking

1. would be prohibited. That is the essence of the bill. Beyond that
2. it does not attempt to control peoples smoking habits. The bill
3. was vetoed not in terms of the principal involved, that is the
4. attempt to provide some protection for those people who are allergic
5. to the effects of the smoke of other people, rather it was...there
6. was no objection to the...the principal or the purpose of the bill.
7. The veto was based on the Governor's belief that in fact the passage
8. of the bill somehow weakened the controls on smoking. I really
9. believe that this comes down to something of a legal difference
10. of interpretation about the effect of, for example the Home Rule
11. Amendment, and I genuinely believe that the Governor's legal position
12. is wrong. I think that the bill in no way weakens any existing
13. local ordinances or regulations that control the places where
14. smoking can take effect. What it does do is to add a state-wide
15. regulation which for the first time puts Illinois on record as
16. recognizing not just the...the basic hazard of smoking, but the
17. fact that it is for nonsmokers a very serious public health problem.
18. I think most of you have received communications from the Inter-
19. Agency Council on Smoking, from the Cancer Society, the Heart Associa-
20. tion and others all supporting the basic premise that smoking for
21. nonsmokers can be, and it's not just offensive, but an extremely
22. serious public health hazard. It is my belief that this bill
23. strengthens the state-wide position. It does not weaken it. While
24. the Home Rule Amendments may be somewhat confusing in this context,
25. it is quite clear when that amendment was offered and I repeat it
26. now that in no way will it weaken the capacity of local municipalities
27. to have stronger regulations than is incorporated in the State
28. Statute. On that basis I would urge that the veto, or that House
29. Bill 342 pass the Governor of the veto...the Veto of the Governor
30. to the contrary notwithstanding.

31. PRESIDENT:

32. Any further discussion? Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. I rise in opposition to Senator Netsch's motion and
3. would urge all of us to sustain the gubernatorial action. I
4. think for once at least the Governor is correct. The bill as
5. he says in his Veto Message is first of all it's unnecessary,
6. that is correct, in addition to that he blatantly admits that
7. by removal of the Home Rule Amendment he has now made this bill
8. totally preemptive and I think that's a mistake for all local
9. communities. So I would urge that...well it's going to take
10. three-fifths anyway because it's an override...but I would urge
11. that we sustain the action of the Governor, for once he is
12. correct.

13. PRESIDENT:

14. (Machine cut-off) any one else from that strange coalition?
15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. As a nonsmoker, all I can say is when smoke is visable, all
18. these years I've inhaled the rejects from somebody else, I'd like
19. to see something done about it.

20. PRESIDENT:

21. Any further discussion? Senator Soper.

22. SENATOR SOPER:

23. Thank you Mr. President. Would the sponsor yield to a few
24. questions?

25. PRESIDENT:

26. She indicates she will. Senator Soper.

27. SENATOR SOPER:

28. I don't...I don't remember this bill and all the aspects of
29. this bill, but would this require any restaurant and so forth to
30. have a separate place for smoking set aside in the restaurant. Is
31. this what this does?

32. PRESIDENT:

33. Senator Netsch.

1. SENATOR NETSCH:
2. It does not apply to restaurants, no. Any...any anti-smoking
3. regulations that applied in restaurants would continue to be only
4. by local ordinance. It does not cover restaurants.
5. PRESIDENT:
6. Senator Soper.
7. SENATOR SOPER:
8. Well, where does it apply then, on airplanes or what on the...
9. PRESIDENT:
10. Senator Netsch.
11. SENATOR NETSCH:
12. Hospitals, elevator, indoor theatre, library, art museum,
13. concert hall, buses.
14. PRESIDENT:
15. Senator Soper.
16. SENATOR SOPER:
17. Well, thank you very much.
18. PRESIDENT:
19. Any further discussion? Senator Nudelman.
20. SENATOR NUDELMAN:
21. Thank you Mr. President. I would point out that the various
22. institutions that Senator Netsch mentions are already covered by
23. local ordinance by self imposed restrictions and that to pass this
24. statute would make uneffective the local ordinance and would be a
25. preemption and I would point that out to all of our...all of the
26. members and would strongly urge a No vote, or not voting on this
27. bill and would request a ruling from the Chair as to how many votes
28. it would take.
29. PRESIDENT:
30. Oh, it's a total veto, it would require thirty-six votes.
31. SENATOR NUDELMAN:
32. Oh, thank you, thank you, thank you.
33. PRESIDENT:

1. Senator Chew.

2. SENATOR CHEW:

3. Yeah, Mr. President, I had not intended to say anything, but
4. the sponsor said on buses and I'm trying to ascertain just to what
5. extent does it mean on buses, say for instance if I ride from
6. Chicago to Springfield, am I going to be prohibited from smoking
7. on the bus?

8. PRESIDENT:

9. Senator Netsch.

10. SENATOR NETSCH:

11. Yes, unless there were a designated area on the bus for
12. smoking, which there usually is, on most public...intercity public
13. transportation.

14. PRESIDENT:

15. Senator Chew.

16. SENATOR CHEW:

17. I have not been able to ascertain what area that is and I do
18. ride the bus sometimes, Senator. I had planned to support your
19. motion, but I think it's a little too restrictive. I did, I had
20. planned to support it, but if you would possibly move that from
21. Springfield to Chicago, et cetera. Cause I find it difficult to
22. have a smoking area, say on the Greyhound Bus, it's one carrier
23. and if you're going to smoke in it anywhere, it's going to circulate
24. throughout the bus and if you don't smoke, somebody would maybe not
25. like to ride the bus, so I...I would have to vote against you on
26. this now.

27. PRESIDENT:

28. But Senator Chew, I think you'll find the no smoking area is
29. on the back of the bus. Senator Chew.

30. SENATOR CHEW:

31. Mr. President, if...if that is true, then all of the nicer
32. passengers would be back there with me.

33. PRESIDENT:

1. Any further discussion? Senator Netsch may close the debate.

2. SENATOR NETSCH:

3. Mr. President, it is true there is...there is a rather strange
4. alliance on this bill. I would repeat one thing that I think is
5. very important and...and Senator Rock I would urge you to listen
6. to this because it seems to me that the position, the legal position
7. you are taking, with respect to this Home Rule Amendment, which
8. incidently I added to the bill only reluctantly, at the...to put
9. it mildly, urging, of some of the delegates...some of the Senators
10. from the City of Chicago, who insist on a Home Rule Amendment on
11. any State Statute that has general applicability. It was not
12. by design that I offered it, but I felt that this form of Home
13. Rule Amendment which says that the Act is not a limitation on
14. the powers of a unit of Government that is a Home Rule Unit, made
15. it quite clear that in no way were we preempting. Preemption can
16. come about only with a very explicit statement on the part of a
17. State Statute and Senator Rock you have just made a very damaging
18. concession in terms of future preemptive acts on the part of a
19. State, which you may want to reconsider. This is not a preemption.
20. It makes it clear that a Home Rule Unit may continue to pass and
21. enforce ordinances that relate to the subject of smoking prohibitions.
22. And as a matter-of-fact, as I said at the time that I offered this
23. amendment, it was done at the request of some of the Chicago members
24. to make it absolutely clear that the ordinance that had just recently
25. been passed by the City of Chicago which greatly strengthened the
26. prohibitions on smoking on public transportation including buses,
27. both front and back, Senator Chew, would in no way be interfered
28. with by this State Statute. Such ordinances can continue to be
29. passed and enforced. What this says is that there is in every part
30. of the State at least a minimum standard. It is not true that every
31. part of the State, Senator Nudelman, has anti-smoking ordinances of
32. this sort. This, as the inter-agency council has pointed out, there
33. are many areas of the State that are uncovered unless an ordinance,

1. unless a State Statute of this type is enacted. It is a minimum
2. standard. It is a minimum recognition of what has become a major
3. public health hazard for those people who do not themselves smoke.
4. It is of extreme health...importance in terms of its public health
5. implications and I urge that a...a modest beginning in this direction
6. be accepted now by overriding the Governor's Veto.

7. PRESIDENT:

8. The question is shall House Bill 342 pass, the Specific Recommen-
9. dations of the Governor to the contrary notwithstanding. Those in
10. favor vote Aye. Opposed vote Nay. The Secretary will call the
11. roll.

12. SECRETARY:

13. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
14. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
15. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey,
16. Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
17. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
18. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
19. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
20. Welsh, Wooten, Mr. President.

21. PRESIDENT:

22. There has been a request for the call of the absentees. The
23. Secretary will call the absentees.

24. SECRETARY:

25. Bell, Course, Donnewald, Dougherty, Graham, Kenneth Hall, Harris,
26. Hynes, Johns, Lemke, McCarthy, Howard Mohr, Don Moore, Nimrod, Palmer,
27. Philip, Savickas...

28. PRESIDENT:

29. Philip, No.

30. SECRETARY:

31. Savickas, Soper, Mr. President.

32. PRESIDENT:

33. Nimrod, No. Senator Netsch.

1. SENATOR NETSCH:
2. Postpone.
3. PRESIDENT:
4. Postpone consideration has been requested. The bill is now
5. on postpone consideration. House Bill 496, Senator Palmer. Senator
6. Palmer is recognized.
7. SENATOR PALMER:
8. Ah...
9. PRESIDENT:
10. Just a moment Senator. Just a moment Senator.
11. SENATOR PALMER:
12. Mr. President and members of the Senate.
13. PRESIDENT:
14. Members be in their seats.
15. SENATOR PALMER:
16. Ah...House Bill 496 would permit the local school boards to
17. waive the charge for summer school fees under certain circumstances
18. and the Governor in his Veto Message indicated that there is no
19. appropriations for such programs. Now, this bill does not ask or
20. require, in the opinion of the sponsor or in my opinion, require
21. any appropriation. We must rely and have confidence on the school
22. board that they will conduct themselves in the permission of these
23. few students and some districts may not have any within their budget.
24. It does not require the appropriation or the request for any funds
25. to waive a minimum charge for summer school. And I ask that the
26. House Bill 496 pass the Governor's Veto notwithstanding.
27. PRESIDENT:
28. Senator Shapiro. Senator Shapiro is recognized.
29. SENATOR SHAPIRO:
30. It's not...okay. Mr. President and Ladies and Gentlemen of
31. the Senate. I think most of you will recall last Spring when this
32. bill came through, we attempted to change just one word. Now the
33. way the bill is constructed and Senator Palmer is asking you to

1. override the Governor's Total Veto, it would mean that the board
2. may waive the charges if that...if it determines that the family of
3. an individual pupil is indigent, there's nothing wrong with that.
4. Or, that the educational needs of the pupil require his attendance
5. at just courses, which mean that they could waive the charge for all
6. students that require summer school, be they indigent or not.
7. We requested that the two conditions be met, indigent and a requirement
8. that summer school was necessary. That in a substance is my
9. objections to the bill. I would urge everyone to vote No on the
10. override of House Bill 496.

11. PRESIDENT:

12. Senator Hickey.

13. SENATOR HICKEY:

14. Mr. President, I wanted to ask the sponsor something in relation
15. to what Senator Shapiro just spoke to. Does the sponsor agree
16. that this, even though in the description in the Calendar, says
17. in case of indigency, that it does, also, cover anyone in need of...
18. of summer school?

19. PRESIDENT:

20. Senator Palmer.

21. SENATOR PALMER:

22. That is...true. It recovers indigent or those that the board
23. in their opinion, the student has the need for this course in summer
24. school.

25. PRESIDENT:

26. Does any...

27. SENATOR PALMER:

28. ...not the only choice. Now, I am...everybody's through, shall
29. I close?

30. PRESIDENT:

31. No, no, not yet, Sir. Senator Soper has a question.

32. SENATOR SOPER:

33. Well, Mr. President, thank you very much, but I can understand a

1. bill that doesn't cost anybody anything when you're waiving
2. something, and you don't have to have an appropriation for it.
3. Now, if Senator Palmer can describe to me what magic he uses to get
4. something from nothing, and you can spend money without appropriating
5. it for a certain purpose, beside the objections that Senator
6. Shapiro had, I have an objection to this bill on the same basis.
7. That...he says that it's not going to cost anything. I...I don't
8. know how something can cost nothing when summer school programs
9. are set and they do cost something. And it's extra...it's extra
10. monetary...responsibility. Now, if everybody can come in and have
11. summer school, then when you get the teachers and you get the people
12. who supply the heat or the air conditioning for the building
13. to waive all their costs and...and their...and the janitors that
14. come in, then I'd say to you, well, it's not going to cost anything.
15. PRESIDENT:

16. Any further discussion? Senator Bruce.

17. SENATOR BRUCE:

18. I would just say in opposition to Senator Palmer's motion, we
19. spent a great deal of time yesterday talking about the additional
20. requirements of schools if they, in fact, did determine that no one
21. in the summer school would have to pay any fees, the burden to the
22. State of Illinois would increase a...a significant amount. We are now
23. facing with the IOE and the mistakes they've made in not transmitting
24. claims to it some thirty-million dollars in the December payment
25. for summer school last year. This is not an insignificant program.
26. The money they derive is...offsets the cost to the State of Illinois
27. if they can...in fact, as Senator Shapiro says, waive the cost
28. to everyone, that the burden to the State of Illinois would increase
29. a significant amount.

30. PRESIDENT:

31. Any further discussion? Senator Palmer may close the debate.

32. SENATOR PALMER:

33. Mr. President, and members of the Senate. When I made the

1. reference that this will not cost, or be an additional cost, I...I
2. mean that, and in answer to Senator Soper, what that means is that
3. it will not cost the State of Illinois any further sums. The board
4. or the school that is operating a summer school will operate within
5. its means...not they, I am sure that the communities and the
6. Legislatures who...who are instrumental in...in appointing or
7. electing a local school board, have the full confidence that they...
8. school board is not going to open the doors to all students. You are
9. just giving them the discretion to allow a one or two or three, and
10. in some districts, none, and they certainly can...certainly can
11. accomodate a student in a summer school. They are not going to create
12. a class for the purpose of one student. And that is the way, Senator
13. Soper, that it will not cost the State any money, and again
14. I say, that this is a very worthwhile purpose, and the only objection
15. the Governor had is that...that because it might cost the State any
16. money, that it is a good program for the education of children, and I
17. suggest that we vote Aye on House Bill 496, notwithstanding the veto.

18. PRESIDENT:

19. The question is shall House Bill 496 pass, the Specific Recom-
20. mendations of the Governor to the contrary notwithstanding. Those
21. in favor vote Aye. Opposed Nay. Secretary will call the roll.

22. ACTING SECRETARY: (MR. FERNANDES)

23. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
24. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
25. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
26. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
27. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch,
28. Newhouse, Nimrod, Nudleman, Ozinga, Palmer, Philip, Regner, Rock, Roe,
29. Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,
30. Weaver, Welsh, Wooten, Mr. President.

31. PRESIDENT:

32. Newhouse, Aye. Joyce, No. On that question, the Ayes are 20,
33. the Nays are 23. House Bill 496, having failed to receive the required
34. three-fifths vote, the Specific Recommendations of the Governor, is

1. declared lost. The Specific Recommendations of the Governor to the
2. contrary notwithstanding. Pardon me. Pardon me. That was a Total
3. Veto. Pardon me. Now, on that question, the Ayes were 20, the
4. Nays were 23. House Bill 496, having failed to receive the required
5. three-fifths vote, is declared lost, the veto of the Governor to the
6. contrary notwithstanding. House Bill 582, Senator Palmer.

7. (Maching cut off)...Senator Palmer. Senator Palmer. Senator Palmer.

8. SENATOR PALMER:

9. Yes.

10. PRESIDENT:

11. I'm given to understand that there has been no motion filed on
12. House Bill 582. Hence, it cannot be called until a motion is filed.

13. SENATOR PALMER:

14. All right. Will you pass and I'll file one now.

15. PRESIDENT:

16. Certainly. House Bill 751, Senator Harris. House Bill 1499,
17. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes, Mr. President and members of the Senate. I would
20. ask that...

21. PRESIDENT:

22. Just a moment, Senator. Could we have the aisle cleared there?
23. The members be in their seats.

24. SENATOR SAVICKAS:

25. I would ask that we join the House in overriding the Governor's
26. veto of House Bill 1499. What it does is remove a two year old
27. section in the law which exempts or requires non...non-for-profit,
28. non-taxable institutions to...provide polling places in them.
29. This...there is a question that raised of the tax exempt status of
30. institutions such as the VFW's, churches, and other tax exempt
31. institutions. I would appreciate your support on this override.

32. PRESIDENT:

33. Any further discussion? The question is shall House Bill 1499

1. pass, the veto of the Governor to the contrary notwithstanding.
2. Those in favor vote Aye. Opposed Nay. Secretary will call the roll.

3. SECRETARY:

4. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
5. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
6. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
7. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
8. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
9. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
10. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
11. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDENT:

13. Fawell, Aye. Merritt, Aye. Bell, Aye. Course, Aye.

14. Am I giving them too fast?

15.

16.

17.

18.

(End of Reel)

19.

20.

21.

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(Cont. on next page)

30.

31.

32.

33.

1. PRESIDENT:

2. Fawell, Aye. Merritt, Aye. Bell, Aye. Course, Aye. Am I
3. giving them too fast? All right, let's start over. Merritt, Aye.
4. Bell, Aye. Course, Aye. Glass, Aye. Ozinga, Aye. Howard Mohr, Aye.
5. Have all voted who wish? Joyce, Aye. Take the record. On that
6. question, the Ayes are 44, the Nays are 1. House Bill 1499 having
7. received the required three-fifths vote is declared passed, the Veto
8. of the Governor to the contrary notwithstanding. House Bill 777,
9. Senator Egan.

10. SENATOR EGAN:

11. Thank you, Mr. President and members of the Senate. House Bill
12. 777 is a requirement on the Commerce Commission to enter its decision
13. for order granting or denying applications for authority to operate
14. within ninety days of the conclusion of the hearing. The Governor's
15. Veto Message indicates that generally the Commission does rule within
16. ninety days on uncontested cases, but in complex cases it takes longer
17. for them if there are briefs submitted and transcripts to be filed.
18. Now, I suggest that that reason is specifically why the bill was intro-
19. duced and passed out of the House with 141 votes and out of the Senate
20. with 52 votes, that it is felt by the membership of the General Assembly
21. that any order entered after ninety days is a delay in the due process
22. of the requirement of the Commerce Commission, and I urge that you over-
23. ride the veto so that the Commerce Commission is...is held to a ninety
24. day period. In those cases that are complex, all they have to do is
25. continue the hearing for filings of briefs. So, I urge you to support
26. my motion to override.

27. PRESIDENT:

28. Any further discussion? The question is shall House Bill 777 pass
29. the Veto of the Governor to the contrary notwithstanding. Those in
30. favor will vote Aye. Opposed Nay. The Secretary will call the roll.

31. SECRETARY:

32. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
33. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,

1. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
2. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
3. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
4. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
5. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
6. Wooten, Mr. President.

7. PRESIDENT:

8. Vadalabene, Aye. Netsch, Aye. Donnewald, Aye. Bloom, Aye.
9. Buzbee, Aye. Nimrod, No. Glass, No. Lemke, Aye. Romano, Aye. Have
10. all voted who wish? Take the record. On that question, the Ayes are
11. 46, the Nays are 4. House Bill 777 having received the required three-
12. fifths vote is declared passed, the Veto of the Governor to the con-
13. trary notwithstanding. House Bill 1617, Senator Wooten.

14. SENATOR WOOTEN:

15. Mr. President and colleagues, in the Governor's Veto of House Bill
16. 1617, he used some statistics which I think are to the side of the real
17. question. If you recall what House Bill 1617 does, it permits patients
18. in long-term nursing facilities to declare that place as their place
19. of residence, and enables them then to vote from that place. Now, let
20. me point out something I don't think we discussed when this bill first
21. came up. The reason this really must become an option for our elderly
22. citizens in nursing homes is because there are several Federal aid pro-
23. grams through which elderly nursing care patients can get free prosthet-
24. ic devices, wheelchairs, crutches, things like that. They can only get
25. them if they are residents of that nursing home. So, the way the law
26. stands now in many areas, a person must choose between free medical aid,
27. or the right to vote. What this bill says, quite simply, is that a
28. person in a long-term nursing care facility, who's going to stay there,
29. who takes aid from the Federal Government, and because of that must de-
30. clare that nursing home as his or her legal residence, that they will
31. still be able to vote. That's the only thing that's involved, and I
32. request...I would move that the bill pass the Veto of the Governor to
33. the contrary notwithstanding.

1 PRESIDENT:

2 Senator Rock.

3 SENATOR ROCK:

4 A question of the sponsor, Mr. President, if he will yield.

5 PRESIDENT:

6 Senator Wooten, will you yield to a question? He indicates he
7 will.

8 SENATOR ROCK:

9 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
10 Senator Wooten, I wonder if you would explain, I know you're, at least,
11 started in, but would explain that the Governor's rationale, he says
12 quite specifically, since House Bill 1617 would make it harder not
13 easier for these patients to vote, I am withholding my approval. Can
14 you explain that to me, please?

15 PRESIDENT:

16 Senator Wooten.

17 SENATOR WOOTEN:

18 Yes, he's using the statistics from the department which says
19 the average stay in a nursing home is ninety days. If that were true
20 of every patient this would truly be a very confusing and unnecessary
21 piece of legislation. Cause it would do you little good to come in and
22 then go out. What the bill addresses itself to is that patient who goes
23 into a nursing home and stays there, if they are to receive Federal
24 aid and prosthetic devices, they must declare that nursing home as their
25 place of residence, then they qualify for the aid. What they do in some
26 areas, and I must say county clerks have not been uniform in the way
27 they've interpreted the law, but in many areas that means they can't
28 vote anymore. So, this simply says that the patient has the option, if
29 they're going to be stuck there for a number of years, they have the
30 option of saying - this is where I live, I'll register, and I'll vote
31 from here.

32 PRESIDENT:

33 Senator Rock.

1. SENATOR ROCK:

2. Thank you. I think that answers my question, and I think it was
3. adequately pointed out that we are merely giving this person another
4. option with respect to his franchise, and I...

5. PRESIDENT:

6. Just...just a moment. Will the Sergeant-at-Arms either clear the
7. room or pull them back or have the gentlemen in the back cease to talk.
8. The Secretary can't hear the roll call, I can't hear the people as they
9. debate these questions. Now, we'll have to have some order in here.
10. Continue.

11. SENATOR ROCK:

12. Thank you, Mr. President. As one, as I'm sure all of us here are
13. one who encourages peoples' participation in elections, I think this
14. gives those persons in these types of facilities another option, and
15. for that reason I think it is a good bill, and the Governor should
16. certainly be overridden.

17. PRESIDENT:

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President and members of the Senate, we debated this bill in
21. June, and this bill is totally unnecessary because if the person is a
22. permanent resident, or a long-term care person in that nursing home, he
23. has the right under the present law, if he desires, to register to vote
24. and make that a legal residence now. This bill just adds confusion to
25. something if the person has. I think the Governor's Message, the part
26. about the average stay, was correct. Now, there is a few long-term
27. care people who do reside in a nursing home of many months or many years.
28. They can make that...register to vote there now, and I'm very well aware
29. of this cause I have two people in my family who have done that very
30. thing. This bill is unnecessary, and I would...I would urge people not
31. to override the veto.

32. PRESIDENT:

33. Senator Soper.

1. SENATOR SOPER:

2. Well, thank you, Mr. President. Now, I'm familiar with a few...a
3. few...I don't know what he calls a skilled patient or a skilled...

4. PRESIDENT:

5. Will the gentlemen between Senator Soper and the Chair alter their
6. positions? Like move.

7. SENATOR SOPER:

8. Thank you very much. There's a nursing home or an old peoples'
9. home called the Bohemian Old Peoples' Home in Chicago, and when you go
10. into that...that facility that's your residence, and under the law to-
11. day if you...you determine a certain...certain place that you live as
12. your residence you can register and vote from there. Now, if you take
13. and you have a home some place and you go some place for two or three
14. weeks or three months or whatever stay you have, but you still have
15. a residence some place else, I don't think that you should confuse the
16. issue. If they want to vote from the other...from their permanent
17. residence they can get an absentee ballot, it's done all the time. But..
18. but to say that he would confuse the issue and say that this wouldn't
19. be your home or it would be your home, and that you could have two
20. residences, that's what you're really saying with this bill, and I
21. think if a person moves into a facility, usually they give up all of
22. their...all of their Social Security benefits and so forth they turn
23. over to the nursing home or to the facility. Now, that is their home,
24. they ought to be able to register from there, but they shouldn't have
25. a residence in one place and cause they go to a nursing home for two
26. weeks or two months or whatever it is, then have them a special registra-
27. tion and a special place for them to register in that place, they should
28. keep the registration where they are and ask for an absentee ballot.
29. Otherwise, you're going to confuse this thing, and we're going to have
30. double voting, and I don't believe in that.

31. PRESIDENT:

32. Any further discussion? Senator Wooten may close the debate.

33. SENATOR WOOTEN:

1. Thank you. Senator Soper and Davidson, if I may address you
2. directly. Senator Soper. Okay. The county clerks of this State are
3. as various as the Senators in this Chamber. The problem has arisen
4. through varying interpretations of the law. In some areas where people
5. move to nursing homes to spend the rest of their lives till they die,
6. there they have no difficulty, they...that is their place of residence,
7. they qualify for the Federal aid, they vote from there. There are some
8. counties where the county clerks interpret the term hospitals to in-
9. clude long-term nursing care facilities, because they do have medical
10. facilities, they must have to keep their license, and they say because
11. of that you cannot claim that as your residence for purposes of voting.
12. Many elderly citizens do anyway, because they want the benefit of Federal
13. programs which are only available to them if they are residents. In
14. other words, they're going to live there till they die, they're going
15. to stay there. In some counties county clerks say - then you can't vote,
16. because that's not your legal place of residence, it's really a hospital.
17. What this bill does is to explain that hospitals, the term hospital, does
18. not include long-term nursing care facilities, and gives the patient,
19. then, the option of saying - I'm going to live here and stay here until
20. I die. And quite frankly, there are a goodly number. Now, we don't
21. have that problem in my county because my county clerk does not inter-
22. pret the term hospital that way. But, apparently, in Representative
23. Grieshiemer's area and some others they have that problem. This is
24. simply to clear up that ambiguity.

25. PRESIDENT:

26. Senator Soper.

27. SENATOR SOPER:

28. Well, you still haven't cleared up the ambiguity for me when you
29. say they have the option. Now, when you give somebody an option, you
30. say that they can register from what you call the facility or from...

31. PRESIDENT:

32. Just a moment.

33. SENATOR SOPER:

34. ...some place else. That's what I asked....

1. PRESIDENT:

2. Will the Sergeant-at-Arms move everybody from the back or keep
3. them quiet or suggest that...now, let's have some order. There just
4. is not any need for you to speak as loudly as you're speaking. If
5. so, we'll get some hearing aids in here. Senator Soper.

6. SENATOR SOPER:

7. Thank you, Mr. President. That's...that's where I...where I
8. differ with you, when you say there's an option. When you give some-
9. body an option you say that they can vote from one place or the other
10. or they can register in most...most cases if they went to one county,
11. and went from another county where their residence was, then you'd
12. allow them to vote in the place that they call their residence. Now,
13. that shouldn't be allowed, because they could very well then unsuspect-
14. ingly and not knowingly get an absentee ballot for an election in one
15. county, vote that and then register in the facility in the other county,
16. and they'd be voting in two places. Now, that...that would cause a
17. lot of confusion. If you determine that a certain place is your resi-
18. dence then you vote from that place, and you make an affidavit that it's
19. your residence, and you register to vote, and that's where you vote
20. from. That's your residence. I don't care whether you call it a hos-
21. pital, a skilled nursing facility or anything else, but you can't say
22. that you have an option. Understand?

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. You're absolutely right and, Senator, it's my faulty command of
27. language. What this...the only option that's left to you is the option
28. open to most citizens, to change your place of address. It does not
29. leave you an option to vote from one place and or the other. This simply
30. says - if you move your legal residence from your home to a nursing home
31. then with the nursing home as your sole legal residence you may register
32. and vote. In some counties county clerks do not permit you to do this.
33. That's the problem, and this seeks to cure that problem which occurs in

1. some counties simply because of the way the county clerk is interpreting
2. the language of the law. This does not, and I would not consent to
3. anything that gives you an option to vote in two places, this simply
4. says if you move your...if you change, if you move from one place to
5. another then in that place that can be your residence, you can vote
6. from there.

7. PRESIDENT:

8. Senator Nudelman. Oh, Senator Soper, I'm sorry. Senator Soper.

9. SENATOR SOPER:

10. Now...now, Senator Wooten, you just said - it doesn't give you
11. an option. There's no option that gives you an option to vote in both
12. places. I didn't say that. I said - that if you have a residence in
13. one county and then you go to another county, and you say you have the
14. option to vote from either residence, then you've got two residences.
15. You've got to have only one. And you can't choose between two residences.

16. PRESIDENT:

17. For what purpose does Senator Savickas arise?

18. SENATOR SAVICKAS:

19. A point of information. Mr. President, I understood we were on
20. closing remarks, and now we're back to questions, again.

21. PRESIDENT:

22. No, we hadn't closed the debate. Senator Soper was offering a
23. series of questions...

24. SENATOR SAVICKAS:

25. Oh, I'm sorry.

26. PRESIDENT:

27. ...to the sponsor. Senator Nudelman.

28. SENATOR NUDELMAN:

29. Mr. President, I was merely going to point out that I'm sitting
30. right behind Senator Wooten and trying to listen to this debate, and
31. because of the hubbub being five feet away I still can't hear it, and
32. if anybody wants to vote intelligently he has to hear...has to hear the
33. debate, and I think the noise level in here is...is...prohibits that,

1. and...and I would beseech the Chair to do something about it. Such
2. as removing those people from standing around in the aisles, and if
3. they want to sit down let them sit down, otherwise, let them leave.

4. PRESIDENT:

5. I appreciate your saying that. This will be the final caveat
6. in this area. If there persists or if you persist in noise in the
7. rear of this room, the Sergeant-at-Arms is going to be instructed to
8. remove you. This is your Government, you are entitled to listen to
9. it, but you're entitled to listen to it, and you're not entitled to
10. talk while it is going on. Now, if it persists, we're going to re-
11. move everybody from this room except members of this Senate. We said,
12. originally, when we came over here, it's a very difficult place in
13. which to do business, the acoustics of this place carries your voice
14. very highly. I can sit here and tell you some of the things you're
15. talking about that purport to be private, cause I hear you up here.
16. Now, this is something we've been talking about every since we've been
17. here, and I'm going to enforce the rule if people don't abide by the
18. no talking standards. Now, it's the only way we can do it in any in-
19. telligent fashion. Senator Ozinga, for what purpose do you arise?

20. SENATOR OZINGA:

21. Just to seek a little more information or a little more clarity
22. on that very order. I wonder if the...if the pages could be instructed
23. to not carry in messages from the hall. This is becoming damn confusing.
24. You get here, you sit here, and you're trying to listen to what an
25. argument is, what questions are being asked, trying to get intelligent
26. reports, and somebody will come up and hand you a message and say -
27. there's a hundred and fifty-seven kids out in the hall that want to
28. talk to you, their teacher is going to be watching what your vote is
29. going to be, will you come out in the hall. And that's a damn fool
30. thing to do when a...when a Senator is here on the Floor. He's listening.
31. But, if you don't go out there, they're out there to cut you up, if you
32. do go out why you don't get what's going on. I'm just wondering if we
33. can't just eliminate some of these messages coming into the Floor.

1. PRESIDENT:

2. Well, that would be very difficult, because the message may be
3. sent into you that someone at home is ill or something of this sort,
4. and I'd hate to prohibit the sending of messages. I think there's a
5. way of handling it, you can just simply tell them that you're busy or
6. that you're coming out. One or the other. But, I would suggest that
7. if the members desire to talk to other people, even including House
8. members, that you step to the back so that it doesn't interfere with
9. the orderly process, and so that the members can hear what is going on.
10. Senator Wooten may close the debate.

11. SENATOR WOOTEN:

12. I really must apologize, Senator Soper, for throwing a cloud over
13. this through faulty language. You do not have the option of voting in
14. one place or the other, under this bill. The bill simply says that if
15. you move to a nursing home to live, to stay, that no one can deny you
16. the right to register and vote there. And the only reason that this
17. has become a problem as I say, because county clerks in some areas have
18. denied people that right. And that's all the bill seeks to do, is to
19. remove ambiguity from the language...from the language of the law.
20. And I would ask that the...that the House Bill 1617 pass, the Veto of
21. the Governor to the contrary notwithstanding.

22. PRESIDENT:

23. The question is shall House Bill 1617 pass, the Veto of the Governor
24. to the contrary notwithstanding. Those in favor will vote Aye. Opposed
25. will vote Nay. The Secretary will call the roll.

26. SECRETARY:

27. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
28. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
29. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
30. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
31. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
32. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
33. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,

1. Wooten, Mr. President.

2. PRESIDENT:

3. Have all voted who wish? Senator Glass, No. Senator Clarke, Aye.
4. Senator Bloom, Aye. Senator Bruce, Aye. Senator Demuzio, Aye. Senator
5. Palmer, Aye. Senator Romano, Aye. Have all voted...Senator Hynes, Aye.
6. Senator Netsch. Oh, I'm sorry. Just waving at me, huh. On this
7. question, the Ayes are 41, the Nays are 5. House Bill 1617 having re-
8. ceived the required three-fifths vote is declared passed, the Veto of
9. the Governor to the contrary notwithstanding. House Bill 1539, Senator
10. Hynes.

11. SENATOR HYNES:

12. Mr. President and members of the Senate, House Bill 1539, which
13. was vetoed outright by the Governor, increases the share of local
14. Government in the Motor Fuel Tax collections of the State of Illinois,
15. and the cost of the bill in the increased distribution to local Govern-
16. ment is 16.9 million dollars. At the beginning of the discussion on
17. this bill I would like to point out that it involves Motor Fuel Taxes,
18. it does not involve General Revenue Fund money, it does not and will
19. not involve an increase in taxes, it does not involve any new taxes.
20. It simply reapportions the money that is presently collected by the
21. State, and attempts to do something about a very serious problem at
22. the local level. The fact of the matter is that local Government, and
23. this bill will increase the distribution to counties, townships and
24. road districts and municipalities according to the existing formula
25. in the law that has been with us for many years. The only change in the
26. formula made is a slight modification to increase the allocation
27. to townships. But, short of that the formula is in the same condition
28. it was...it has been in for many years. This simply puts more money
29. into the pot that is distributed to local Government. And these local
30. Governments are in serious, serious jeopardy at the moment insofar as
31. maintenance of local roads are concerned. The fact is that counties
32. and municipalities are receiving less money, or will receive less money,
33. unless we override this bill, than they did in Fiscal 1973, that in view

1. of spiraling costs and additional responsibilities. One of the principal
2. objections that has been raised to this bill, by the Department of
3. Transportation and by the Governor and his Veto Message, is that somehow
4. it is going to prevent the State from obtaining natural...matching Federal
5. funds. That is simply a phony issue, it is not the case, it is not in-
6. volved here at all, and that is so for a number of reasons. First of
7. all, there is a...an ability on the part of local Government to a cer-
8. tain extent, at least, to match and get Federal funds, but beyond that
9. the State has a State only program...has a number of projects in many
10. areas that are funded strictly out of State proceeds and do not qualify
11. for matching Federal monies. Secondly, it is unbelievable to me to say
12. that a 16.9 million dollar increase in...in local Government support can
13. impair the operation of this department which has a two hundred million
14. dollar budget, two hundred million dollars for operations alone, and
15. which has a twenty...for this Fiscal year. The operational budget of
16. the Department of Transportation was increased by twenty-five million
17. dollars, which is more than what is involved in this bill. Included in
18. that was the authorization to hire almost a thousand new employees. So,
19. to make that kind of argument to me is simply a scare tactic, it has
20. nothing to do with the merits of the bill. There is a desperate need
21. at the local level. In addition, we have been told that this matter
22. ought to be studied, that we ought to take a look at it and come up
23. with a better approach. But, I think most of you will remember we passed
24. almost an identical bill last year which increased the allocation to
25. local Government on a one year basis, it had a one year repealer. This
26. bill will make it permanent. The objection to the bill last year, and
27. the basis for a veto last year which we did, in fact, override was that
28. it ought to be studied. There hasn't been a study since that time. In
29. my judgement the study will go on forever, and what we need is some re-
30. lief right now. And because of the fact that we did override last year
31. and we did improve the formula for local Governments last year, if we
32. do not override now, they are going to be getting a reduction. They will
33. not get the benefit of what we did last year. The State has an important

1. ...important road program. There is no question about it. But, the
2. State has a 1.5 billion dollar construction program authorized that
3. will be underway, and this will in no way impair it. The State, and if
4. you recall in the last Session, we authorized the Department of Trans-
5. portation to sell two hundred million dollars in additional bonds, and
6. hundreds of million dollars in additional Federal funds are going to
7. be coming to the State. So that we are embarking on a massive road
8. program which totally dwarves the amount involved in this bill as to
9. make the objections of the department something that I cannot fathom
10. at all. I might also add that in terms of the total road mileage in
11. the State, the State maintains about fourteen percent, local Government
12. eighty-six percent, and yet local Governments are getting less money
13. this year without an override of this veto than they received in Fiscal
14. 1973. One last point that I would make is this. During the debate in
15. the House on the two hundred million bond issue in the last Session,
16. the sponsor of the Department of Transportation Bill indicated that if
17. the two hundred million dollars were authorized, that the department
18. could go along...

19. PRESIDENT:

20. Those not entitled to the Floor, please leave the Floor, please.
21. Let's hear the gentleman.

22. SENATOR HYNES:

23. ...that the department could go along with this increase in local
24. allocations. And I quote, "the department's belief that we will support
25. the MFT change in consideration that we will receive the two hundred
26. million dollar appropriation in series A bonds." That appropriation
27. was made, now, the department is vigorously opposing this. I think that
28. local units of Government are in a very, very serious bind insofar as
29. maintenance of the local roads are concerned, and I think this bill is
30. very important and will have not one...with an impact on the State pro-
31. gram. And I would urge your support for this motion to override.

32. PRESIDENT:

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Mr. President, I'd like to make some comments on this bill, but
3. before I do as a point of personal privilege I'd like to acknowledge
4. the president...the presence of Secretary Longhorne Bond to the Department
5. of Transportation is here with us on the Senate Floor, and we're glad
6. to have you here, Secretary.

7. PRESIDENT:

8. Today you are, tomorrow you may not be.

9. SENATOR SCHAFFER:

10. This is a very auspicious time for him to be on the Floor, and
11. the line forms right behind Senator Donnewald. In the meantime those
12. of us who are proponents of this bill will endeavor to keep the debate
13. going, and I think it would be an auspicious occasion. I rise in support
14. of this bill, I'm a downstater, and I think my interests are that of
15. my district. The road construction in my area that has suffered the
16. most grievously by the spiraling costs of inflation, are the townships.
17. We had a series of bills in here this Spring, I'll talk to you a little
18. later, Longhorne, I have a couple of projects in my district, and...twelve
19. miles, no, no. The townships in my district, I have to keep thinking
20. about the townships in my district, their road systems are in extremely
21. bad shape, and our State highways certainly...we'll never have enough
22. money for them, but I think it is appropriate for us to recognize the
23. fact that in the Spring Session we did reject a series of bills that
24. would have provided additional money for the townships, and this provides
25. an alternative to put some money into the township road coffers. Now,
26. the municipalities in my area are, also, in need of money. I don't think
27. their problem is as acute, the counties also. I think I should, also,
28. point out that while it is possible for some of the State money to be
29. matched by Federal, it should also be put into the record that cities
30. and in some cases counties can also use these funds to match for Federal
31. money. So, I think it is an erroneous argument to say that we will lose
32. a total Federal match, because I think if the predicting municipalities
33. and in some cases the county use this fund correctly they certainly will

1. be able to match in the same capacity that the State is currently avail-
2. able to...I urge a favorable roll call on this vote.

3. PRESIDENT:

4. Any further discussion? The question is shall House Bill 1539 pass,
5. the Veto of the Governor to the contrary notwithstanding. Those in
6. favor vote Aye. Opposed Nay. The Secretary will call the roll.

7. SECRETARY:

8. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
9. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
10. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
11. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
12. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
13. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
14. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
15. Wooten, Mr. President.

16. PRESIDENT:

17. Rock, Aye. Joyce, Aye. Oh...Joyce, No. Romano, Aye. There is
18. a request for the call...Shapiro, Aye. There's a request for the call...
19. pardon me. Knuppel is on the roll call as voting Aye. Request for
20. the call of the absentees.

21. SECRETARY:

22. Davidson, McCarthy, Netsch, Nimrod.

23. PRESIDENT:

24. On this question, the Ayes are 40, the Nays are 18. House Bill
25. 1539 having received the required three-fifths vote is declared passed,
26. the Veto of the Governor to the contrary notwithstanding. House Bill
27. 2328, Senator Dougherty. Now, will the members be in their seats, and
28. those of you in the back of the room please keep your voices down.

29. SENATOR DOUGHERTY:

30. Thank you, Mr. President. I am asking this Body to override the
31. Governor's Veto...

32. PRESIDENT:

33. Just a minute. Will the members be in their seats.

1 SENATOR DOUGHERTY:

2 I am asking my colleagues in the Senate to override the Governor's
3 Veto of House Bill 2328. What is House Bill 2328? It provides for the
4 repeal of the Chicago Regional Port District and the transfer of the
5 assets of the Chicago Regional Port District and the liabilities to the
6 City of Chicago. Now, I'd like to remind my colleagues that we all come
7 down here to do what is best for our districts, to do what is best for the
8 people that sent us down here to represent them. It is solely on that
9 course that I'm here. I would like to remind you that this district
10 is entirely...the Chicago Regional Port District is entirely contained
11 within Lake Calumet Harbor and the City of Chicago, the tenth ward of
12 the City of Chicago if you will. It consists of the series of grain
13 elevators, transit sheds for the handling of cargos both bulk and general
14 cargo. That this bill was instituted...this project was instituted in
15 1951 by my predecessor in the Illinois Legislature, Senator Walker Butler
16 a former Pro Tem. At the time Senator Butler introduced this bill, he was
17 in view with the same spirit, as I am at this moment, to improve the
18 economic viability...the area wherein we live and the entire City of
19 Chicago, and with the resulting spinoff, actually this affects an area,
20 if you will, from the Rockies to the Alleghenies, sixty-nine thousand
21 miles of the area that will be benefited by the operation if we are to
22 be put in the position of continuing the operation of this port. The...
23 the repealer is offered by myself entirely without malice. I have read
24 the Governor's Message, the Governor and his Message...his Veto Message
25 just used the boundaries in the Port District as the example's, that's
26 why...and the liabilities contained therein. But, let me point out to
27 you it is vitally necessary to the economy of this entire area and to the
28 City of Chicago...we're in a period of a little letdown. This in effect
29 if it was made possible could aid in the recovery, particularly in the
30 collar counties. Now, let me point out to you that when I said this
31 is entirely within the City of Chicago, and the Governor's Message just
32 included...it just buried the geography of the area. But, let me tell
33 you at no point in time has effort ever been made, at anytime, to move

1. into the other areas encompassed by the boundaries of this district. It's
2. entirely, as I said to you, and the...and the...within the tenth ward
3. of the City of Chicago, and it has been a real product that we...when
4. this bill was implemented I asked Senator Butler, I said - why did you
5. include this area? He said - very frankly, to make it more palatable
6. to assure passage. And he included also in there an area of DuPage
7. County, an area of exactly two acres, no more no less. The veto that's
8. along the bank of a little stream that dumps into the DesPlains River.
9. Never at anytime has any effort been made to do anything else other than
10. what has been done. Now, in asking for repeal of this legislation, I
11. want to point out to you, that the City of Chicago with all of this
12. expertise that we have in maritime matters and matters that we do have it
13. I feel sure that we can acquire the necessary properties to approve and
14. to provide for the construction of container facilities in order to
15. expedite used container facilities and in general, cargo handlings. You
16. must remember this, that there's been a change since 1951, there's
17. been a complete change in the method of handling general cargos in world
18. shipping due to actions that took place mostly abroad, a great deal of
19. pilferage occurred in general cargo. In order to get around that there's
20. been instituted a method of curtailment facility where general cargo
21. is placed in containers that are loaded off the docks into the...holes
22. of the ship, and when it gets to its destination they're intact. This
23. method is being used in the State of Illinois at this point in time,
24. but I must confess that we do not have the facilities to do it. We have
25. in the City of Chicago at Navy Pier a great harbor facility, but they're
26. handicapped by the fact that they too cannot handle container facilities
27. and we've seen a loss in shipping. I have seen shipping go from about
28. four hundred ships per year to a hundred and twenty-five last year, and
29. they were mostly bulk cargo. We need container facilities. May I point
30. out to you that on the Calumet River there are twenty-five hundred linear
31. feet of wharfage that are available for container facilities. This would
32. give you the capability to handle four cargo vessels of the usual size
33. at one time. It also...by the...there's also available one hundred acres

1. of backup space. Now, time moves on. The Marvel Headline Company,
2. a disvision of the general dynamics has acquired about a thousand foot
3. of this wharfage, and they're with a backup space of about forty acres
4. for their operations. I do not quarrel with that. There is also avail-
5. able another forty acres of land that is going to be retained by the
6. officials of the Youngstown Sheet and Tube Company. The property in ques-
7. tion is owned by the Youngstown Sheet and Tube Company. We have made every
8. available effort to try to acquire this property, and we have and at one
9. time been aided by the Governor I must admit, I must admit that he tried
10. to persuade these people to sell this property, but it can be done by the
11. City of Chicago. This is possible. We have a very dynamic operation
12. there, we have our people of business interest, we have adequate banking,
13. we can provide for it. They make measure about the retirement of the
14. bonds. This can be done. Everything is possible for them within reason.
15. If this property is returned to the City of Chicago...is turned over to
16. the City of Chicago, I must say, to provide a very viable economic impact
17. on the country. It can be done almost immediately, and it is decided
18. that there has been...no provision by the City of Chicago. They cannot
19. do anything until they give them permission to do so. And may I point
20. out to my colleagures one thing that sort of angers me, after I filed
21. my motion for reappeal, a member of the Governor's Cabinet, a appointee,
22. Mr. Pisciotte, circulated a letter around here asking that you avoid
23. voting for override. In my mind this is not the business of a department
24. head, this is the business of the Legislature for the benefit of all
25. the people of Illinois, and I resent his being here, I also resent the
26. fact that he had people on the Floor here actually lobbying against
27. the bill, and I asked that they be removed. This is vitally necessary
28. to my district and to the City of Chicago. It's entirely within the
29. thirtieth district and the tenth ward of the City of Chicago, and I urge
30. you to help all of us. Now, they...I know that there may be some
31. opposition, I hope not. But, I would like to ask this Body to join me
32. in overriding the Governor's Veto.

33. PRESIDENT:

1. Senator Merritt.

2. SENATOR MERRITT:

3. Mr. President and members of the Senate, I feel like Senator
4. Dougherty earlier today when he said - I never had anything but an
5. uphill battle, and that's all, I guess, I've ever had. I feel as if the
6. cards, the votes probably stacked against my position, but I do support
7. the Governor's Veto in this instance, because I think it was done in
8. the best interest of keeping the tremendously viable port that we've
9. been able to build over the years. No one knows better than Senator
10. Dougherty by his great service along with you, Mr. President and Senator
11. Johns, Senators Weaver, Don Moore of our Commission of Economic Develop-
12. ment, the great work we've put in in building that port, and I think
13. the important thing we have to consider in this instance, the Chicago
14. Regional Port District is a creature of this Legislature. Over the
15. years we've constantly legislation to help upgrade it. I was Chairman
16. of the subcommittee that investigated the thefts that were occurring
17. at that time, and further protective measures brought to increase the
18. viability of that fine port. In the last Session we even had a bill
19. passed for containeration facilities there at that port, and everyone
20. knows that the seaport of Chicago is eventually going to die on the vine,
21. it will never be the viable port that the Chicago Regional Port District
22. will be. Now, there's several, what I would consider very important
23. issues to be considered in this instance. If this were enacted, House
24. Bill 2328, it will serious questions as to the existing bonded indebted-
25. ness of this port district and the security of the bondholders. At
26. the present time the district has outstanding indebtedness of 17.5
27. million. Now, these were issued under the representation that revenues
28. of the port district would be used to pay the interest and retire the
29. when due. In fact, the bonds state on their face their in-
30. debtedness of the Chicago Regional Port District, solely. And these
31. obligations under no circumstances can be assumed by the State of
32. Illinois. It, also, provides that the transfers of the district's obli-
33. gations to the City of Chicago, yet there is no official resolution,

1. ordinance, or documentation indicating the City of Chicago as accepted
2. the indebtedness. I think this is a very, very serious question. Then
3. I...I, also, wonder about the corporate limits to the City of Chicago
4. extending themselves, which they would propose to do under this bill,
5. out way beyond their limits. In other words, it's reported to us, on
6. our Commission, that there are approximately forty municipalities in
7. unincorporated areas that stretch out into DuPage County. And I just
8. can't understand how, if they wanted to really accomplish this why didn't
9. they give some closer scrutiny to the drafting of the bill, instead of
10. one sentence that transfers all assets and liabilities of the Chicago
11. Regional Port District to the City of Chicago. I think it would be held
12. unconstitutional, by any stretch of the imagination, and I just say to
13. you that this was, as I said before, a creature of this Legislature.
14. We have made great progress there, we can be proud of that port over
15. the years, it is our gateway to the world for the...for the movement of
16. our agricultural products, manufactured goods, export. And I would
17. certainly plead, my fellow colleagues on this side and on the opposite
18. side, to vote to sustain the Governor's Veto on this instance. Thank you.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you, Mr. President. I will attempt not to repeat, at least
23. in great detail, some of the points that I've...I've heard Senator Merritt
24. making, but I think this is important enough that one or two points ought
25. to be underscored. When this bill was called for passage last Spring
26. in the Senate, I think several of us had not been fully conscious of the
27. fact that it was pending and what its implications were. We were sort of
28. taken by surprise simply because we had not served on the committee
29. which had heard the bill. I looked at the bill at that time, and saw
30. indeed that it is one sentence. All of the assets and liabilities of the
31. Chicago Regional Port District are transferred to the City of Chicago.
32. There is, in my judgement, and I've spent a lot of time in this area of
33. law, no way by which a major unit of local government, which does indeed

1. have seventeen and a half million dollars of bonds outstanding as
2. well as other contractual obligations, there is no way that that can
3. be accomplished by a one sentence bill. It is going to raise...raise
4. the gravest kinds of legal problems, it is going to tie what is left
5. of the Port District, and I think we all can see there needs to be
6. some revitalization of it, it's going to tie it up in legal suits for
7. a long period of time, and what is left there is simply going to wither
8. on the vine and die. It is not fair even to what I think is attempted
9. to be accomplished by this. It is absolutely true that the Chicago
10. Port District has jurisdiction that extends beyond the limits of the
11. City of Chicago. Section 154 of Chapter 147 of the Illinois Revised
12. Statutes says there is created a political subdivision known as the
13. Chicago Regional Port District quote "embracing all townships numbered
14. 36 and 37 of United States Government survey situated in Cook County,
15. Illinois and Section 14 in Township 37, Range 11 of said Government
16. survey situated in DuPage County, Illinois. There are indeed, as best
17. I can count it, thirty one other municipalities and part of DuPage
18. County which are embraced within the jurisdiction of the Chicago Regional
19. Port District. To all of a sudden abolish that, give it to the City
20. of Chicago without any taking into account of the outstanding bonds
21. of the effect of that extra territorial jurisdiction given to the City
22. of Chicago and of the existing powers with respect to eminent domain
23. that, for example, that the Port District has, is going to create utter
24. chaos. It may well be that some readjustment of that port authority
25. needs to be made, and I'm not sure that any of us who is speaking against
26. this bill are saying that that should not happen. What we are saying
27. is that this will not do it, it will simply throw a cloud over the
28. existing port district for a long period of time. I would urge that
29. the veto be sustained.

30. PRESIDENT:

31. Senator Fawell.

32. SENATOR FAWELL:

33. Mr. President and members of the Senate, I oppose this legislation.

1. when Senator Dougherty first presented it, and I rise to, once again,
2. oppose it. I don't want to repeat what has been said but I think that
3. the Governor's last paragraph really makes as good a summary of the
4. reasons why this legislation ought not to be enacted, as any. He states
5. that House Bill 2328 transfers all assets, liabilities and powers of
6. the Chicago Regional Port District to the City of Chicago. This attempt
7. by the City of Chicago to extend its powers beyond its boundaries into
8. suburban Cook County, and even into DuPage County, is bad legislation.
9. It would authorize the City of Chicago to acquire property, grant leases,
10. and award insurance contracts within forty other municipalities in Cook
11. County as well as within an unincorporated portion of DuPage County.
12. It would exclude representatives of other areas of the State from par-
13. ticipation in the decisions of the district which have an impact on the
14. economy of the entire State including, particularly, the northeastern
15. region in the district, and not simply on Chicago. I think that we have
16. talked about the transfer of properties, the bondholders' rights and
17. things of this sort, but I'd like to emphasize the fact that there are
18. powers here that taken from the various municipalities, the people who
19. live outside the City of Chicago and, as I've indicated, in DuPage County.
20. This bill, thoroughly, has not been thought out, and it...it must be
21. defeated, I believe.

22. PRESIDENT:

23. Any further discussion? Senator Dougherty may close the debate.

24. SENATOR DOUGHERTY:

25. Thank you, Mr. President. In answer to Senator Merritt, I might
26. say that the language he quotes...

27. PRESIDENT:

28. One moment. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. Yes.

31. PRESIDENT:

32. Could you hold it just a moment. For what purpose does Senator
33. Harber Hall arise?

1. SENATOR HALL:

2. I was trying to get your eye. I'm sorry, Mr. President.

3. PRESIDENT:

4. I'm sorry you...

5. SENATOR HALL:

6. I have a short remark to make...

7. PRESIDENT:

8. Go right ahead, Senator, you're recognized, Senator.

9. SENATOR HALL:

10. ...in respect to this bill. Mr. President, the State of Illinois
11. is the greatest exporter of goods of any state in the country. Mr.
12. President, Illinois is the greatest exporter of farm products of any
13. state in the...in the country. Mr. President, this port district
14. handles, for the farmers of downstate Illinois, a huge percentage of
15. their exportable farm products. They are satisfied with the operation
16. of the port, they know they have fast and ready access to the markets
17. of Europe through this port. They are afraid, Mr. President, as they
18. were afraid of the Chief Executive of the country's conversations with
19. Mr. Meany about their markets in Europe. And I think this particular
20. action that we are contemplating here today has the fear of the farmers
21. that he may be severely taxed by a city needing funds and not in re-
22. lation to the product that he exports in any way. So, I would suggest
23. that the members from, particularly, from downstate on both sides of
24. the aisle, be very careful about the vote on this particular bill.
25. Thank you, Mr. President.

26. PRESIDENT:

27. Senator Harris.

28. SENATOR HARRIS:

29. Thank you, Mr. President, I just think that this bill with its
30. serious ramifications escape the appropriate attention of the Senate
31. when it passed in the first instance, and that now that we have this
32. opportunity to make a second evaluation and consider the tremendous
33. ramifications that it poses, that we would on second thought postpone

1. affirmative action. This bill just should not become law. I would
2. hope that the veto would be sustained.

3. PRESIDENT:

4. Any further discussion? Senator Dougherty may close the debate.

5. SENATOR DOUGHERTY:

6. Thank you, Mr. President. I've heard all these arguments, and I
7. ...I was used to them and I respect them, as a matter-of-fact. Senator
8. Harris made note of the fact that the bill was passed its original form,
9. why and it did pass in its original form, made the argument the boundaries
10. of the area. Now, they've been in existence for over twenty years, but
11. there's been a change in the world shipping as I've tried to point out.
12. Let me tell you this, and this is true, that it is as I said before,
13. everything is contained within the harbor of Lake Calumet, true. Right
14. this morning you can go over and you can see truck after truck going
15. down the south expressway, taking this grains materials to the elevators
16. along there, and going down Torrence Avenue to the grain elevators, but
17. these are all within the tenth ward of the City of Chicago, and I wanted
18. to tell you this, that the City of Chicago can provide the necessary
19. expertise to take care of these matters. That does not mean that we're
20. going to foreclose on the bonds, we're going to lose the bonds. The
21. bonds...the bonds are going to be safe. There is no reason why we can't
22. include the present port district operations within the operation of
23. the City of Chicago if they do acquire it. There's nothing in there...
24. the law that says it can't. This can be done. I would like to point
25. out to you Senator Netsch has a...a habit of saying "my lake", well,
26. this is "my river", the Calumet River, and I want to see this brought
27. into being. I want to see this for...if there is enough space there to
28. what we have to do. This is...vital to the economy of our country, it's
29. vital to the economy of the Midwest. Down that river go about fifty
30. million tons of ore, coke, limestone, call it what you will, and we can
31. handle that. We have handled it for many, many years, and that was be-
32. fore the port district had nothing to do with it. The City of Chicago
33. operated that, not the port district. Their sole operations are out

1. of that area some hundred and thirtieth street, and I can tell you what
2. they consist of, and it is true it is self-supporting. I might point
3. out to the members of this Body that with the exception of the Chicago
4. Regional Port District, I don't know how many port districts we have
5. down the Illinois River, we have many of them, but they are all success-
6. ful because we set up the mode of operation to this degree, that the
7. Chicago Regional Port District's operation alized tax subsidy what-
8. soever, but every one of you port districts downstate do get a State
9. subsidy cooperation. We do it without a dime of tax money, and quite
10. sure that we could do it again, but under the auspices of the City of
11. Chicago, and it can be done without raising rates in any way, shape,
12. form, or matter. We have the expertise, we have the knowledge, we
13. have the leadership, and the City of Chicago provides for this. And
14. I ask for a favorable vote on this override. Thank you very much.

15.
16.
17.
18. (End of Reel)
19.
20.
21.
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25.
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30.
31.
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33.

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1. PRESIDENT:

2. Any further discussion? The question is shall House Bill 2328
3. pass, the veto of the Governor to the contrary notwithstanding.
4. Those in favor vote Aye. Opposed Nay. Secretary will call the roll.

5. SECRETARY:

6. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
7. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
8. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
9. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
10. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
11. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
12. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,
13. Weaver, Welsh, Wooten, Mr. President.

14. PRESIDENT:

15. Newhouse, Aye. Berning, No. Postponed consideration.
16. House Bill 2693, Senator Schaffer. House Bill 2825, Senator Rock.
17. House Bill 3028, Senator Knuppel. Senator Rock.

18. SENATOR KNUPPEL:

19. Mr. President, I would like at this time to move that the
20. Senate override the veto of the Governor with respect to Senate Bill
21. 3028. Senate Bill...or House Bill 3028 - House Bill 3028 is what's
22. commonly referred to as the State Fair Agency Bill. It's a bill which
23. would place the management of the Illinois State Fair under a board
24. which would be composed, in large measure, of men elected from districts
25. throughout the State of Illinois. This bill was thoroughly debated
26. at the time of its original adoption. This bill is to remove the
27. State Fair if possible and as far as possible from the vicissitudes
28. of politics from which it has suffered for the last six years. As we
29. all know, the Illinois State Fair has been a boon doggle for politics
30. and has been ridden with any number of poor accounting practices
31. as well as scandals. I submit to you that this may not be the answer
32. in perfection, nothing is perfect, but the way the State Fair has been
33. operated, it is a disgrace to the people of the State of Illinois. They

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1. express this by their disgust in attending the State Fair as opposed
2. to other neighboring states, and we think that this is a step in
3. the right direction to improve the Fair. We take exception to the
4. veto. The veto was overridden in the House. We think it should be
5. overridden in the Senate. I request a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. The Chair has been...the Chair has been requested by the local
8. T.V. station to solicit leave for their taking of 'silent pictures,
9. I'm told that it will be silent, and there will be no lights.

10. Is leave granted? So ordered. Further discussion? Senator Bell.

11. SENATOR BELL:

12. Thank you, Mr. President. As this bill progressed through the
13. Senate, in the Spring Session of the General Assembly, I sought to
14. assert the viewpoint make known before committee and on the Senate
15. Floor, that the problems that the State Fair has today, are problems
16. that have been brought about by the inept management of the local...
17. or the current Governor of the State of Illinois. Now, just so happens
18. that our current Governor is not going to sit in that particular seat
19. for a particular long period of time. And I think, Mr. President, I think
20. that...I say that with a smile. Yes. I think that if we, in fact,
21. address ourselves on this legislation on the basis of our current
22. Executive, that we're really...friends, we're really making a mistake.
23. Because to create a board of fifteen individuals to make these kinds of
24. decisions, is broadening the base of decision making in a manner that
25. I fear we're going to create a monster, rather than saddle the
26. responsibility to the Governor of the State. Now, if we happen to
27. have a Governor that can't handle this responsibility properly at this
28. time, then he should suffer the consequences, in reference to that
29. ineptitude. But hopefully the State of Illinois, and its people
30. in its wisdom, will elect to the Executive House, someone with greater
31. management ability. That being the case, the present situation, the
32. present laws, in reference to the State Fair Agency, could well be
33. managed for the benefit of the people of this great State. And to broaden

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1. this base, Senator Knuppel, into such a diffuse, ephemeral bases
2. of leadership of guidance and council seems to me the wrong way to
3. go with the legislation. I felt that way last Spring, I feel that
4. way now. It calls for a sound executive leadership with the
5. authority vested in a particular individual, that being the Governor
6. of the State of Illinois. Let him stand or fall in this issue,
7. on the basis of his leadership or his ineptitude of leadership.
8. I call on the members of this General Assembly, this Senate, to take
9. another look at this legislation because I really fear that if you
10. create a body as we're talking about creating here, that you're going
11. to create a much vaster problem than what we currently have. Thank
12. you.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Thank you, Mr. President, members of the Senate. As a member
17. of the State Fair Advisory Board, I have served under three different
18. Governors on that board and during that period of time, some five
19. different State Fair managers. Now, that alone should indicate to you
20. that there is a problem in the Executive branch of Government with
21. the operation of the State Fair. Now, you know the State Fair
22. used to be under control of the Department of Agriculture. This is
23. under the Code Department. And those of you that have been around here
24. for many years, know of the problems that were confronted with the
25. operation under that agency. That Code Department - we took away
26. the authority from the Department of Agriculture and created the
27. State Fair Agency, hoping that we could have better control and operation
28. directly under the Governor. Now that didn't work either. There is just
29. too much political involvement on the part of the Executive branch in
30. the State Fair. Now Senator Bell, when you point out that you think
31. a change - you get another executive in there he's going to react
32. differently. Well serving under these different Governors, and they're
33. of different political faiths, I have found that it's the same thing.

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H.C.'s records
Nov 30, 1975

1. They get in there and they get enhanced by all of that great crowd
2. out there and all the political involvement involved that that
3. overshadows what we really want in the State of Illinois, and that is
4. a good State Fair for the people. It's funded by the Agricultural
5. Premium Fund. It's not out of the General Revenue of the State.
6. And there's no reason why Illinois can't regain its stature and have one
7. of the greatest agricultural and industrial fairs for the people.
8. Show them a good time. But instead, they get into all these contracts.
9. You've got over a million point two dollars in contracts being
10. held up. Unpaid bills from the 1974 State Fair. And many of these
11. people had to be paid in advance before they'd even accept the
12. contract with the Illinois State Fair Agency for 1975. And take a look
13. at the contract for the tents out there. Look at the bill. Unpaid for
14. 1974. And that contractor for the...for the tents this year had to be
15. paid in advance and by golly he put in there much padded stuff
16. because you look at the contract this year and see how much higher
17. it was than last year. And he was protecting himself, don't think
18. he wasn't. Now, when you get into an operation like that, I think
19. it's high time that we lowered the boom on the Governors, of the State
20. of Illinois, who have had control of the State Fair. Now this probably
21. isn't the complete answer. It's not the best. We tried several
22. other ways. I tried to expand the legislative control of the State
23. Fair. It didn't work in Committee. But this one by Representative
24. Dave Jones, sponsored over here by Senator Knuppel, Senator Davidson,
25. and myself, has - where we're going to go back and operate the State
26. Fair with the same type of local control in interest and really
27. confidence of the people as we operate our County Fairs. Our County
28. Fairs are outstanding throughout this State of Illinois. They, too,
29. are funded by the Agricultural Premium Fund. And from that expertise
30. of that same segment of our population, this bill provides that
31. we're going to draw that expertise and that knowledge into the
32. management of the State Fair eventually. And I think that we'll
33. be better off if we go that direction than...I don't care who the next

36-28
How's it going?
4/20-21, 1975

1. Governor of this State is, he'll get inflicted with the same
2. State Fairitis as all of the Governors I have served under
3. in that State Fair Advisory Board. Hire and fire the managers
4. and put them in there at will. And that does not work. So I'm
5. going to ask that we override the Governor on this. Support
6. Senator Knuppel's motion and let's get on and try to straighten
7. out that State Fair for the people of the State of Illinois.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Joyce.

10. SENATOR JOYCE:

11. Mr. President and members of the Senate. I have had the privilege
12. of exhibiting livestock at the Illinois State Fair for twenty years
13. in a row and it's not - the Illinois State Fair is just not what it
14. ought to be. It isn't only...it isn't just this Governor, it's been
15. like that since I've been there. I've been to other State Fairs
16. surrounding here and Illinois is far in away got the worst State
17. Fair of the...any of our neighboring states. And...and this is...
18. you know this is really a catastrophe. The Illinois State Fair should
19. be the show window for Illinois Agriculture. And instead it just
20. hasn't been. I don't know if this is the correct answer either.
21. But at least it's a step in the right direction or a change, and if it's...
22. if it doesn't work, we can go back and try something else. But I...I
23. think it is a good bill and I support Senator Knuppel.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President, members of the Senate. I'd like to rise in support
28. of this motion to override the Governor's veto in the State Fair Agency.
29. Senator Joyce has already covered part of what he mentioned earlier,
30. and many of you may or may not have been in this chamber who've been
31. an exhibitor at Illinois State Fair. But have been an exhibitor back when
32. the 4-H Club building...before it was built and we lived in tents and
33. had a great time when it was the premium showplace in America. The only

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1. two...two livestock shows in the country top the Illinois State Fair
2. as far as their Grand Champion Winner, and that was the International
3. Livestock Show and the American Royal at Kansas City. And if you placed
4. in any one of these three, you were among the top livestock breeders
5. in the United States, if not in indeed the world. Now, we have been
6. up and down with both Governors, Republican and Democrat over the years
7. that this got to be a football. It used to be the stepchild of the
8. Department of Agriculture. When they had to cut the budget, they cut
9. the Fair. When they needed somebody extra to work, they dumped them
10. in there, they had no experience. Most of you are associated with the
11. County Fairs in your home town...County. Now, individuals who are going
12. to be appointed to this board, ten of them, five of them are still
13. the Executive branch's appointment, are going to be individuals who
14. have had experience dealing in running fairs, dealing with the
15. Agricultural Premium Fund, know what agriculture is all about. And the
16. gist of this is to bring it back to the outstanding agricultural fair
17. in the United States. And make it a place that you want to bring your
18. family...enjoy, and see what the rest of - we in the rural area of the
19. State do not only to feed you, but to feed the nation. I urge you
20. to vote to override this veto and let's get this Fair under a commission
21. we can do something about. If it doesn't work, we can change it. But
22. Gentlemen, we got to do something. We can't continue like we have been.
23. Thank you.

24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Latherow.

26. SENATOR LATHEROW:

27. Thank you, Mr. President. I assure you my remarks will be very, very
28. brief. I am rising in support of Senator Kunppel's motion of the over-
29. ride and I do want to say that I don't want to inflict blame on any
30. particular political organization or any particular person in the
31. operation. But I just say simply, it has not worked. We must try
32. something else. I don't know whether this is the exact answer or not,
33. but at least I think we can put people in...in the total management

113 3028
Gov's override
Nov. 20, 1975

1. that we'll have good experience and try it, and I believe this
2. could work. Thank you, Mr. President.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? Senator Bell.

5. SENATOR BELL:

6. Thank you, Mr. President. I spoke once before. I see that there's
7. no one else other than Senator Knuppel, reference to his closing remarks.
8. And I'd like to just close my comments in reference to this issue,
9. with just this thought. When that Fair doesn't work in the future,
10. doesn't meet the needs of...of what we politicians think a fair ought
11. to be, or what we think the people think a fair ought to be, where are
12. you going to lay the blame? On a fifteen man board? Is that where
13. you're going to lay the blame? I'll tell you. In my opinion, there's
14. got to be...well, all right. There's got to be a situation where
15. you can put the blame on some particular executive leadership. He ought
16. to stand accountable for it. And not some fifteen man board that's
17. kind of a difuse organization that can cop out in that responsibility,
18. because there's no single individual in that board that can have the
19. blame laid upon him. Now, you know really, I guess this isn't all
20. that big of thing. And yet there's something about the issue that
21. to me strikes to the heart of the matter of where executive leadership
22. ought to be placed in standing in responsibility in the State of
23. Illinois. This is only one aspect of it. And I don't think it ought
24. to be removed. I think it ought to still vest with him or our future
25. executive leader. Thank you.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? Senator Knuppel may close the debate.

28. SENATOR KNUPPEL:

29. Mr. President, where does the blame go when the Legislature goes
30. wrong? There's a hundred and seventy-seven members in the House and
31. fifty-nine members here, and I'll guarantee you the press knows where the
32. hell to put the blame. We get it all the time. Now, everyday we pick up
33. the paper, we read something else about the State Fair. Some other

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1. scandal, some other poor accounting, some other problem. Now, I submit
2. to you that if we don't do anything, they won't be putting the blame
3. on the fifteen man board, they'll be putting it on the fifty-nine man
4. General Assembly. Now, the Senate because the House has already
5. overridden. And I further submit to you that I don't want to assume
6. any of that responsibility that County Fairs are run by boards and many
7. of them are far superior in the...their scope then what the State Fair
8. is. I tell you that all change is not progress. But without change,
9. we cannot progress. Thank you.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is shall House Bill 2038 pass, the veto of the
12. Governor to the contrary notwithstanding. Question is shall House
13. Bill 3028 pass, the veto of the Governor notwithstanding. Those in
14. favor will vote Aye. Those opposed will vote Nay. Mr. Secretary,
15. call the roll.

16. SECRETARY:

17. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
18. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan,
19. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
20. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
21. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
22. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
23. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
24. Welsh, Wooten, Mr. President.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Johns, No. Senator Hynes, Aye. Bruce, No. Senator Wooten, No.
27. Senator Newhouse, Aye. Senator Buzbee, No. Senator Morris, No.
28. Senator Hickey, No. On that question, the Yeas are 45, the Nays are 12,
29. none Voting Present. House Bill 3028, having received the required
30. three-fifths vote is declared passed, the veto of the Governor to the
31. contrary notwithstanding. Senator Clarke, 3122. Senator Schaffer on the
32. Floor? Senator Palmer. On the Order of Item Vetoes, on page five.
33. You wish 582 first? All right. If I can have your attention. On the

1. Order of Total Vetoes, is found House Bill 582. Senator Palmer.

2. SENATOR PALMER:

3. The Torrens...yes, let's straighten out Torrens, Mr. President,

4. and members of the Senate...and...and members of the Senate, this...this

5. is not an appropriation bill, it's not going to cost anybody any money.

6. As a matter-of-fact,...what do you say, Senator Weaver, as a matter-

7. of-fact, this bill...shall I take a chance on roll call here?

8. roll call. I'll take a chance. Roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. You might indicate...Senate Palmer, would you indicate...

11. SENATOR PALMER:

12. Mr. President, roll call after I make these few remarks.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. I think you ought to indicate what your motion is, Senator...

15. that would be...

16. SENATOR PALMER:

17. Yes, I'd...I'd like to make the motion that the...we Do Pass

18. House Bill 582, the Governor's veto notwithstanding. And I

19. understand that since the veto - the sponsor of the House Bill and the

20. Title Examiner have communicated with the Legal Department advising

21. the Governor. I think that they have ironed out the complication

22. which only refers to the definition of a trustee. Now, very shortly,

23. and briefly, what this does - pay attention, I'll make it simple.

24. All this does is bring the present statute in line with the current

25. accepted practices. And eliminates a lot of unnecessary detailed

26. work and paper work. What's that? Did I say something wrong?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Palmer, have you...

29. SENATOR PALMER:

30. Didn't I...didn't I say good? This is long overdue and much

31. needed.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any further...

1. SENATOR PALMER:

2. Very simply, I...I...it's accepted by the Chicago Bar Association.
3. Senator Ozinga worked with us in...in compiling this bill. Senator
4. Daley, Chairman of Judiciary. It's a very proper bill. The only
5. objection was a technical one, and I'm going to ask for a roll call
6. here. Long overdue.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further discussion? Senator Palmer may close the debate.

9. SENATOR PALMER:

10. All right. Do you want some more?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Soper, for what purpose do you arise?

13. SENATOR SOPER:

14. All right. Call the absentees.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is shall House Bill 582 pass, the veto of the
17. Governor to the contrary notwithstanding. Those in favor will vote
18. Aye. Those opposed will vote Nay. Mr. Secretary call the roll.

19. SECRETARY:

20. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
21. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan,
22. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey,
23. Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lenke,
24. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
25. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip,
26. Palmer, Philip, Regner, Rock, Roe, Romano, Savickas, Schaffer, Shapiro,
27. Smith, Sommer, Soper, Vadalabene, Weaver, Welsh, Wooten, Mr. President.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Palmer, for what purpose do you arise?

30. SENATOR PALMER:

31. Am I recorded?

32. SECRETARY:

33. You...you're not recorded.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator's not...you are not recorded, Senator Palmer.

3. SENATOR PALMER:

4. I vote...I vote Present and - no wait...wait. I vote Aye, and
5. I ask for absentees. Call of the absentees.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Request for call of the absentees.

8. SENATOR PALMER:

9. And incidently, this only applies to Cook County, people from the
10. downstate. Won't bother you at all.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Mr. Secretary vote Senator Palmer Aye, and call the absentees,
13. please.

14. SECRETARY:

15. Bell, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
16. Course, Daley, Demuzio, Dougherty, Egan, Glass, Graham, Harber Hall, Ken-
17. neth Hall, Harris, Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski,
18. Lane, Latherow, Lemke, McCarthy, Merritt, Mitchler, Howard Mohr,
19. Don Moore, Morris, Netsch, Newhouse, Nimrod, Nudleman, Ozinga,
20. Philip, Regner, Romano, Savickas, Schaffer, Soper, Weaver,
21. Welsh, Wooten, .

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Partee, to Aye. Senator Shapiro, to Aye. Senator Bloom,
24. Aye. Senator Sommer, Aye. Senator Philip, Aye. Senator Bruce, No.
25. Senator Nimrod, No. On that question the Yeas are 51, the Nays are 3,
26. none Voting Present. House Bill 582, having recieved the required
27. three-fifths vote, is declared passed, the veto of the Governor to the
28. contrary notwithstanding. Senator Schaffer, there he is. On the Order
29. of Total Vetoes, page five of the Calendar, is found House Bill 2693.
30. Senator Schaffer has filed a motion. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, this bill and Senate...House Bill 2692 are companion
33. bills and deal on the same subject. I think those of us who...who were

1. here last Spring, and we all were, we recall the discussions we had
2. on medical malpractice. This bill is part of that overall problem and
3. solution. The doctors, of course, were down here last year...this year...
4. earlier this year asking for a limit on their legal responsibility.
5. And many people rightly said to them, well, if you want a limit, what
6. are you doing to clean up your act, what are you doing to get the
7. bad actors out of Illinois medicine. And these two bills that were
8. introduced are the medical profession's answer to that particular
9. problem. Simply, what they do is expand the number of things that a
10. doctor can have his license lifted for by thirteen additional reasons
11. or causes. It also establishes an independent hearing board
12. appointed by the Governor and confirmed by the Senate. That board
13. would be professionally staffed and the cost of that staffing, Senator
14. Soper, would be covered by the medical profession, quadrupling
15. their fees from ten to forty dollars a year. I think it's a
16. responsible package. The Governor amendatorilly vetoed these bills
17. to eliminate the independent hearing board and to put this particular
18. and very important power exclusively in the hands of the director of
19. the Department of Education and Registration. The medical profession
20. feels that this board is important enough to stand on its own and to be
21. an independent board, appointed by the Governor and confirmed by the
22. Senate. I concur with that particular opinion, and I would appreciate
23. a favorable vote on the override. Be happy to answer any questions and...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is there any discussion? Question is shall House Bill 2693 pass,
26. the veto of the Governor to the contrary notwithstanding. Those in
27. favor will vote Aye. Those opposed will vote Nay. Mr. Secretary call
28. the roll.

29. SECRETARY:

30. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
31. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
32. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey,
33. Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,

1. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch,
2. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe,
3. Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,
4. Weaver, Welsh, Wooten, Mr. President.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Course, Aye. Senator McCarthy, Aye. Senator Morris, No.
7. Senator Bruce, Aye. Senator Hall, Aye. Senator Davidson, ...Senator
8. Davidson, we're in roll call. For what purpose do you arise?

9. SENATOR DAVIDSON:

10. I rise on the point of personal privilege.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. You're out of order. I'm...

13. SENATOR DAVIDSON:

14. Well,...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. ...sorry.

17. SENATOR DAVIDSON:

18. ...I...I...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. You're...you're out of order. Senator Hall, Aye. Senator Harber
21. Hall, Aye. Kenneth Hall, Aye. Senator Partee, Aye. Senator Davidson,
22. Present. This requires thirty-six votes. Senator Brady, Present.
23. Senator Schaffer, for what purpose do you arise?

24. SENATOR SCHAFFER:

25. To poll the absentees.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. There's been a request for the call of the absentees. Mr. Secretary,
28. poll the absentees.

29. SECRETARY:

30. Bloom, Course, Howard Mohr, Nudelman, Palmer, Philip, Roe, Romano,
31. Savickas, Sommer, Soper, Welsh, Wooten.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Schaffer has moved to place this on the Order of Postponed
34. Consideration. So ordered. Senator Palmer, are we ready on 1079?

1. On the Order of Item Vetoes on page five, is found House Bill 1079,
2. Senator Palmer has filed a motion. Senator Palmer.

3. SENATOR PALMER:

4. Mr. President and members of the Senate. On House Bill 1079,
5. the Governor has made two Line Item Vetoes. On page two, lines thirteen
6. and fourteen, three hundred thousand dollars, and on page two, line
7. twenty-three, and twenty-nine, three hundred...three hundred thousand
8. dollars, relating to the Dangerous Drug Abuse Commission. I present to
9. this Body and...compromise with the Governor that I'm only making a
10. motion on one of those items. I'm willing to make a compromise here,
11. and only ask for the restoration of three hundred thousand dollars.
12. Now, I move that the following item of House Bill 1079 Do Pass, the
13. veto of the Governor notwithstanding. The money is appropriated
14. to the Dangerous Drug Commission for the West Side Organization's Drug
15. Abuse Clinic, currently the West Side Organization Drug Program, serving
16. four hundred and ninety-five clients; provides residential and out
17. patient services; includes poly drug and opiate drug rehabilitation
18. components; offer vocational and technical skills training; provides
19. development services, family planning counseling, homemakers services,
20. protective services for children, legal services and health related
21. services. Thirty-nine of the Organization's seventy-nine employees have
22. been recruited and trained for the local community. I would like to
23. advise the Senate that the Dangerous Drug Commission is a newly created
24. commission by this Body and these are newly...new programs and they're
25. greatly needed in the communities. And I ask for an Aye vote on the
26. Line Item Veto.

27. PRESIDENT:

28. Senator Lemke.

29. SENATOR LEMKE:

30. I also ask for an Aye vote. This is...this reminds me of a bill
31. where we...we start a project of a methadone clinic and we proceed for
32. two, three years and then all of a sudden we say to the young...young man
33. or person that we're trying to get away from drugs, that's it. It's over.

1. It's like giving a man oxygen, keeping him alive for three years,
2. and shutting it off the next day. And this is what we're trying to do
3. here. We're trying to...to do what we're supposed to do. We're saying
4. to these people, get back in the mainstream, we'll help you with methadone,
5. we'll help you with the treatment, and then we cut it out. Now, by
6. cutting out this money, we're also going to cut out Federal money
7. that we're going to receive. And this is going to be a big loss.
8. And if this...this money is not restored, the program has to be cut in
9. half. And those...half of those people that are being treated - where
10. are they going to go if they can't get methadone? Look around.
11. They're going to go to the suburbs. They're going to go to my house.
12. They're going to start looking around to make some money so they can buy
13. something to keep their habit going. Therefore, I urge an Aye vote.

14. PRESIDENT:

15. Senator Weaver.

16. SENATOR WEAVER:

17. Question of the sponsor, Mr. President.

18. PRESIDENT:

19. He indicates he'll yield.

20. SENATOR WEAVER:

21. Senator, on the Order of House Bill, 2nd reading is House Bill
22. 3179. What's the relationship between House Bill 1079 and 3179?

23. PRESIDENT:

24. Senator Palmer..

25. SENATOR PALMER:

26. The other bill concerns itself with only or all Federal money
27. from H.E.W., Senator Weaver.

28. PRESIDENT:

29. Senator Weaver.

30. SENATOR WEAVER:

31. How much Federal money? You talking about that nine hundred
32. and sixty-thousand?

33. PRESIDENT:

34. Senator Palmer.

1. SENATOR WEAVER:
2. Is that what...
3. SENATOR PALMER:
4. Approximately it involves two Federal grants, approximately
5. nine hundred and sixty thousand dollars.
6. PRESIDENT:
7. Senator Weaver.
8. SENATOR WEAVER:
9. Well, if...if this veto is overridden, then you won't have any
10. need for 3179, is that true?
11. PRESIDENT:
12. Senator Palmer.
13. SENATOR PALMER:
14. Sure we...that is not true. We definitely need...1079. These
15. are community...they're now...they're now in effect. The community
16. offices and the clinics are now in operation as a result of the
17. commission that you created. When I say you, I'm talking about the
18. Senate, and we need these funds.
19. PRESIDENT:
20. Any further discussion? Senator Palmer, the Chair would ask a
21. question. This is an Item Veto and there were...this bill, 1079,
22. was voted on item by item in the House, is that correct?
23. SENATOR PALMER:
24. Right.
25. PRESIDENT:
26. Any further discussion? Question is shall House Bill...the question
27. is shall the item on...on page two, lines thirteen and fourteen, of
28. House Bill 1079, be restored, the Item Reduction of the Governor to the
29. contrary notwithstanding. Those in favor vote Aye. Opposed will
30. vote Nay. Mr. Secretary, call the roll.
31. SECRETARY:
32. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
33. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan,

1. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
2. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
3. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
4. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
5. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
6. Welsh, Wooten, Mr. President.

7. PRESIDENT:

8. Berning, Aye. Glass, Aye. Bell, Aye. Egan, Aye. Hickey, Aye.
9. Nimrod, Aye. Soper, Aye. Have all voted who wish? Hynes, Aye.
10. Merritt, Present. On that question, the Ayes are 43, the Nays are none,
11. with 3 Voting Present. The items on page two, lines thirteen and fourteen
12. of House Bill 1079, having received the required majority of vote of
13. Senators elected, is declared restored, the Item Reduction of the
14. Governor to the contrary notwithstanding. House Bill 1947, Senator
15. Donnewald. (Machine cut off)...on the item...on the Order of Item
16. Reductions on page six and the first one called was 1947, Senator
17. Donnewald. Senator Hynes.

18. SENATOR HYNES:

19. How...Mr. President, how many motions are there up?

20. PRESIDENT:

21. Pardon me?

22. SENATOR HYNES:

23. How many motion are there on the...on that bill and who filed
24. them, 1947?

25. PRESIDENT:

26. I'm sorry, there is but one motion. I called it by the sponsor.
27. You are the person who has filed the motion. You are recognized on
28. House Bill 1947. Senator Hynes.

29. SENATOR HYNES:

30. Mr. President and members of the Senate. This is the appropriation
31. necessary to fund House Bill 1539, which we recently overrode the veto
32. of the Governor on, regarding to the increased distribution of
33. motor...fuel taxes to local governments. It amounts to 16.4 million

1. dollars. I think we have debated the issue fully. The Governor, when
2. he vetoed the bill, also reduced the appropriation that the General
3. Assembly had made for that purpose. And I would move, Mr. President,
4. that these items be restored the...the Item Reduction of the Governor
5. not...to the contrary notwithstanding.

6. PRESIDENT:

7. Any further discussion? The question is shall the items
8. on page thirteen, lines two through nine, page thirteen, line ten,
9. page thirteen, line eleven and twelve, be restored, the Item Reduction
10. of the Governor to the contrary notwithstanding. Those in favor vote
11. Aye. Opposed will vote Nay. Senator Donnewald, for what purpose do you
12. arise?

13. SENATOR DONNEWALD:

14. Well, a question of the Chair. My understanding here, is that if
15. these items are not restored, the bill is law as the Governor
16. amendatorilly vetoed.

17. PRESIDENT:

18. That is...

19. SENATOR DONNEWALD:

20. Is that correct?

21. PRESIDENT:

22. That is correct, Sir. Any further discussion? The question has been
23. stated. Those in favor vote Aye. Those opposed vote Nay. Secretary,
24. please call the roll.

25. SECRETARY:

26. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
27. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan,
28. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
29. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
30. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
31. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
32. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
33. Welsh, Wooten, Mr. President.

34. PRESIDENT:

1. Morris, No. Bruce, No. Schaffer, Aye. Graham, Aye. Clarke,
2. No. Nimrod, No. Soper, Aye. Call the absentees.

3. SECRETARY:

4. Fawell, Harris, Harber Hall, then Harris, Mitchler, Howard Mohr,
5. Netsch, Ozinga, Philip, Regner, Sommer.

6. PRESIDENT:

7. On that question, the Ayes are 35, the Nays are 18. The item
8. on...the item on pages...page thirteen, lines two...two through
9. nine, page thirteen, line ten, and page thirteen, lines eleven and
10. twelve, having received the required majority of vote of Senators
11. elected, is declared restored, the Item Reduction of the Governor
12. to the contrary notwithstanding. Senator Fawell.

13. SENATOR FAWELL:

14. I...I would like to make a parliamentary inquiry.

15. PRESIDENT:

16. ...moment, Senator. Would the members be in their seats.
17. Senator Fawell.

18. SENATOR FAWELL:

19. In...in regard to the bill that we just debated, was the action
20. which our Body took, in regard to the various Line Items, was that in
21. Toto in...as to all of the Line Items?

22. PRESIDNET:

23. In Toto.

24. SENATOR FAWELL:

25. Now, what is the...what is the reaction of Chair, then, in reference
26. to Rule...Rules 72 (b) and (c), which requires the vote to be
27. by roll call vote as to each item separately. Doesn't...is that not
28. what our Rules require, that each item...each Line Item Veto be done
29. separately rather than in Toto.

30. PRESIDENT:

31. Well, I may as well do this right now. I had planned to give
32. you this information in connection with the next bill, 2989, and let
33. me state it for the record. Actually the question that you're asking is,

1. if a House Appropriation Bill, which has been the subject of an
2. Item Reduction, is returned to the Governor by the House, and the
3. House considers the bill in its entirety rather than on an item basis.
4. The question is what is the appropriate action to be taken by the
5. Senate on that bill. Number one, there are no existing joint rules
6. which cover this question. And as a consequence, it is a matter to be
7. determined by each House. Now, the Senate Rules regarding consideration
8. of vetoes, commences with Rule 70, which applies to bills which are
9. returned to the Senate and bills which, of course, emanate
10. in the Senate. In as much as we are now dealing with a bill which
11. was returned from the House, which emanated in the House, the procedure
12. is, in fact, different. So, Senate Rule 72 (c), the one to which
13. you just deluded, provides for that restoration of Item Reductions,
14. shall be by vote as to each item separately. That would apply to a bill
15. emanating in the Senate and returning to the Senate. It does not apply
16. to a bill emanating in the House and which is returned to the House.
17. Now, there's a rather compelling, practical reason for this deferential.
18. The House Bill was voted on in the House, in Toto. Hence, when that
19. bill comes here, it is in Toto and the only way we can reasonably
20. address it, is in the same way. In Toto. To do otherwise, would be
21. inimical and destructive, not only to the Legislative process, but to
22. common sense and judgement. Because, if we approached it on an item basis
23. there is no procedure for returning it on that basis to the House,
24. the House having already addressed itself to the entire bill. Does
25. that answer your question, Senator?

26. SENATOR FAWELL:

27. Yes. May...may I just make this comment. It...it has seemed
28. to me that if the House has considered the whole that that would
29. mean that they have considered the part of the whole. And therefore,
30. if we, then, consider the...Line Items, that I would respectfully not
31. agree with the conclusion of the Chair that...

32. PRESIDENT:

33. Well, I think you...

34. SENATOR FAWELL:

1. ...there would be...

2. PRESIDENT:

3. ...would not be able to agree with the conclusion because you have

4. said something which is embracive of something other than...than reason.

5. They did not go item by item. They took the entire matter.

6. SENATOR FAWELL:

7. I understand that.

8. PRESIDENT:

9. Right.

10. SENATOR FAWELL:

11. I understand that.

12. PRESIDENT:

13. Now that's embracive of item by item, but that is not an

14. adjustment item by item. We can only do it the way they did it.

15. Because we have no way of returning it. Let's say for example,

16. there are six items and they by one vote, passed all six items.

17. If we should adjust ourselves to say, item three, and restate

18. different conclusion than they reached on Item Three, then we'd have

19. no methodology...by which to return it to them. So it's annulity.

20. You can't do it anyway in judgement and common sense.

21. SENATOR FAWELL:

22. Well, I...I would not agree, but it...but let me also say that

23. when one refers to Rule 70 I think the Chair's position was that

24. Rule 70 was referring apparently only to a Senate Bill.

25. PRESIDENT:

26. A bill emanating in the Senate and...and returned to the Senate

27. as a result of Governor...Governor's action.

28. SENATOR FAWELL:

29. Yet the reading seems to be upon receipt by the Senate of any

30. bill returned by the Governor under any of the provisions of Section

31. Nine, of Article IV, of the Illinois Constitution. The Secretary of the

32. Senate shall enter the objections of the Governor on the Journal.

33. PRESIDENT:

1. Yes, but that...

2. SENATOR FAWELL:

3. I see what you mean, you're...you're...

4. PRESIDENT:

5. ...yes, but that does not mean a bill which emanated from the
6. Senate. Can the Secretary of the Senate register an objection
7. on a bill that goes back to the House?

8. SENATOR FAWELL:

9. I see...I see what you mean. Like it...could be so construed.
10. So you are concluding that 72 (c) therefore, which states that the
11. vote to restore an item which has been reduced shall be by roll call
12. vote, therefore it doesn't refer to any bill that was sent by the
13. Governor back to the House of origin being the House. You're construing
14. 72 to be a continuation of Rule 70.

15. PRESIDENT:

16. Yes, it's a part of the same thing.

17. SENATOR FAWELL:

18. Well, certainly a lot of us had not considered that and although
19. in this bill, I...it would seem to me that...that 72 would stand
20. by itself and not necessarily be an adjunct to...to Rule 70,
21. which is in generally, consideration of vetoes and doesn't necessarily
22. mean Item Vetoes or vetoes which go back to the House or other words,
23. House Bills. It would seem to me it's talking about vetoes in the
24. generic sense of the word. I'm concerned, of course, because
25. I happen to have a couple of motions for Line Item Vetoes on the
26. Categorical Grant Program, which I feel that you're conclusions here are
27. going to foreclose my ability to even present that motion.

28. PRESIDENT:

29. Well, you're not being foreclosed because of any reason except
30. the Rule and logic and common sense. Now, if you will look at, and I
31. think there's no need to further buttress the ruling, but if you will look
32. at that all...no, D (1), that is. D (1). 72 D (1). There is a
33. proposal there as to what kind of motion can be made. Now, those kinds

1. of motions can only be made on...in the House of origin. And when the
2. bill gets here, this House must either accept or reject the determination
3. that's made in the prior House, which also shows in further buttressing
4. of the ruling I've made, that that does apply to Senate Bills and that
5. House Bills do not come within the orbit of this consideration.

6. SENATOR FAWELL:

7. All right. Well, I'm not going to raise the point on this bill.
8. I'm going to cogitate and do some meditation on your points and perhaps
9. bring them up at the time that the Categorical Grant Bill does come up
10. before the Senate.

11. PRESIDENT:

12. House Bill 2989, Senator Hynes. For what purpose does Senator Glass
13. arise?

14. SENATOR GLASS:

15. Well, for Parliamentary inquiry, Mr. President, and it does
16. apply to Senate Bill 2989 as it does the last bill. If I may state
17. it and refer the President to the Illinois Constitution, Article IV,
18. Section 9, subparagraph D. This is on page twenty-seven of the
19. Constitution and...and I am raising this, Mr. President,...

20. PRESIDENT:

21. Just a moment. Turn the lights off. Who authorized them to
22. be turned on? Thank you.

23. SENATOR GLASS:

24. Mr....Mr. President, I am raising this...this inquiry in order
25. to question whether Senate Bill...rather House Bill 2989 is properly
26. before this Body. I am familiar with the bill and I understand that
27. it contains some twenty items of appropriation all in one bill, and
28. in that sense, is similar to the last bill. Now, this section provides
29. that...that any item of appropriations may be reduced by the Governor
30. and it is then returned to the House of origin and now I'm...I'm
31. quoting, and this is the important language, I think, "And may be
32. restored to its original amount in the same manner as a vetoed bill ex-
33. cept that the required record vote shall be a majority of those elected
34. to each house." Now, I suggest to you that that means an item

1. must be treated identically to a bill, with the exception of the
2. requirement of only a majority, rather than a three-fifths vote, and that
3. a bill, a vetoed bill must be voted on...each vetoed bill must be
4. voted on separately and individually. So I would submit to you that
5. the language of the Constitution makes that applicable to each Item
6. Veto, and tht each Item Veto, therefore, under the Constitution,
7. must be voted on individually and separately just as each bill. And I
8. would ask you to so rule, Mr. President.

9.
10.
11. (End of Reel)
12.
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14.
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(Continued on next page)

1. PRESIDENT:

2. Now, wait...wait...I want to make sure I know what part of the
3. Constitution you're alluding to. Are you under Section 9, under sub-
4. paragraph - D? Article 4, Section 9, Paragraph-D on page 27?

5. SENATOR GLASS:

6. Yes.

7. PRESIDENT:

8. All right. Now, what is...let me make sure I understood the
9. language...what you read.

10. SENATOR GLASS:

11. All right, I...I just mentioned first, Mr. President, that this...
12. this describes how a vetoed Item is...is handled, and it calls for it to
13. be returned to the House of origin, and then if you look about halfway
14. down...that it may be returned to the House in which it originated, and
15. may be restored to its original amount, and this is the important
16. language, in the same manner as a vetoed bill except that the required
17. record vote shall be a majority of the members elected to each House.
18. So, that in every respect it...

19. PRESIDENT:

20. Now...now, Senator before you...

21. SENATOR GLASS:

22. All right.

23. PRESIDENT:

24. I don't know if you did that because you wanted to or by design,
25. but you left out a rather important sentence, which starts with the
26. Article and - and in an Item reduced in amount shall be returned to the
27. House in which it is originated and may, there is a word may, be restored
28. to its original amount in the same manner as a vetoed bill except that
29. and so forth. Now, you left out the word "may", which is really the
30. controlling word in this entire controversy. The House had, I read it,
31. two options. They might have restored them on an Item by Item basis,
32. they chose not to restore it on an Item by Item basis. We are now bound
33. by their determination to deal with it in its entirety. As a matter-of-

1. fact the question you're raising was raised in the House, and there
2. were those who felt that there was an obligation to address it Item by
3. Item. That feeling did not obtain. The vote was that they should
4. approach it on a full basis, which they did. Having done that, having
5. made that determination, the bill as it comes here must be dealt with
6. in the same manner as it was in the House. Further, if we did not deal
7. with it in the same manner, and if we did deal with it on an Item by
8. Item basis, which I contend we have no right to do, we would be in the
9. anomalous position of not being able to return to the House any of the
10. Items which we rejected...

11. SENATOR GLASS:

12. Well, Mr...

13. PRESIDENT:

14. ...so we are forced by reason and by logic, by common sense and
15. by reading of the Constitution and our rules to approach it on the
16. basis that we are going to in accordance with the ruling I've just
17. made.

18. SENATOR GLASS:

19. Well, Mr. President, if I may, I agree with your latter statement,
20. and I'm not questioning that...that because you have so ruled, that we
21. must consider this the same manner that the House did. My inquiry goes
22. to the question of whether this is properly before us at all under the
23. Constitution, because my reading of this language is, that the only
24. way that an Item can be restored is in the same manner as a vetoed bill.
25. It may be restored in the same manner as a vetoed bill, but there is
26. no other way for it to be restored. So, my contention is that the only
27. way you can restore the Item is in the same manner as a vetoed bill with
28. the exception of the majority vote requirement.

29. PRESIDENT:

30. Well, the Chair will rule that your interpretation is conscientious
31. and, also, incorrect. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President and members of the Senate, this is a motion to restore

1. certain line Item reductions in the annual appropriation to the Office
2. of Education, which includes their operations and the various categorical
3. grant programs to finance education in this State. It is directly and
4. intimately related to the bill, House Bill 2971, the full funding bill
5. that we debated at great length yesterday. The amount involved in this
6. motion is thirty-five million, seven hundred and one thousand dollars.
7. And I would like, I think, to forego a total repeat of all of the matters
8. that came up yesterday. There will be another effort with respect to
9. 2971, but this is an extremely important part of the package, of the
10. package that is desperately needed to provide adequate financing for
11. the schools of this State. I believe that this is within the capability
12. of the State to afford. I certainly believe that is true in the event
13. 2971 is not successful, but I believe that we can afford both of them,
14. and I think the argument yesterday demonstrated that. I would like to
15. refer to the specific Items that are involved. The first involves four
16. hundred fifty thousand dollars for operations for the Office of Education.
17. All of the remaining Items deal with grants, categorical grants for
18. special programs around this State. And I would, also, in connection
19. with the amounts of the reductions and the restoration we are attempting,
20. I'd like to point out the amount of the reduction that was made in the
21. overall program, because I think it is rather staggering. Adult education
22. was reduced two hundred thousand dollars, which is an 8.5 percent re-
23. duction. Gifted reimbursements was reduced eight hundred twenty thou-
24. sand dollars, which is a 29.1 percent reduction. The gifted area service
25. centers were reduced one hundred fifty thousand dollars, which is a
26. twenty percent reduction. Special Education, nonpublic tuition reim-
27. bursement was reduced four million dollars, a 36.4 percent reduction.
28. Extra Ordinary Special Education reimbursement, that is for those pro-
29. foundly and severally retarded children who need special services beyond
30. the ordinary special education class, reduction was one million dollars,
31. 28.6 percent of the entire appropriation. Special Education reimburse-
32. ment which is the professional personnel reimbursement the State uses
33. to assist and support special education programs for handicapped children

1. was reduced eighteen million dollars or 18.5 percent, and if I could
2. digress on that particular point for just a moment, that is precisely
3. the amount that we added to the State's obligation a year ago, which
4. by passage of compromised legislation, which was vetoed by the Governor,
5. and which was overridden by this General Assembly one year ago at this
6. time. We, now, face the situation where that money has again been re-
7. moved from the budget. Special Education, orphans three hundred thou-
8. sand dollars, a 7.9 reduction. Bilingual education for Chicago, 1.4
9. million dollar reduction, 19.2 percent of the entire appropriation.
10. Bilingual Education downstate, seven hundred twelve thousand dollars,
11. 19.2 percent reduction of the entire appropriation. Pupil transporta-
12. tion which is a matter of serious concern to downstate school districts,
13. 5.8 million dollars, a 14.7 percent reduction. Special Education trans-
14. portation, 1.3 million dollars, a 4.9 percent reduction. Breakfast
15. and lunch programs, seven hundred and twenty-five thousand dollar re-
16. duction or six percent. Vocational education, seven hundred twenty
17. thousand dollars, 4.2 percent, and the truancy program, one hundred
18. thousand dollars or 16.7 percent reduction, a total of thirty-five
19. million, seven hundred thousand dollars. Mr. President and members of
20. the Senate, I think this restoration is vitally necessary. These pro-
21. grams, these special programs in gifted special education and in the
22. other areas are totally dependent on the State's support. We have
23. mandated these programs, we've mandated school districts to institute
24. them, and now we are renegeing on our commitments to fund them. I think
25. it is absolutely imperative that this motion be carried, and that these
26. funds be restored. Thank you.

27. PRESIDENT:

28. Any further discussion? Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. President and Ladies and Gentlemen of the Senate, I'll be
31. very brief. No.

32. PRESIDENT:

33. Any further discussion? Senator Harris.

1. SENATOR HARRIS:

2. Well, Mr. President, I'm certain that everyone is aware that
3. we are voting on this in a single restoration motion of the entire
4. amount appropriated that...or the entire amount reduced by the Governor's
5. actions, and that is some thirty-five million, seven hundred thousand
6. dollars. Now, I want to point out one thing that may not be understood,
7. but included in that thirty-five million, seven hundred thousand restora-
8. tion is the administration of the Office of Education with respect to
9. these programs, and it is being restored on a one hundred percent basis.
10. That is a nicety that we at least should be mindful of, that this would
11. be the only agency in State Government that would be operating on a
12. one hundred percent request basis insofar as the budget is concerned,
13. requested on March 3rd. Everyone else would have had, at least, a six
14. percent reduction in that March budget request, and in some instances
15. even more. That's a limited nicety. Of major importance is the fact
16. that we are voting, here, to restore thirty-five million, seven hundred
17. thousand dollars. I want it clearly understood that insofar as this
18. individual Senator is concerned, this side of the aisle will not take
19. those steps that might be characterized as the responsibility for a
20. tax increase later on. With respect to 1989 we are of the same posture
21. as we were with respect to 1971, that we will be in a much clearer
22. position of determination following the calculations and commitments of
23. the taxes due next April then we possibly can be now, and that it would
24. be irresponsible, and an invitation to Fiscal chaos if we were to
25. authorize, by our action here, the expenditure of this thirty-five
26. million dollars. Now, we just don't have that kind of money. I would
27. urge the membership of this Body to reject Senator Hynes' motion.

28. PRESIDENT:

29. Any further discussion? Senator Fawell.

30. SENATOR FAWELL:

31. ...I don't mean to just drag this on, but I do have a...another
32. elementary inquiry of the Chair.

33. PRESIDENT:

1. Yes, Senator.

2. SENATOR FAWELL:

3. I...I do, as the Chair knows, have two motion on the Secretary's
4. Desk, and I most sincerely do wish to present them, and they would
5. cover approximately twenty-two million dollars in reference to certain
6. reductions in this House Bill 2989, that the Governor saw fit to set-
7. forth. Now, I am afraid that if there is not a challenge at this point
8. to the Chair's ruling, that the Senate is bound by the manner used by
9. the House in the House's consideration of Item reductions and Item
10. vetoes, that the result will be that if this should fail, Senator Hynes
11. motion which covers the entire House Bill 2989, Item reductions and
12. Item Vetoes, the matter will be dead, and my specific motions which are
13. on the Secretary's Desk, will as a result, it'll be mute, I will have
14. no opportunity at all. It...would this be the Chair's conclusion?

15. PRESIDENT:

16. I have not seen the motions, and I think I could give you an
17. answer, though, without having seen them. If your motions address
18. themselves to specific Line Items, the Chair having ruled that we must
19. address the bill as it came from the House, the entire manner, then
20. your motions, then, would be out of order. Either before Senator Hynes
21. calls his bill, or after Senator Hynes calls his bill, the question is
22. shall these Items be restored. We're addressing them as the House did
23. in one fell swoop. If his motion does not carry then it does not carry,
24. and the Item reductions would obtain.

25. SENATOR FAWELL:

26. I...then I...I would most respectfully want to make...ask for an
27. appeal from the Chair's decision that we are bound to proceed in the
28. manner in which the House saw fit to proceed. It is my feeling, as I
29. indicated before, that when the House chose to go in toto on all of
30. the various Item Vetoes and Item Reductions, I think probably, at
31. least my view, that a court would say that that may be their prerogative,
32. but I don't believe that that binds us to follow them. I repeat, that
33. I think if they say that they are taking action on the whole, they are

1. out of necessity; therefore, taking action on each of the parts, and
2. there is nothing to stop us, however, from following what, I believe,
3. is what our rules quite specifically state, and under 72C that we, in
4. fact, are bound to go by, Line Item by Line Item. And there are a
5. number of us....

6. PRESIDENT:

7. Senator Fawell. Senator Fawell, it is not my general practice
8. to ask questions of the members, but I would like to ask you this
9. question. If we addressed it on an Item basis, and if we reached a
10. different conclusion than the House on a specific Item, what is pro-
11. vided for us to return that Item to the House?

12. SENATOR FAWELL:

13. We have...we have just...we have simply not agreed. There has
14. not been concurrence by the Senate in reference to a specific Line
15. Item. The...then if we have...if we have not concurred then that is
16. not overridden. On the other hand if we do, we have overridden the
17. Governor's Line Item, or...or Veto reduction...whatever...whether it's
18. a Line Item Veto, or a Line Item reduction as the case may be.

19. PRESIDENT:

20. Your argument might have a little more persuasiveness if the
21. specific question had not arisen in the House. When this matter was
22. considered in the House the question was raised as to whether or not
23. there was a duty to consider it on an Item by Item basis. The House in
24. its wisdom and judgment, by record vote, determine that it should not
25. be considered Item by Item, and should be considered in its entirety.
26. That having been done the argument, I think, has less merit and less
27. impact since it had been sent after a record vote determining the manner
28. in which it should be passed to the House...to the Senate. If we went
29. into any Item by Item there is no methodology by which that Item could
30. be returned.

31. SENATOR FAWELL:

32. May...may I most respectfully then reply that I...I disagree that
33. the House can bind the Senate, and I think they had to be right to take

1. that action, but I repeat that they have in effect taken action on
2. each Line Item, but did it by means of going after the whole. I am
3. suggesting to the Chair that this motion is going to fail and we will
4. foreclose, a number of us who specifically would like to spend the
5. Governor's alleged twenty million dollar surplus that can be spent, I
6. would much prefer to spend it, for instance, in being able to put back
7. the approximately eighteen million dollars for reimbursement for pro-
8. fessional and noncertificated workers in the handicapped childrens pro-
9. gram, and I am going to, in effect, be foreclosed unless I...I do respect-
10. fully appeal from the Chair's...

11. PRESIDENT:

12. Well, first of all...

13. SENATOR FAWELL:

14. ...unless I wanted to do that.

15. PRESIDENT:

16. ...Senator, Senator...Senator, the ruling is that even if you de-
17. sire to make that motion, it's out of order at this moment. We are now
18. considering House Bill 2989, the main motion, and I'm reverting to that.
19. It would be out of order whatever your suggesting at this moment. Senator
20. Fawell.

21. SENATOR FAWELL:

22. Isn't a parliamentary inquiry, at all times, in order. I...I am...

23. PRESIDENT:

24. Yes, you have made your parliamentary inquiry, and I have tried
25. to...

26. SENATOR FAWELL:

27. Well, but the Chair has made a ruling...

28. PRESIDENT:

29. Yes, to tell you what the ruling..

30. SENATOR FAWELL:

31. Yes, and now I'm appealing from the ruling of the Chair. I have
32. that right, do I not?

33. PRESIDENT:

1. You're going to...you're making a parliamentary inquiry, I've
2. given you an answer to your parliamentary inquiry.
3. SENATOR FAWELL:
4. You've given me a ruling.
5. PRESIDENT:
6. I've given you a ruling...no...
7. SENATOR FAWELL:
8. You've...you've...
9. PRESIDENT:
10. ...now, your...the ruling was made earlier as to the methodology
11. of addressing this bill. There was no appeal to that ruling. You are
12. now asking me a parliamentary inquiry that relates to that ruling.
13. Senator Fawell.
14. SENATOR FAWELL:
15. This is the first time anyone has appealed in reference to this
16. bill, Mr. President. My...my past comments were in regard to the
17. previous bill. I did tell the Chair that when this bill came forward...
18. PRESIDENT:
19. Subsequent to our conversation I called the bill, Senator Hynes
20. took the microphone, which is intervening business, and commenced to
21. address himself to the bill. Subsequent to that, Senator Harris and
22. others, Senator Shapiro spoke on that bill. I'm saying to you that
23. the appeal to the ruling is out of order at this time.
24. SENATOR FAWELL:
25. Mr. President, no...you never made a ruling until I just asked
26. you to make a ruling.
27. PRESIDENT:
28. I made the ruling in reference to...
29. SENATOR FAWELL:
30. No.
31. PRESIDENT:
32. ...Senator Glass' question. The whole...the whole ruling related
33. to Senator Glass' question and to yours. You spoke before on this same

1. question. Now, I made that ruling twice already.

2. SENATOR FAWELL:

3. Well, may I one...may I make one last comment. I...I believe the
4. action of the Chair is...is arbitrary. I...I have never made a request
5. for a ruling in regard to this bill, nor did Senator Glass, and even
6. if they did, I don't think intervening business is going to foreclose
7. a member of this Body to ask for...for an appeal from this ruling.
8. But nobody has made a request, and I repeat that what...what we're
9. doing here is...is ordaining that there'll be no opportunity whatsoever
10. to get any aid in Line Item manner for the categorical grants for handi-
11. capped children. I...I...

12. PRESIDENT:

13. Well, you're making it a termination based on something you don't
14. know yet. You don't know what the vote is going to be on 2989.

15. SENATOR FAWELL:

16. No, but if it fails, we are done.

17. PRESIDENT:

18. Well, if it...well, I can't say it any other way, Senator, I think
19. you're out of order.

20. SENATOR FAWELL:

21. I would...I would appeal the...the Chair's latest ruling, the one
22. you just alleged, then. I am out of order, if you said that.

23. PRESIDENT:

24. Your motion fails, Senator. A second Senator did not join you in
25. that motion.

26. SENATOR FAWELL:

27. I would...

28. PRESIDENT:

29. Senator Carroll is recognized on House Bill 2989.

30. SENATOR CARROLL:

31. Thank you, Mr. President, and I...if I might take one second, al-
32. though, I know the Chair has ruled, I think it's...I'd like to note
33. with the Chair's permission that when the House, for example, votes to

1. override a Governors specific recommendation for change, we no longer
2. have the option of accepting his recommendation for a change. The
3. first Chamber has the right of precluding the second Chamber from a
4. lot of action. That has happened many times this Session already.

5. PRESIDENT:

6. You're very right and...

7. SENATOR CARROLL:

8. But...

9. PRESIDENT:

10. ...I appreciate that comment.

11. SENATOR CARROLL:

12. Thank you, Mr. President. If we can get back on points, and deal
13. with 2989. For those of you who saw it fit to say how much money this
14. State has available. You know, we heard a lot of debate yesterday, we
15. heard that there was thirty million dollars available, but not sixty,
16. or not eighty-one, depending on how you wanted to count yesterday's bill,
17. but let's talk about today's bill. If it's accepted that there's thirty
18. million dollars available, we're talking about possibly an additional
19. five million to that. What percentage of the total budget, what per-
20. centage of total revenue is that extra five million dollars. Everybody
21. tells us that the revenue estimates by their own model design, when put
22. through the computer are likely to be at least two percent off, and
23. that's acceptable. Two percent, two hundred million dollars, two percent
24. We're talking here maybe five million dollars over what you said was
25. available for education. So, where are you denying the money now. To
26. the handicapped children, to the severely mentally retarded children of
27. this State, to the Special Ed Programs, that's where you're denying it
28. now. You're saying that we as a State have money to build highways, we
29. have money to build buildings, and yes, we design facilities, but we
30. don't have enough money for the handicapped children, we don't have
31. enough money for the special education problems of this State, we don't
32. have that extra fraction, fraction of a percent in revenue for those
33. people who need it most. Senator Harris, don't worry about the blame,

1. as you said yesterday, worry about our responsibility as Legislators.
2. We should be here deciding - what are our priorities. Don't talk in
3. your election campaigns about what our priorities are, and spend monies
4. on highways and buildings. Do something about it. We're talking
5. negligible percentages, we're talking money that was spent last year
6. on these programs where these people are entitled to reimbursement,
7. and we're talking about the people who need it most. Let us vote to
8. restore these funds.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. Mr. President...Mr. President, yesterday I voted to override House
13. Bill 2971, or voted to restore the funds involved in House Bill 2971,
14. today I will vote to sustain the reduction veto in House Bill 2989, and
15. the...I think that probably requires some explanation which I think it
16. is worthwhile making. I notice you shaking your head, Mr. President,
17. if you would like to make a...

18. PRESIDENT:

19. No, there was a fly here, and I was just trying to knock it off.

20. SENATOR NETSCH:

21. ...Thank you. It's...it's one of the rare of occasions, in view
22. of some of my positions in the last couple of weeks, when I have been
23. accorded the courtesy of saying everyone was anxious to hear what I was
24. going to say.

25. PRESIDENT:

26. If you get back to those same subjects you'd still get the same
27. anxiety.

28. SENATOR NETSCH:

29. I realize that. Well, it seems to me that we are at this point.
30. We are talking about the...if we restore the funds in both bills of
31. approximately a hundred and sixteen million dollars, that may give or
32. take a little, but depending on what happens to some other legislation,
33. but basically a hundred and sixteen million dollars. I think there is

1. no question in my mind, and I...and like, I think, most of Legislators,
2. I've spent a lot of time pouring over all of these statistical and
3. financial reports and agonizing over these issues, that the hundred
4. and sixteen million dollars is simply not available, and it is not just
5. that it's...it's not available in some abstract sense, because it's not
6. just a tax increase that we are talking about now. I think what we
7. are talking about is a...a financial action that may literally run us
8. out of funds by sometime next Spring. If that happens then we...all
9. that we have done in these few days is pure illusion and in a sense,
10. pure fraud, because it means that we are going to have to hold up some
11. payments to someone if that does, indeed, occur. No one can predict
12. with absolute certainty what that straw is that is going to put us
13. there, that's going to break that camel's back. But, it seems to me
14. that whatever it is, it is something considerably less than a hundred
15. and sixteen million dollars. So, to me that means that both vetoes
16. cannot be overridden, or both amounts cannot be restored. I'm then
17. left with the choice between 2971 and 2989. I suppose there's no
18. question that politically it would be much more comfortable to vote
19. with 2989, because those who represent the recipients of special educa-
20. tion of bilingual, with gifted and other programs have very appealing
21. cases to make, but I think it has to be looked at in a broader sense.
22. I do feel very deeply a sense of responsibility about what has come to
23. be known as full funding, that is a commitment to a pattern of funding
24. on a...on the part of the State Legislature whereby it is, we at the
25. State level who will assume the unpleasant task of having to finance a
26. large part of the public education costs of this State. That commitment
27. which is in the Constitution was, also, reflected in the bill that we
28. passed a couple of years ago, known as the Resource Equalizer. It seems
29. to me that that is where our primary commitment to whatever funds we
30. can develop for public education belongs. It rests on that bill on
31. that pattern, and as long as we can continue, without bankrupting the
32. State, to meet that kind of obligation, it seems to me that we should
33. make that effort. On that basis, and despite the fact that I think it

1. is extremely risky, my vote was to sustain...or to restore the funds,
2. the sixty-one million dollars, to 2971 yesterday. It seems to me; how-
3. ever, that the second bill, this one, 2989, rests on a different footing.
4. It is true, of course, that programs were started on the basis that
5. there would be reimbursement, and it is true, of course, that there is
6. an obligation to reimburse to the extent possible. But, in all of the
7. programs that are involved in this bill, save only one, the gifted pro-
8. gram, there are substantial increases this year over last year, and it
9. seems to me that the really responsible course, now, is to restore the
10. funds in an unearmarked fashion, in an unrestricted fashion, so that
11. the responsibility returns where it belongs, to the local school board
12. to make the tough decisions about allocating the available resources.
13. And I say that despite the fact that it makes me shudder to think that
14. in my City of Chicago that means I'm giving the responsibility to the
15. Chicago Board of Education in whom I do not have the greatest confidence
16. at this point in time. But, whether I like them or not, I fully believe
17. that it is their responsibility to decide how the money shall be allo-
18. cated. It is quite possible if they are willing to make those tough
19. decisions, for some of the money that they will receive, hopefully from
20. a compromise to be accepted here, back to Special Ed., to bilingual, to
21. gifted or to whatever, but I think it is not for us, given our limita-
22. tions on resources, to make that decision for the school board. It is
23. their responsibility, and I think that's the way it ought to be. It
24. is still my fervent hope that in the end we will accept the kind of
25. compromise that has been proposed by some members of this Body. I think
26. that it's...that is the right way to go instead of every vote coming
27. down to the wire and down to an all or nothing basis, which is where we
28. are right now. I would still strongly urge that we over...that we not
29. restore this money, that we go back and accept the fact that there must
30. be a compromise, so that the school districts will receive something
31. rather than nothing. That, I think, would be a great benefit to them
32. and to those children that we're all talking about. Thank you.

33. PRESIDENT:

1. Senator Philip.

2. SENATOR PHILIP:

3. Thank you, Mr. President and Ladies and Gentlemen of the Senate,
4. I think the one point that we've overlooked today completely is that
5. last year versus this year, Special Ed. received a twelve million dollar
6. increase, which is about almost an eighteen percent increase. I don't know
7. of anybody else that received an eighteen percent increase in the budget
8. for this past...this coming year. But, also, remind you of the Comp-
9. troller's report of the 18th of this month, which says - the State of
10. Illinois in the last four months spend two hundred and sixty-six million
11. dollars more than its taking in. In fact, they're starting to slow up
12. the payment of vendors, and I happen to think that we're in very, very
13. serious financial condition in Illinois, we ought to wait till after the
14. first of the year, in April and May when the returns from the State In-
15. come Tax come in, come back in Session and reconsider our position.
16. There's nobody more sensitive to education, or special education than
17. I am, but now is not the time.

18. PRESIDENT:

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. Mr. President, we have heard throughout
22. the argument on school aid funding that why don't we stop building high-
23. ways and start funding schools and educational programs. We all know
24. that's a spurious argument, because we...they come out of different
25. funds. The money for highways, of course, comes out of road funds and
26. Federal funds and so forth, that we don't really...the Federal funds we,
27. obviously, do not have any control over, we cannot make those kind of
28. transfers even if it were politically possible, but we could not legally
29. make those kinds of transfers into...into the General Revenue and the
30. Education funds, and we all know that. So, you cannot equate the building
31. of highways with the lack of full funding for...for schools. Sometimes
32. that's a little difficult to explain back home, but those of us that our
33. involved in the legislative process certainly know that that is true.

1. Mr. President, you are an individual who likes to use a term that I
2. admire and respect - what's the bottom line. And I think the bottom
3. line, in fact, I happen to have the bottom line right here in front of
4. me, and as Senator Philip just alluded to, the bottom line is, that
5. even with the Governor's reduction fund...reduction veto, rather, of
6. the Special Education Funds, Special Education is still receiving one
7. hundred and seventeen million, seven hundred twenty thousand, two hun-
8. dred dollars. Now, that's a pretty hefty bottom line, Mr. President,
9. and I get a little tired of the argument that's used against me. How
10. can you possibly be against these poor children, how can you deny these
11. children a chance for an education. I'm not denying them a chance for
12. an education, because as a member of the General Assembly we have voted,
13. and if the Governor's Veto is sustained they are still going to receive
14. one hundred and seventeen million dollars, so which is some five million
15. dollars more than they received last year for special education. Let
16. me run briefly through the...the...the Items. Personnel reimbursement,
17. they received sixty-seven million, six hundred twenty-five thousand
18. dollars last year as opposed to, if we assume that the Governor's re-
19. duction Veto is sustained, as opposed to seventy-nine million, two hun-
20. dred seventy thousand dollars this year. So, about twelve million dollar
21. more with the Governor's Reduction Veto than they received last year.
22. In construction last year they received eight million, nine hundred
23. thirty-three thousand, four hundred dollars. This year, it is true,
24. the Governor vetoed all of that amount out for the reason that he says
25. he doesn't think this money ought to come from General Revenue but,
26. instead, should be bonded as...to the Capital Development Board the
27. way we do with building our school buildings now. Unfortunately, the
28. legislation that would have brought that about, died in the House. But,
29. I submit to you, Mr. President and fellow members, that we will be back
30. here in the Spring, and if we decide at that time that that concept is
31. worthy, we can always introduce legislation to put that bonding program
32. for some ten million dollars in at that time. The tuition to private
33. schools last year, they received eight million, seven hundred thousand

1. with the Governor's Veto they would receive seven million. The first
2. instance of a real reduction from last year. Extraordinary costs last
3. year two million, three hundred twenty-four thousand, this year with
4. the reduction veto, two million, five hundred thousand, so again an in-
5. crease of some one hundred and seventy-six thousand dollars. Handicapped
6. orphans, I don't think any of us are against handicapped orphans. Handi-
7. capped orphans last year, there was funds to the tune of two million
8. seventy-five thousand dollars, with the Governor's Reduction Veto it
9. would be down to three million, five hundred thousand dollars. An in-
10. crease of one million, four hundred and twenty-five thousand dollars
11. over last year. Traineeships, last year five hundred thousand dollars,
12. this year the reduction to two hundred and fifty thousand dollars.
13. Materials last year two hundred thousand, this year two hundred thousand.
14. Transportation, twenty-two million, two hundred thirty-three thousand,
15. six hundred dollars last year, and with the Governor's Reduction Veto
16. twenty-five million this year, again an increase of some two hundred
17. and seventy-five thousand dollars...two million, rather, seven hundred
18. and fifty thousand dollars, approximately. So, again, the bottom line
19. figures, Mr. President, for those of us who do not feel that by voting
20. to sustain the Governor's Veto that we are against handicapped children.
21. The bottom line figure is one million, rather, one hundred twelve million
22. dollars last year as opposed to one hundred seventeen million dollars
23. this year. Thank you.

24. PRESIDENT:

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Thank you, Mr. President. I...I get somewhat confused because as
28. I sit here and listen, and I try to evaluate what we're really trying
29. to do, here, is provide monies for the children, at the same time to
30. take care of our schools and what we have in our powers. I understand
31. we have some twenty million dollars that the Governor says is available.
32. We're attempting to say that we're willing, at least I for one, to say
33. that the balance of twenty-two and a half million dollars to the disabled

1. children ought to be available to go to them, and yet the very people
2. who are saying it ought to be there, are the ones fighting the issue
3. on the other side, saying no we won't give it to you unless you give
4. it all. Now, it seems to me if you are really interested that you
5. certainly would break this down and allow that particular process to
6. take place, and that is, to provide that twenty-two and a half million
7. dollars on monies that was promised and spent the previous year. I
8. think that when you was trying to toll the whole package together in
9. order to get some other things involved in it, I think you're doing
10. yourself a disservice and you're doing the people you're trying to
11. serve, a disservice. I have a bill in that's in that Third Session that
12. says that if it comes out of Rules, Mr. President, that would provide
13. that this twenty-two and a half million dollars would be a special
14. Item, so if we have to carry the whole package as one, I hope that you
15. would let that bill out. I...I just know that we are probably playing
16. for a lot bigger things than what's really involved here, and we keep
17. using the name of the schools. We have to do what is fiscally responsi-
18. ble, and we have to do it within our means. I, for one, say it is very
19. obvious that if there is twenty million dollars it ought to go to the
20. disabled children. If you put it on the basis of a unrestricted basis
21. back into the area, let me tell you what happened, Senator Netsch. In
22. my districts alone, for example, on an unrestricted basis, my schools
23. would get back the money that they spent last year, thirty-nine thou-
24. sand dollars in one of my high school districts for...on the school
25. aid formula distribution pattern. However, on a Special Ed bill that
26. same school would get six hundred and thirty-two thousand dollars. Now,
27. what we're doing is telling them to put in an unrestricted basis, and
28. give that school back thirty-nine thousand when they really spent six
29. hundred and forty thousand. So, we would really be distributing the
30. money on disproportionate basis rather than on the way it was spent
31. and the way it was promised. I think that if this should fail I hope...
32. certainly hope that we can find some way of breaking it down within this
33. bill in this Session, so we can take care of the disabled children.

1. And they don't know what the quotas are. All we know is that if there
2. is more disabled children that have arrived and it takes more money to
3. provide for them, it ought to be there, and they ought to be taken
4. care of. I think I'll just close with one thing that might remind
5. all of us, since we're always talking about it. We all remember the
6. words - that the children are the world's most valuable resource,
7. and certainly it's said that it's the best hope for a future. I say -
8. it's our only hope for the future, and we ought to do it sensibly
9. without a lot of political hogwash.

10. PRESIDENT:

11. Senator Palmer.

12. SENATOR PALMER:

13. Mr. President and members of the Senate, I know you've heard
14. from me quite a number of times today, but I'd like your indulgence
15. and bear with me while I read to you some excerpts of an address
16. written by a great American, and I'll make a brief comment on that.
17. "Traditionally, American education has operated on the idea that people
18. have a right, not only to get an education, but also to direct their
19. educational system. In the educational plan, no one is left out, no
20. learning needs go unattended, no facility in a community which can be
21. utilized for learning, goes unused. The student body of the community
22. school includes everyone who benefits from the learning experience. The
23. aged as well as the unborn, the ill as well as the healthy, the poverty
24. burdened as well as the affluent, the handicapped as well as the able-
25. bodied, the illiterate as well as the learned, the emotional disturbed
26. as well as the emotionally secure, the unemployed as well as the em-
27. ployed, the irreligious as well as the religious, the child as well as
28. the parent. The school becomes the hub of community life and support
29. for the school as strengthened. School shop facilities are open to
30. adults, community grammar and music groups are formed by which adult
31. participation is encouraged, gymnasiums become recreational centers,
32. playgrounds are used extensively, culture activities of all kinds be-
33. comes a reality, adult education flourishes, school vandalism is minimized,

1. cooperative procedures are developed, school libraries are utilized
2. to maximum degree." Ladies and Gentlemen, I didn't write this, although,
3. I am a great American. This is...this is a suggested address distributed
4. to you, all of you, by Senator Mitchler. All...all I ask is that the
5. Senator vote the way he preaches, and I also would like...and also I'd
6. like to advise you that I only took a few excerpts out of that, there
7. is a great deal more to his speech commending the benefits of education
8. and the necessity for the educational needs. I want to, also, call
9. attention to Senator Mitchler, that already, already some of the dis-
10. tricts have eliminated intramural participation in sports, they've
11. already planned to eliminate school competition in football and basket-
12. ball. I'll, also, call attention to you, again, that the educators
13. from all over the city have already eliminated special education, bi-
14. lingual education, vocational education, gifted education...

15. PRESIDENT:

16. Just a moment, Senator. For what purpose do you arise, Senator
17. Weaver?

18. SENATOR WEAVER:

19. Parliamentary inquiry, Mr. President.

20. PRESIDENT:

21. State your parliamentary inquiry.

22. SENATOR WEAVER:

23. What ever happened to our timer?

24. PRESIDENT:

25. Our timer? I don't know, but I'm going to get one, if I have
26. to send to London to get "Big Ben." We need one.

27. SENATOR WEAVER:

28. Well, I...I talked to one of the Governor's...

29. PRESIDENT:

30. Yes.

31. SENATOR WEAVER:

32. ...people, here, and...

33. PRESIDENT:

1. Right.

2. SENATOR WEAVER:

3. ...he assured me the Governor would sign the bill for \$2.95 for
4. the purchase of an egg timer, or something.

5. PRESIDENT:

6. To get an egg timer or something. I understand that. Senator
7. Palmer.

8. SENATOR PALMER:

9. ...say is this. How can...Senator Mitchler, how can you distribute
10. this suggested speech and vote against the restoration of the funds
11. that will provide the activities and the programs mentioned in your
12. suggested address? Now, what you distributed was a suggested address
13. for American Education Week, which is now, November 16th through Nov-
14. ember 22nd. I have a suggested address for all of you, vote Aye to
15. override the veto of House Bill 2989. That's my suggested address.
16. Thank you, Ladies and Gentlemen.

17. PRESIDENT:

18. It has been wisely said that the greatest change in Government is
19. the xerox machine. Senator Daley.

20. SENATOR DALEY:

21. Mr. President and fellow Senators, this will be very short. Again,
22. we see the...the political machine of our Excellency, the Governor, using
23. all the forces on the Floor or off the Floor on both sides of the aisle,
24. again and again to defeat the children of the State of Illinois.

25. PRESIDENT:

26. Any further discussion? Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. Because of some of the allegations or
29. elusions made by certain individuals, I want to make it eminently clear
30. that no one has approached me to take a position one way or the other
31. except my own community people, who have asked that I vote to support
32. these bills, this one and the previous one, and I've had to disappoint
33. them, and I want to assure them and the members of this Body that it is

1. without pleasure, I take no degree of excitement or glee in having to
2. say - no. Nothing would please me more than to, again, as I did last
3. year, lead the fight to override the gubernatorial vetoes if the money
4. was there. Financial and Fiscal responsibility, yes, just plain
5. ordinary responsibility, today, dictates that I have to vote to sustain
6. the Governor's Vetoes, but I repeat, I resent the implication that any-
7. one has approached me from the Governor's Office or anywhere else to
8. ask me to do that.

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Thank you, Mr. President. I was very pleased to have Senator
13. Palmer refer to the suggested news release that I did distribute,
14. prepared by the American Legion, because the American Legion since 1925
15. have been working very closely with the National Education Association,
16. perhaps, has done more for the education of youth in a cooperative
17. method with local school boards and having its veterans membership
18. serve in various capacities at all levels throughout the nation. I
19. believe that the news release was pointing that out and setting forth
20. the purposes and principles as established by the National Organization
21. of the American Legion. Now, I don't say this of myself alone, I know
22. many of my colleagues in the Senate have also had previous training
23. in work in the American Legion. Many of you are past commanders of
24. your post, and even other veterans posts, the Veterans of Foreign
25. Wars, the Amvets and so on, and I want to point out that that is one
26. of the criteria upon which they based your service in the Senate.
27. But, the fact that you have demonstrated in service in your communities
28. throughout the community, in which you live and your State, of your
29. interests in education. Now, I did serve in my post, in my county
30. and in the Department of Illinois and the American Legion on many
31. programs directly involved in education. You know, it's mighty proud
32. we've heard this mentioned about what a great job the GI Bill did in
33. educating many of the veterans when they came back from World War II,

1. how we continued that program for Korean War veterans and, also, for
2. the Viet Nam War veterans, and are now dwelling on a program which...

3. PRESIDENT:

4. One moment, Senator. For what purpose does Senator Rock arise?

5. SENATOR ROCK:

6. A point of order, Mr. President.

7. PRESIDENT:

8. State your point.

9. SENATOR ROCK:

10. The day has been long and the hour is late, and I do not think
11. the GI Bill is involved in House Bill 2989, unfortunately. I would
12. ask...I would seek a ruling from the Chair that the Gentleman's
13. comments are not germane.

14. PRESIDENT:

15. The Gentleman will confine his remarks to the subject matter
16. under consideration.

17. SENATOR MITCHLER:

18. Thank you, Mr. President. I...I want to just point out that the
19. emphasis is on quality education, and because of the work of yourselves
20. not only as members of the Illinois General Assembly, but the work in
21. your communities, we in the State of Illinois have produced quality
22. education for our children. Now, many times you're referred to the
23. quality coming out of our schools is not being the best but, you know,
24. you can't develop the product if the the product does not want to de-
25. velop itself. We are giving and making available to all children, of
26. the State of Illinois, a good, common school education. Yes, there's
27. always room for improvement, and what you're talking about today,
28. Senator Palmer, is not going back and reducing the amount of quality
29. education we're making available, what we're talking about today is
30. the amount of increase, the amount of increase we can give in Fiscal
31. year 1976 to the quality of education in the State of Illinois, and
32. you know, I know and everyone knows including the school teachers,
33. responsible school board members, the people, the people of the State

1. of Illinois know that we have appropriated more funds and are making
2. available more opportunities for the school...and schools in the
3. education of the children in Fiscal year 1976 then we did in 1975.
4. But, how far can you go unless you want to just tax yourself to no
5. end, and just give them an open checkbook, and I don't think that the
6. people of the State of Illinois approve of that. Thank you.

7. PRESIDENT:

8. Senator Graham.

9. SENATOR GRAHAM:

10. Mr. President and members of the Senate, I think every person
11. here has made a determination as to what he is going to do. Everyone
12. of us know if we believe the gentleman who learned how to walk the
13. State before he learned how to run it, said that if this bill...if we
14. override his veto, he's going to take it to court. If that be the case
15. and should he do that, and I think he will, he loves to go to court,
16. the Special Ed districts will not be getting any immediate money any-
17. way. Senator Fawell made an attempt to find out if we could extract,
18. if you please, a couple of Items from this bill that dealt with Special
19. Education, and it was the finding of the Chair that you thought it would
20. be in contradiction to the House, and Senator Fawell lost his usual
21. fine bill. We have one or two things to do, and I prefer one. The
22. burden of the blame of this condition in which we find ourselves is
23. not necessarily ours, and as a matter-of-fact I say isn't ours. It
24. comes about as a total mismanagement of this State by the Executive
25. for three years. So, we're out of dough, so they say. Now, if we
26. reject, if we sustain his veto, and come back in the early part of the
27. year when the funds are more, when the picture is more clearly con-
28. ceived and demonstrated with regard to our funds and then introduce
29. a bill, or amend the bill here and leave it to the Governor to do what
30. he probably will do with it anyway, veto it, we have again placed the
31. burden of the shame and the blame upon the person in whom it belongs.
32. So, everybody, I think, has made their prior campaign speech with re-
33. gard to this bill. It's very simple that whatever happens here today

1. the Special Education districts are not going to get any money for
2. three months anyway, so why don't we get on with it.

3. PRESIDENT:

4. Any further discussions? Senator Hynes, do you desire to close
5. the debate?

6. SENATOR HYNES:

7. Mr. President, I think the issue has been debated at length, but
8. I would like to make just two points. There have been massive cuts,
9. you heard the percentages that I read off, in some very critical and
10. vital programs, and I do not think that these cuts ought to be allowed
11. to stand. This is an extremely important motion, the revenue is avail-
12. able, it is within the capability of the State to afford, and I would
13. urge an Aye vote in support of this motion.

14. PRESIDENT:

15. The question is, shall the following items on the following pages
16. and lines of House Bill 2989 be restored. Page 2, line 12; page 2,
17. line 13; page 2, line 14; page 2, line 21; page 3, line 19; page 3,
18. line 20; page 3, line 21; page 4, line 35; page 5, line 1; page 5, line
19. 2; page 9, line 26; page 14, lines 29 through 33; page 15, lines 3
20. through 5; page 15, lines 6 through 10; page 15, lines 11 through 14;
21. page 15, lines 18 through 22; page 15, lines 23 through 28; page 15 and
22. 16, lines 29 through 35 and 1; page 16, lines 7 through 12; page 16,
23. lines 13 through 18; lines...page 16, lines 24 through 28; page 16, lines
24. 29 through 31; page 16 and 17, lines 32 through 35 and lines 1 through
25. 5; page 17, lines 6 through 10; page 21, lines 31 through 34. Those
26. in favor will vote Aye. Those opposed will vote Nay. Mr. Secretary,
27. please call the roll.

28. SECRETARY:

29. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
30. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
31. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
32. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
33. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,

1. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
2. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
3. Wooten, Mr. President.

4. PRESIDENT:

5. Senator Hynes. There's a call for absentees.

6. SECRETARY:

7. Ozinga.

8. PRESIDENT:

9. The only absentee was Senator Ozinga. Senator Hynes.

10. SENATOR HYNES:

11. Mr. President, I move to Postpone Consideration.

12. PRESIDENT:

13. Postpone Consideration. Messages from the House. Senator Fawell.

14. SENATOR FAWELL:

15. Mr. President and members of the Senate, I have from the Secretary's
16. Desk two motions which pertain to the bill that we just were engaged
17. in, House Bill 2989, and I would at this time, Mr. President, like to
18. present my two motions which would call for an override of the Governor's
19. Line Item reductions, two Line Item reductions in that bill.

20. PRESIDENT:

21. The motions are out of order, Senator.

22. SENATOR FAWELL:

23. May I respectfully appeal the ruling of the Chair and express
24. my reasons why?

25. PRESIDENT:

26. The question is, shall the ruling of the Chair be sustained. All
27. those in favor will vote Aye to...Senator Fawell.

28. SENATOR FAWELL:

29. I...I would like to express my reasons for that. Is that...isn't
30. that in order?

31. PRESIDENT:

32. If they have changed, it is.

33. SENATOR FAWELL:

1. Well...

2. PRESIDENT:

3. We've discussed this at some length.

4. SENATOR FAWELL:

5. Let me just...

6. PRESIDENT:

7. If you desire just to hear yourself...

8. SENATOR FAWELL:

9. ...very briefly...

10. PRESIDENT:

11. ...again, go ahead.

12. SENATOR FAWELL:

13. No, it's really for more than that. The main point I would like

14. to stress is that I believe quite clearly our rules state in 72, sub-

15. paragraph C, that the vote to restore an Item which has been reduced

16. shall be by roll call vote as to each Item separately, and shall be

17. entered on the Journal, and then it goes on to set forth the form of

18. the motion. I, therefore, believe that we, as elected representatives

19. of the people, have every right, Mr. President, to present the motions

20. which I have on the Secretary's Desk, which would utilize the approxi-

21. mate twenty-two million dollars which the Governor has indicated can

22. be utilized for...

23. PRESIDENT:

24. Senator, you are entitled to appeal the ruling of the Chair, you're

25. entitled to give your legal reasons therefore, you are not entitled to

26. disrate the merits of the bill under those circumstances.

27. SENATOR FAWELL:

28. All right...I'll...I'll accept that, and I would request then a

29. roll call vote on the question of the...whether the ruling of the Chair

30. is to be upheld.

31. PRESIDENT:

32. For what purpose does Senator Harris arise?

33. SENATOR HARRIS:

1. Yes.

2. PRESIDENT:

3. Senator Harris, please.

4. SENATOR HARRIS:

5. Thank you, Mr. President. I would respectfully request, and
6. I would hope that the Republican members would listen to me. I
7. would respectfully request...

8. PRESIDENT:

9. One moment, one moment. Break the caucus in the aisle. Senator
10. Palmer, please be in your seat or...or something. Break it out up
11. there, please.

12. SENATOR HARRIS:

13. I...I would respectfully request prior to getting to a roll call
14. on the motion that is before the Body, a Republican caucus in Room
15. 470. Now, in all candor, I am confident that this caucus will require,
16. at least, thirty minutes. But, I respectfully request that courtesy
17. to the Republican members of the Senate.

18. PRESIDENT:

19. The request for a Republican Caucus, as the request for any caucus
20. at any point and any juncture, will be...will be respected. You may
21. have the caucus. It is now 3:33, I assume you'll be back about a little
22. after 4:00 o'clock.

23. SENATOR HARRIS:

24. Yes, fine. Thank you, Mr. President.

25. PRESIDENT:

26. The Senate will stand in recess until 4:05.

27. SENATOR HARRIS:

28. Yeah. Right away, please.

29. (Recess)

30. (After Recess)

31. PRESIDENT:

32. The Senate will come to order. On the order of House Bills on
33. 2nd reading. House Bill 233, Senator Vadalabene. For what purpose

1. does Senator Fawell arise?

2. SENATOR FAWELL:

3. Well, we were involved in my request for a roll call in regard
4. to your ruling which, as I recall, was that our...on my motions to...
5. that are on the Secretary's Desk for the privilege of Line Item votes
6. on a categorical grant bill, House Bill...what, 2989...was out of
7. order. I respectfully appealed.

8. PRESIDENT:

9. Well, Senator...

10. SENATOR FAWELL:

11. I even asked for a roll call, and was supported by
12. several members for one.

13. PRESIDENT:

14. Well, Senator...Senator Carroll, for what purpose do you arise?

15. SENATOR CARROLL:

16. I...I was just going to make a parliamentary inquiry, Mr. President.

17. PRESIDENT:

18. State your inquiry.

19. SENATOR CARROLL:

20. It would seem to me that, although, the President of the Senate
21. like the Illinois Supreme Court does not take it upon itself to
22. make advisory opinions. That that bill is on the order of Postpone
23. Consideration by leave of this Body, and no action can be taken until
24. we go to that order of business, and the sponsor calls the bill.

25. PRESIDENT:

26. That is exactly right. The bill is not under consideration, cannot
27. be under consideration until or unless the sponsor calls the bill. It's
28. on the order of Postpone Consideration. Any motion made on that bill
29. at this time is out of order. Senator Fawell.

30. SENATOR FAWELL:

31. I...I have made a motion. Now, it may be the world's worst motion,
32. it may be terrible, it may be out of order in your opinion. You have
33. said that my motion is out of order, I appeal that decision, and I have,

1. I think, a right to do so and to ask for a roll call vote on whether
2. the Chair would be upheld in that ruling. You are ruling my motion,
3. right now, out of order. Now, you may be right, Mr. Chairman. I
4. respectfully suggest that a great deal of sophistry has been used here
5. to deny me this right.

6. PRESIDENT:
7. Nobody has denied you the right, Senator. We haven't finished
8. this, and I resent your remarks...

9. SENATOR FAWELL:
10. Well, I...

11. PRESIDENT:
12. ...about sophistry.

13. SENATOR FAWELL:
14. I'm having a...well, it's very artful but it's sophistry.

15. PRESIDENT:
16. Well, that's your opinion.

17. SENATOR FAWELL:
18. And I'm having an awful hard time just getting a vote on the
19. matter. That's all I'm asking for.

20. PRESIDENT:
21. Senator, the bill on which you have made a request is not under
22. consideration. The bill is on Postpone Consideration, and any motion
23. on that bill can only come when the bill is under consideration by
24. this Body. I will, nonetheless, Senator, because of your persistence,
25. despite what you just said, give you a roll call. I'm saying to you,
26. that the Chair has made the ruling that you're out of order. You're
27. appealing that ruling. I want all the members to understand it. The
28. question is, shall the ruling of the Chair be sustained, and you're
29. asking for a roll call.

30. SENATOR FAWELL:
31. Yes, I am.

32. PRESIDENT:
33. Senator Rock.

1. SENATOR ROCK:

2. As a matter of parliamentary inquiry, then, Mr. President. If I
3. wish to vote with the Chair and against Senator Fawell, I vote
4. Aye. Is that correct?

5. PRESIDENT:

6. That is correct.

7. SENATOR ROCK:

8. And how many votes does it take to sustain Senator Fawell's
9. position?

10. PRESIDENT:

11. It takes 36 votes to sustain his position.

12. SENATOR ROCK:

13. Thank you.

14. PRESIDENT:

15. The question is, shall the Chair be sustained. The Secretary
16. will call the roll.

17. SECRETARY:

18. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
19. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
20. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes,
21. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
22. Merritt, Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse,
23. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
24. Savickas, Scahffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
25. Welsh, Wooten, Mr. President.

26. PRESIDENT:

27. Present. I vote Aye. Bruce, Aye. Lemke, Aye. Ozinga, No. Have
28. all voted who wish? Take the record. For what purpose do you arise,
29. Senator Nimrod?

30. SENATOR NIMROD:

31. Just to verify how I'm recorded.

32. PRESIDENT:

33. How is Senator Nimrod recorded?

1. SECRETARY:

2. He voted Aye, then he came up...and changed his vote to No.

3. SENATOR NIMROD:

4. No is the...okay. Thank you.

5. PRESIDENT:

6. On this question, the Ayes are 24, the Nays are 20. The ruling
7. of the Chair is sustained. House Bills on 2nd reading. Senator
8. Vadalabene, House Bill 233.

9. SECRETARY:

10. House Bill 233.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. No committee amendments. One Floor Amendment
13. offered by Senator Vadalabene.

14. PRESIDENT:

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yeah, thank you, Mr. President and members of the Senate. Amend-
18. ment No. 1 to House Bill 233 on page 1, section 1 on line 5 deletes
19. eight hundred and fifty thousand and inserts in lieu thereof, one
20. million, five hundred thousand, and in line 6 by inserting immediately
21. following appropriated, the following comes from the Capital Developmen
22. Bond Fund, and I would approve a favorable vote in...on this amendment.

23. PRESIDENT:

24. Any discussion? The question is, shall Amendment No. 1 be adopted.
25. All in favor will say Aye. Opposed Nay. Amendment No. 1 is adopted.

26. Any further amendments? 3rd reading. House Bill 3115, Senator McCarthy
27. House Bill 3131, Senator Vadalabene.

28. SECRETARY:

29. House Bill 3131.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Any amendments from the Floor? 3rd reading. House Bill 3169,
3. Senator Egan. House Bill 3179, Senator Lemke.

4. SECRETARY:

5. House Bill 3179.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor? 3rd reading. Do we have leave
10. to go to the order of House Bills on 3rd reading? Senator Rock.

11. SENATOR ROCK:

12. Senator Egan had to be off the Floor for a moment. I think he
13. did want to move 3169.

14. PRESIDENT:

15. Senator Egan. One moment, please. House Bill 3169 on the order
16. of 2nd reading.

17. SENATOR EGAN:

18. Yes, thank you, Mr. President and members of the Senate. The...
19. House Bill 3169 is the...is a bill that was placed on 2nd reading
20. without reference to committee yesterday, read a 2nd time yesterday,
21. and...is that...wait a minute...

22. PRESIDENT:

23. Read a first time yesterday.

24. SENATOR EGAN:

25. Read a first time yesterday. I beg your pardon. And I'm moving
26. it...I'm asking...

27. PRESIDENT:

28. Do you want to move the bill?

29. SENATOR EGAN:

30. I'd like to move...

31. PRESIDENT:

32. Is there any amendments from the Floor?

33. SENATOR EGAN:

1. ...with the agreement with Senator Weaver, that if there are
2. amendments after its placed on 3rd reading, that we will agree to
3. remove...return it back to the order of 2nd reading, yes.

4. PRESIDENT:

5. Read the bill.

6. SECRETARY:

7. House Bill 3169.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? 3rd reading. Oh, Senator Shapiro,
12. do you want to be heard on this bill? Senator Shapiro is recognized.

13. SENATOR SHAPIRO:

14. Senator Egan, on 3169, you know, we were discussing a possible
15. amendment of this at a later date, moving it to 3rd with the understanding
16. that if we do decide to do it we can bring it back to 2nd.

17. PRESIDENT:

18. Do you have that agreement, Senator? Absolutely. 3rd reading.
19. 3169. Senator Fawell.

20. SENATOR FAWELL:

21. Yes. The...the last bill, we're going to 2nd reading there, 3203.
22. you forgot to call.

23. PRESIDENT:

24. Oh, you want that one called.

25. SENATOR FAWELL:

26. Yes.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Well, I...I think this...this bill and a couple of others...I saw
31. Senator Latherow up..we...we might be in a position just for the pur-
32. pose of our own record...this is an individually sponsored bill as
33. opposed to a Committee Bill or an Appropriation Bill. I wonder if we

1. would have to...I see it was without reference. So, it seems to me
2. that we would have to make the appropriate motion to suspend the rules
3. before we can move this bill. It's one thing to have it on the calendar,
4. it's quite another to move it.

5. PRESIDENT:

6. I think that's right. We'd have to suspend the rules to move that
7. bill. Senator Fawell.

8. SENATOR FAWELL:

9. Could...could you explain that ruling without sophistry, if
10. possible?

11. PRESIDENT:

12. I'm not certain that anything I said would not be adjudged by
13. you to be sophistry, Senator...

14. SENATOR FAWELL:

15. I'll...I'll...

16. PRESIDENT:

17. ...and on that basis it's difficult for me to explain anything to
18. you.

19. SENATOR FAWELL:

20. Well, give it a go, huh.

21. PRESIDENT:

22. I'll give it a go. Senator Rock has directed the attention of
23. the Chair to the Rule of the Senate, which provides that there are
24. certain exceptions for handling of bills which are introduced subsequent
25. to the cut-off date. He suggested that this bill is not within the
26. purvue of those exceptions. He's suggesting that it can, none the less,
27. be called under the requisite motion of a suspension of the rules. I
28. trust that is not sophistry.

29. SENATOR FAWELL:

30. Well, doesn't that apply only to passage, Mr. President?

31. PRESIDENT:

32. It applies to passage, it applies if this juncture...if the question
33. is raised.

1. SENATOR FAWELL:

2. Well, if...if...it does apply at this juncture, then, that is
3. your ruling? I realize that there are some, I gather, emotions that
4. are involved here. I'm trying to save a day, if we don't...this has
5. got nothing to do with my district, and if the bill goes down, it goes
6. down. It's a request of CDB. There are a lot of bonds that can't be
7. sold, and I have no interest one way or the other. I was simply asked
8. to handle it. I'd like to be able, at least save a day, then if you
9. wish to raise any regulations, rules, or whatever on 3rd reading, I...
10. that's fine with me. But, if we lose a day here, we may lose the bill,
11. and if that's the pleasure of the Senator Rock, I...

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Before Senator Fawell falls off the cross up on which he has placed
16. himself, I just wish to say that I, for one, intend to suspend the rules.
17. I was attempting to point out that we do, in fact, have rules which are
18. operative, and yesterday we moved some bills without reference, one of
19. which was this one, today Senator Shapiro has a bill and Senator Hynes
20. has a bill which I understand we are going to try to move without refer-
21. ence. And the point of that Joint Rule is, that it takes action by
22. both Houses in order to handle that bill, and I think that as long as
23. we have rules, we had better abide by them. So, I'm suggesting, for
24. the purpose of the record, that there should be a motion to suspend the
25. rules to consider this bill, and to move it into passage posture. I
26. think the bill is a good one, it will have my support, and I...if was
27. not intended to be dilatory in any way.

28. PRESIDENT:

29. Senator Fawell.

30. SENATOR FAWELL:

31. Well, I'm sorry. I must have misconstrued it. Then, I would make
32. that motion.

33. PRESIDENT:

1. Senator Harris.

2. SENATOR HARRIS:

3. I would just raise the point that this bill is on 2nd reading, is
4. it not?

5. PRESIDENT:

6. That's correct.

7. SENATOR HARRIS:

8. Well, I believe where we have to suspend the rules is for passage
9. not for advancement, and I...I think there...I think that distinction
10. is valid, but if you wish to suspend for advancement, that's okay. I
11. think that distinction is valid.

12. PRESIDENT:

13. I think the distinction is valid. We did rule the other day, and
14. we want to be consistent, that it relates to when the bill is introduced
15. and on final passage.

16. SENATOR HARRIS:

17. Right, yeah.

18. PRESIDENT:

19. Fine. Now, Senator Fawell, 3203, do you desire to move it?

20. SENATOR FAWELL:

21. Yes, I do.

22. PRESIDENT:

23. Fine. Read the bill.

24. SECRETARY:

25. House Bill 3202.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDENT:

29. Any amendments from the Floor? 3rd reading. House Bill 766,
30. Senator Latherow.

31. SENATOR LATHEROW:

32. Thank you, Mr. President, I would like to move House Bill 766 to
33. 3rd reading today, and recognizing the fact that there may be an amendment

1. to this bill, and I move that we move it to 3rd reading. And if it re-
2. quires a suspension of the rules on 2nd reading, I would be glad to
3. move that to move it to 3rd.

4. PRESIDENT:
5. Any...read the bill.

6. SECRETARY:
7. House Bill 766.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.

10. PRESIDENT:
11. Any amendments from the Floor? 3rd reading. House Bill 767,
12. Senator Latherow.

13. SENATOR LATHEROW:
14. Well, Mr. President, I would like to move 767 to 3rd reading.

15. PRESIDENT:
16. Any...read the bill.

17. SECRETARY:
18. House Bill 767.
19. (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:
22. Any amendments from the Floor? 3rd reading. House Bill 3062,
23. Senator Harris Fawell. House Bill 3115, Senator McCarthy or Rock.
24. House Bills on 3rd reading. House Bill 3164, Senator Chew.

25. SENATOR CHEW:
26. Thank you, Mr. President. 3164 is a House Committee Bill, and it
27. has to do with the railroad abandonment. We have talked to leadership
28. on the other side, and if there are objections they have not been entered
29. to me, so I say at this point, Mr. President, there are no objec-
30. tions, and I would ask for a favorable roll call.

31. PRESIDENT:
32. Read the bill first.

33. SECRETARY:

1. House Bill 3164.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Any further discussion? The question is, shall House Bill 3164...

6. Senator Clarke.

7. SENATOR CLARKE:

8. Mr. President, I'd just like to ask a parliamentary inquiry.

9. PRESIDENT:

10. Certainly.

11. SENATOR CLARKE:

12. I came into your office the first day of this Session about four weeks
13. ago, and asked if we were going to take up ordinary business, and you
14. indicated to me we weren't. And here at 5:00 o'clock on the next to
15. the last night we're doing ordinary business, or are these emergency
16. things?

17. PRESIDENT:

18. We had planned to do it at 4:00...five minutes after 4:00, but
19. you were an hour late, Senator. Senator Bell.

20. SENATOR CLARKE:

21. But...

22. PRESIDENT:

23. Sir?

24. SENATOR CLARKE:

25. Well, what I'm asking is, that four weeks ago you gave me to be-
26. lieve that we were not going to take up ordinary business, and now
27. we're doing it.

28. PRESIDENT:

29. Yeah, the quality of life is changing...

30. SENATOR CLARKE:

31. That's the way it goes.

32. PRESIDENT:

33. But these are...these are emergency bills. That's how they're...

1. that's how they're represented. Senator Bell.

2. SENATOR BELL:

3. Thank you, Mr. President. Mr. President, I have just recently
4. been made a member of the Transportation Study Commission, and I
5. was just handed some information from that Commission in reference to
6. 30...House Bill 3164, House Bill 3165...I know it's...

7. PRESIDENT:

8. Congratulations, Senator.

9. SENATOR BELL:

10. Well, you know, but I noticed that it calls for an expenditure
11. of about a million...a million four, a million five, something like
12. that. I would prefer, and ask Senator Chew if he might be willing to
13. hold this bill until tomorrow until Senator Latherow and myself and
14. some of the other members of this side of the aisle have a chance to
15. digest this report.

16. PRESIDENT:

17. Senator Chew.

18. SENATOR CHEW:

19. Senator Bell, to clear your thinking on that...I know the
20. figure does scare you, but the actual amount that's involved is less
21. than two hundred thousand dollars, because it's a pay back clause.
22. So, the...Illinois Transportation Study Commission, which I am the
23. Vice-Chairman, certainly would not give me a bill to sponsor that had
24. not been fully explained, if you can read.

25. PRESIDENT:

26. Any further discussion? Senator Latherow.

27. SENATOR LATHEROW:

28. Well, thank you, Mr. President, I have some very strong feeling
29. in my mind concerning this. I have one set of papers making one report
30. to me that I just got yesterday morning and I read. This morning when
31. they came around asking me to support this legislation, I said - I
32. have questions about it. All of my questions are false, so I said -
33. show me where they are false. I got this paper, just awhile ago

1. when I came back, and handed it to me when we came back from caucus,
2. if I remember correctly, and I had no opportunity to read it. Now,
3. let me tell you what some of my questions are. In one of these con-
4. siderations of a letter sent from the Interstate Commerce Commission
5. from the legal operational problems of Regional Rail Reorganization
6. Act, in that there was one space that was written, whether correctly or no-
7. at present date. You know, I seem to have...this is the 20th of
8. October, I seem to have some refercnce to a later date, but when this
9. bill was passed over from the House I assure you they did not know
10. anything about what they're producing in the second set that they're
11. giving me today. Now, in that I just want to say to you that this
12. explicitly says the biggest obstacle to reaching subsidy agreement is
13. liability insurance. The RSPO, that's the Rail Service Planning Office,
14. subsidy standards explicitly states that freight damage, property
15. damage, damage to livestock and the cost of clearing wrecks and all
16. other avoidable costs which must be borne, must be borne by the subsi-
17. dizer. Now, if that is true, Mr. President, I have great qualms about
18. this, and the only way I know whether there is something new on that
19. is to have the opportunity to read what has been presented to me, and
20. question those people who brought it to me concerning the correctness
21. of that in this second paper. I...I cannot support it in its present
22. at present. I might be able to after I've had the opportunity to pose
23. these questions. I think we're strictly out of order if we start sub-
24. sidizing, and take the responsibility and liability of the complete
25. insurance and coverage of losses over all of these sections...of all
26. vehicles used in them at the time of any accident should happen.

27. PRESIDENT:

28. Senator Chew.

29. SENATOR CHEW:

30. Yes, Mr. President, the previous speaker, I would like to in-
31. quire as to what was he referring to and from where did it come, that
32. you are reading your material from now. If you could tell me then I
33. could possibly...

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. I'd be glad to give it to you, Senator Chew. I gave it to the
5. gentleman from the House this morning to look at, but it is from the
6. Interstate Commerce Commission in Washington, D. C.. It's a memorandum
7. of the Office of Public Counsel Rail Services Planning Office, October
8. 20th, 1975, and the gentleman told me that in these notes, and they
9. were on the phone four hours today with Washington, and they say these
10. are not correct. Now, I'm caught here in the middle, I want to know
11. what is correct, I want to know whether it's this or the other.

12. PRESIDENT:

13. Well, just a moment. Senator Chew.

14. SENATOR CHEW:

15. Let me say this, Senator Latherow. I share your feelings. I
16. have not been informed of the kind of information which you have.
17. Since I have taken sponsorship of this bill, I've had no less than
18. twenty different versions of it. There was supposed to have been
19. amendments, they were abandoned, there was supposed to have been studies,
20. apparently they have not been made, supposed to have been everything
21. on this bill that's humanly possible, and nothing has been made. I
22. was approached the other night and said there would be an amendment
23. to take it from the General Revenue Fund instead of the Road Fund.
24. That idea was abandoned. This bill has given me more problems with
25. people not knowing, and yet experts involved in it until I share your
26. belief at this time, and I might add that I have absolutely not one
27. damn bit of interest in this bill, and I might add as of this moment I
28. am no longer the sponsor, and I share your feelings and really care less
29. what happens to this bill.

30. PRESIDENT:

31. Senator Buzbee. Senator Buzbee.

32. SENATOR BUZBEE:

33. Mr. President...Mr. President, I would...

1. PRESIDENT:
2. Just a moment, just a moment, now.
3. SENATOR BUZBEE:
4. ...I would...
5. PRESIDENT:
6. One...one moment, Senator.
7. SENATOR BUZBEE:
8. ...say that...
9. PRESIDENT:
10. Senator, the parties who are involved most in this, and I want
11. them back where they can hear what is going to be said.
12. SENATOR BUZBEE:
13. Thank you. Mr. President.
14. PRESIDENT:
15. Senator Buzbee.
16. SENATOR BUZBEE:
17. Thank you, Mr. President. I would ask to be shown as the principle
18. sponsor of this bill if Senator Chew wants to have his name withdrawn.
19. PRESIDENT:
20. Just a moment. I was talking when Senator Chew closed his remarks.
21. Did you seek...
22. SENATOR BUZBEE:
23. He said that he wanted...
24. PRESIDENT:
25. ...leave to withdraw as sponsor, Senator Chew? Senator Chew,
26. for the record you are seeking leave to withdraw as sponsor of the bill.
27. Is that correct?
28. SENATOR CHEW:
29. That would normally be the procedure, but I'm not seeking anything.
30. I'm just putting it down.
31. PRESIDENT:
32. Is "putting it down" granted? Senator Chew is no longer, the
33. record will reflect, the sponsor of this (machine cut-off) Session.

1. Now, Senator Latherow.

2. SENATOR LATHEROW:

3. Well, Mr. President, I was trying to get your attention there.
4. I wasn't quite through when Senator Chew was talking there. I can
5. thoroughly see how Senator Chew feels like this. This has not one
6. foot of railroad within any district of his, nor do I believe, maybe,
7. within the City of Chicago. I can see how he feels that way. This
8. was given to him, I'm sure, as Chairman and I only have these worries,
9. and I personally would like to see Senator Chew stay right on where
10. he is as...as the sponsor of this legislation. I...I hope that he
11. has no feeling other than what I have that I really don't know exactly
12. what it does, and I want to find out before we pass it.

13. PRESIDENT:

14. Senator Buzbee. Senator...Senator Chew.

15. SENATOR CHEW:

16. As Chairman of the Committee on Transportation, I have grown in
17. the past a little sick and tired of everybody else being chairman. I
18. have kept my mouth shut for peace. It seems that everybody that walks
19. up and down this damn aisle knows more about legislation than anybody
20. on the committee, and if there's information available that's pregnant
21. to any bill, at least it should be distributed to the members of the
22. Committee on Transportation, and especially the sponsor of the bill.
23. There's a lot of things I got tied up in me about this same kind of
24. thing, and that's what I'm really tired of, Senator. The bill, itself,
25. means nothing to me. I don't know whether it has railroad in my dis-
26. trict or not, but I don't speak for my district, I speak for the State
27. of Illinois. But, I speak...I speak as a man and not a child, and in
28. this instance I have been treated like a child by the people involved,
29. and that is the part I don't like. Now, you have questions about the
30. bill? Granted. I'll give you all the time you needed. As a matter-of-
31. fact, I don't really give a damn whether it's passed. Take all the
32. time you need, but anybody who gives me a bill, or any bill that comes
33. through my Committee, you remember don't give it to me or don't send

1. it to my Committee unless you want me to handle it properly, because
2. I'm not a child. I've had people running to me all day about these
3. bills, and nobody seems to have any information on them, and I'm in
4. the same position that you're in, nobody knows, nobody knows, nobody
5. knows. Now, I am not going to be treated like this about a bill, no-
6. body is going to shove anything down my throat, and if you think it's
7. going to happen, I'll gladly relinquish this sponsorship.

8. PRESIDENT:

9. I thought that was accomplished already, Senator, you...Senator
10. Buzbee...(Machine cut-off)...Senator Latherow.

11. SENATOR LATHEROW:

12. Mr. President, I appreciate what Senator Chew says, and I think
13. we make more mistakes here in haste than we do in waiting. I wonder
14. if he'd hold these until tomorrow. Let Senator Chew and me, both,
15. decide whether or not we think they're correct. I certainly think
16. if that's what they want to subsidize, that's alright, but I want to
17. be sure that we aren't getting into something that the State of Illinois
18. gets involved in with some particular railroad, and we're forever sink-
19. ing for multiple expenditures that we don't know anything about that
20. we're getting into. That's my only worry.

21. PRESIDENT:

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Mr. President, I again respectfully request, if Senator Chew has
25. dropped sponsorship, that I be allowed to be shown as the principle
26. sponsor, and if so I will then take the bill out of the record, not to
27. be considered tomorrow, and we can perhaps get some of these questions
28. answered, because I do have some railroads that are directly affected
29. in my district. That's the reason for my interest, Mr. President, as
30. well as other Senators here who have...

31. PRESIDENT:

32. Senator Howard Mohr.

33. SENATOR MOHR:

1. Well, Mr. President, at this late hour I think to be changing
2. the sponsors and trying to rush this legislation through, it is con-
3. troversial, it was advanced without reference, it really should have
4. been put in the Transportation Committee. And I think if anybody is
5. going to handle that bill, it should be somebody in the Transportation...
6. on the Transportation Committee. I'd like to move, Mr. President,
7. that we recommit this bill to committee for consideration there, because
8. obviously it is one of great magnitude.

9. PRESIDENT:

10. Well, before we can recommit the bill I think the bill has to have
11. a sponsor. Senator Buzbee, for what purpose do you arise?

12. SENATOR BUZBEE:

13. Mr. President, I frankly don't give a damn who the sponsor of the
14. bill is. This is a piece of legislation that has great impact on my
15. district and the whole of Illinois, specifically in Southern Illinois.
16. I'm not a member of the Transportation Committee, I would gladly let
17. anybody else take the sponsorship of the bill. The reason that I
18. jumped up is because I have some knowledge of the bill, I have been
19. following the progress of the bill, I sponsored some legislation back
20. in the...in the last Session which had a similar impact. The reason
21. that it's being, as Senator Mohr said, shoved through at this point,
22. is that it is an emergency bill which we have to have in affect by,
23. I think, February the 7th, and if we don't have it in effect by
24. February the 7th, we're going to have three hundred miles of railroad
25. line abandoned in the State of Illinois. Now, that's the reason why
26. I jumped up. I don't care, as I said, who the sponsor is, but we...we
27. do need to...to go ahead and act on the bill, and again, as I said, if
28. I were to be granted sponsorship of the bill I would take it out of
29. the record to be considered tomorrow. Perhaps we could all get together
30. this evening and get this thing straightened out. But, again I'm...I'm
31. amiable to...to any...thank you...amenable...I'm also amiable to...to
32. anybody's suggestions. Thank you.

33. PRESIDENT:

1. I think Senator Howard Mohr has one.

2. SENATOR MOHR:

3. Well, Mr. President, if we're talking about three hundred miles
4. of railroad being abandoned in the State of Illinois, I would have
5. thought that somebody would have brought it up long before this if it
6. really was that important. If it is important we have time to put it
7. in our Transportation Committee, and I think that's where it should
8. go for study, and let's hear from all of these concerned people and
9. take action on it when we come back here, and I think that Senator
10. Chew being the good...good guy that he is, might reconsider and...and
11. remain the sponsor and take...take it into his committee.

12. PRESIDENT:

13. Senator Chew.

14. SENATOR CHEW:

15. Mr...Mr. President, the bill needs to be in the Transportation
16. Committee for study, and when it comes out on this Floor somebody will
17. have some sense and we'll know what we're doing. The reason people
18. don't understand it is because it was rushed through here, it bypassed
19. committee, I didn't know that there were any kind of problems with it,
20. and if Howard Mohr has made the motion to move it to Transportation
21. Study...Transportation Committee I will hold a meeting at the convenience
22. of the members and everybody who has an interest in it can testify.

23. PRESIDENT:

24. Now, Senator Chew, having put it down, we must get our record
25. straight. Are you picking it up now, you are...you're coming back on
26. as sponsor.

27. SENATOR CHEW:

28. Yes, I am coming back on as sponsor.

29. PRESIDENT:

30. Is there leave for Senator Chew to be the sponsor? Leave is
31. granted. Senator Chew is the sponsor. Senator Buzbee.

32. SENATOR BUZBEE:

33. Mr. President...

1. PRESIDENT:

2. What is the motion, Senator? Now, there may be discussion on
3. the motion. Senator...just a moment. Senator Mohr had made a motion
4. that the bill be recommitted...be committed to the Transportation
5. Committee. Now, we're calling for discussion on that motion. Senator
6. Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. Mr. President, we have a...a time
9. problem, and I'm...want to make an inquiry of...of the Chair, first
10. of all. Do you anticipate that this Legislature will be back in
11. Session for the purpose of voting upon legislation between now and
12. the expiration of...between now and February the 7th?

13. PRESIDENT:

14. It is unlikely.

15. SENATOR BUZBEE:

16. It is unlikely. Therefore, our problem is compounded, Mr. President.
17. I agree with Senator Chew, this bill should certainly be aired, given...
18. be given a thorough hearing in the Transportation Committee. Does
19. Senator Chew plan to hold that hearing tonight, or tomorrow morning?
20. Because, of the fact that we do have the February 7th deadline, or we're
21. going to lose, and Senator Mohr, I might say to you, that we did pass
22. the first part of this legislation last Spring, we knew that this one
23. was necessary, the House has been holding it up all this time. Senator
24. Howard Mohr, that is the reason why we are just now getting this bill.
25. This is the second half of the two part package. We passed the first
26. half last Spring, the House has been holding this one up all this time,
27. and we're just now getting it. So, again, Mr. President, I go back to
28. my original question. We're going to lose three hundred miles of rail-
29. road line in Illinois if this thing does not get on the books by February
30. 7th. When are we going to be able to have a Transportation Committee
31. hearing on the bill, and then when could we expect to take a vote on
32. the Floor of this Senate on the bill?

33. PRESIDENT:

1. Senator Chew.

2. SENATOR CHEW:

3. Mr. President.

4. PRESIDENT:

5. Will you yield to the question?

6. SENATOR CHEW:

7. Yes.

8. PRESIDENT:

9. Yes. Senator...I don't...did you hear Senator Buzbee's question?

10. SENATOR CHEW:

11. Senator Buzbee, there will not be a meeting tonight, and when the

12. meeting is held, representatives from the railroad, representatives

13. from the Federal Government, if they so desire since this long letter

14. has come, and the Commerce Commission will be called in to testify if

15. they so desire. I have no desire to pass a piece of legislation with-

16. out proper hearing. If it's going to be rammed down the throats of

17. these people, it's wrong, and the meeting will not be tonight, and I'm

18. going to insist on Howard Mohr's motion.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Mr. President, I appreciate the Chairman of the Transportation

23. Committee's comments. I...I wonder if I might ask him, the Chairman

24. of the Transportation Committee?

25. PRESIDENT:

26. Senator Chew, will you yield to a question?

27. SENATOR BUZBEE:

28. If...

29. PRESIDENT:

30. He indicates he'll yield.

31. SENATOR BUZBEE:

32. Senator Chew, again, I...I repeat my question, we have the February

33. 7th deadline of...of three hundred miles of line being abandoned in the

1. State of Illinois. Will that bill be heard in the Transportation
2. Committee prior to that, and secondly, if so when...then, Mr. President,
3. my second question is addressed to you. When could we expect, if the
4. bill is favorably reported, to take a vote on this Floor on that bill?

5. PRESIDENT:

6. Senator Chew.

7. SENATOR CHEW:

8. As far as your February 7th deadline, I've got a lot of deadlines
9. that I haven't been able to meet. That might be just one you won't
10. meet.

11. PRESIDENT:

12. Senator Bruce.

13. SENATOR BRUCE:

14. Well, Mr. President, to speak in opposition to a motion that would
15. put this bill back in committee, I would want to point out that the...

16. PRESIDENT:

17. Just a moment, Senator. Senator Bruce is recognized.

18. SENATOR BRUCE:

19. As I understand, the motion is to commit this bill to committee,
20. and I would rise in opposition to that motion. Throughout Southern
21. Illinois the Chairman of the House Transportation Committee, represented
22. Garmisa, who is on this Floor, conducted hearings and acted, I think,
23. in an extremely responsible way to a problem created by the Federal
24. Government. He held hearings, they have taken testimony and worked
25. throughout the Summer. Now we, in this Chamber, have said all along
26. we are not going to terminate on June 30th. We can consider bills in
27. the Fall. We're back here all the time, let's not worry about it, let's
28. put these things off. We passed the first section of this bill. Now,
29. we're back in the Fall to do what we said we were going to do in the
30. Fall, and that is tie up the loose ends, and decide what sections of
31. railroad we're going to help subsidize. The House Committee went all over
32. the State, they made a very detailed study. Those of you who have
33. followed it know that the miles of highway affected are going to be

1. immense. Over three hundred miles of road are going to be affected.
2. If we don't act today on these bills the matter will be moot. On
3. February the 6th Con-Rail termination on the 7th, all service will ter-
4.minate, and that's where we are going to be with over three hundred
5. miles of railroad. We can't act after February the 7th. We have to
6. do it between now and February the 7th. And according to this...the
7. President of this Body we were going to be back in here one day in
8. January. Now, if the Body is willing to commit themselves to come in
9. here for ten days in January or in December, I have no objection. But,
10. I will object to all the people in Hudsonville, and all the areas
11. served by CIPS, when one thousand and fifty-two trucks a month will
12. go on Route 1 to take coal to that facility when the Penn Central
13. Railroad...closes. One thousand and fifty-four trucks a month, every
14. month to keep the Hudsonville plant open. Now, that's what we're
15. talking about in one instance. Now, if you want a thousand trucks a
16. month all over this State on the roads, fine. We're going to be back
17. here spending a lot more money than this to keep the highways improved.
18. The Penn Central Railroad runs to Keensburg, one of the largest mines
19. open in Illinois. It, also, goes to McLeansboro, one of the largest
20. mines recently opened in Illinois. If you want that coal to stay in
21. the ground, leave this bill where it is, or put it back into committee.
22. All the coalminers will be out of work, and the Con-Edison Plant in
23. Chicago, where that coal goes, they will be out of coal, and they won't
24. generate electricity. This is a very serious matter, and one that we
25. cannot lightly consider, and one that we cannot commit back to committee
26. at this late date. If the committee in the Senate wanted to do something
27. the Summer time was the time. The House has done an extremely good job
28. on the hearings, it's time to move on.

29. PRESIDENT:

30. May the Chair make a suggestion? Just one moment. Let's see if
31. we can make a suggestion. Let's see if we can unravel what appears to
32. be a very big problem. If the rules permitted I would give the micro-
33. phone to Representative Garmisa, who is the Chairman of the Transportation

1. Study Commission, so that he could explain to you what the problems
2. are. He has stated to me, and I will paraphrase them, that this is
3. a subject which needs immediate attention. This is a subject which
4. involves substantial problems in terms of not only the loss of finance,
5. but in terms of the diminution of the value of railroad property and
6. its use. I would hope that those of you...he, also, says, Senator
7. Latherow, I would point out to you, that much of the information which
8. has caused you to be discombobulated, is information sent from the
9. Federal Government which is, in fact, inaccurate. I would like to
10. suggest that those of you who are most concerned with this problem,
11. you, Senator Latherow, you, Senator Chew, Representative Garmisa,
12. Senator Buzbee, Senator Bruce, Senator Mohr, Senator Davidson, those
13. of you could have an informal meeting without the benefit of calling
14. a committee meeting, and make a judgement and decision. We could leave
15. this bill on 3rd reading, he would come in tomorrow and tell us what...
16. what your position was, and we could deal with the bill on that basis.
17. If we don't do it in that fashion we can go around and around and
18. around here tonight, and still get not much accomplished on this very
19. important subject. Senator Chew.

20. SENATOR CHEW:

21. I have been informed that the House had hearings around the State.
22. I wonder what the sponsor through you clear that information up and
23. tell me as to why or did that occur.

24. PRESIDENT:

25. I'm sorry, Senator, I..I missed your remarks. I'm sorry, I was
26. talking. I...I know they were important. Would you repeat them please
27. and since we've agreed...

28. SENATOR CHEW:

29. All right, I don't mind it, I've got good lungs, Mr. President. I
30. just noticed that you asked him after I asked you. I mean you didn't
31. hear me. I want to know whether the House held hearings around the
32. State on this bill.

33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. Well, I've spoken, as a matter-of-fact, last night with Represent-
4. tative Garmisa, and he caused to be distributed either yesterday or
5. today this forty-two page report from the House Transportation Committee.
6. In addition to this memorandum which he provided, I'm sure all the
7. members. I happen to agree in this instance with the suggestion of the
8. Chair and with, frankly, Senator Bruce. I...I think this is a matter
9. of some serious urgency, and the time to act is now. I...I think if
10. we can just calm down for a moment and accept the suggestion of the
11. Chair, but let's move the bills in the proper posture, come back here
12. tomorrow when...when everybody's nerves are...are not so frayed, and
13. really make an assessment, at which time Senator Mohr's motion would
14. be properly in order, and we can act that way if we feel we have to.
15. In the meantime, I think to act peremptorily at this point is a mistake,
16. because the time is too short. We did, in fact, pass the first part
17. of this legislation in the closing hours of...of June of...of the last
18. Session, and this...this is an absolutely essential bill as I see it.
19. If...if I can be persuaded otherwise by those who oppose it, so be it.
20. As my study over the last two days has indicated to me that it is a
21. matter of some extreme urgency for downstate Illinois I might add, and
22. since we represent all the people of Illinois I think we have an obliga-
23. tion to at least address the question, and I would hope that the Senator
24. would...would defer his motion until tomorrow when it again will be
25. proper to make such a motion.

26. PRESIDENT:

27. Well, Senator, I appreciate that, and I made that suggestion. There
28. is, of course, there...one moment. There is, of course, another more
29. direct way of dealing with it. It's radical, it's innovative, but we
30. could if we desired declare ourselves into a Committee of the Whole, and
31. under those circumstances Representative Garmisa could be given a mike
32. to make an explanation. That's another way we might approach it. We
33. could approach it either way you...you desire it. But, it occurs to me

1 that it may be best if we could have this informal meeting among the
2 members and then they could come back tomorrow for it. But, I...I want
3 you to know that that other alternative is available. Senator Chew.

4 SENATOR CHEW:

5 With the utmost respect to the Chair, I don't appreciate the
6 remark made by Senator Rock, and I'll tell you my reasons for not
7 appreciating it. Apparently he, too, is in favor of railroading this
8 bill through this Senate. Senator Rock has not talked to me, other
9 than the fact that we discussed an amendment, and he told me, at that
10 point, that he would move that the amendment was not relevant to the
11 bill, in which I agreed. Now, either I'm going to be respected as
12 the bill sponsor or as the Committee Chairman or you can have them
13 both, and I get just pretty sick and tired of...of members of leader-
14 ship taking a mike, making some goddam suggestions, and the suggestions
15 in fact...

16 PRESIDENT:

17 Senator, Senator, watch your language, Senator.

18 SENATOR CHEW:

19 ...if the suggestions, in fact, here are supposed to be in order,
20 and I resent the remark, and I will insist on it going to committee.
21 You're going to either respect me, or I don't hold a position and
22 either one matters with me. Now, I've sat here, why didn't he come to
23 me and sat down. I'll tell you why, because it's a custom around here
24 of whatever one member of leadership says, that is supposed to be law.
25 Well, it's not with me. Now, I've been as peaceful as anybody could be
26 listening to staff members on this, and listening to everybody else.
27 Now, I am going to insist on it having a hearing. If the House could
28 have a hearing on it then the Senate ought to have a hearing, and don't
29 ever jump up on a bill that I'm on again, and use any persuasive re-
30 marks in the position of leadership. If you want to discuss it, you
31 discuss it with me like two men, and don't attempt to ram it down my
32 throat. And your remarks are really resented, Senator Rock.

33 PRESIDENT:

1 Senator Rock.

2 SENATOR ROCK:

3 Well, on a point of personal privilege. There was no disrespect
4 intended. I had assumed that...I had assumed that you as the sponsor
5 of this legislation would be the recipient of the same information as
6 I received from the House sponsor. Well, it...it does not, it seems
7 to me, devolve on me or my responsibility to provide you with the in-
8 formation on bills which you sponsor.

9 PRESIDENT:

10 Now, that we can return to calmness and deliberateness, peaceful-
11 ness and tranquility. Let's get back...let's get...let's get back...
12 you...well, anyhow, do you want to see my mezuzah? Let's get back,
13 now, to perhaps the suggestion I made that Senator Chew, who will be
14 the acting chairman of this informal group and Senator Latherow and
15 Senator Howard Mohr and Senator Davidson and Senator Buzbee and Senator
16 Bruce, and Senator Chew...Senator Davidson, let him listen. Thank
17 you. Senator Chew, if you could structure a...an informal meeting
18 with this group, I think you gentlemen, all being bright and intell-
19 igent, can sit down, work out the problems, determine where the in-
20 accuracies are that come out of Washington and so forth. Representa-
21 tive Garmisa tells me he'll be there with you, and in the morning when
22 we get back in the calm light of day, we can address ourselves to this
23 bill, and we can decide it either positively or negatively. Senator
24 Chew.

25 SENATOR CHEW:

26 Mr. President, I have never held an informal meeting of the
27 Committee on Transportation.

28 PRESIDENT:

29 Well, this is not...

30 SENATOR CHEW:

31 I don't know what you mean of informal committee...

32 PRESIDENT:

33 What this means...

1 SENATOR CHEW:

2 What's this...are you telling me...

3 PRESIDENT:

4 You asked me. You...

5 SENATOR CHEW:

6 No.

7 PRESIDENT:

8 ...said you don't know what I mean. If you'll listen...

9 SENATOR CHEW:

10 No, I haven't...

11 PRESIDENT:

12 ...I'll tell you. I'll tell you what I mean.

13 SENATOR CHEW:

14 Okay.

15 PRESIDENT:

16 I'm asking you not to have a formal meeting of the Department
17 of Transportation. I ask you that, because you said you...you won't
18 have it. So, it would be needless for me to ask you. So, I'm now
19 asking you to not have a formal meeting, but to have an informal
20 discussion in the form of a meeting, an informal one, with these
21 gentlemen where all of you can find out where we are, where we ought
22 to be, how we can save the State this money, how we can prevent these
23 railroads from going down. Then tomorrow when you return we will then
24 have the benefit of your discussion and input, and then we can make
25 a decision. We're not asking you to come back and say this...excuse me,
26 I'll wait till the Senator finishes.

27 SENATOR CHEW:

28 Mr. President, they told me in school that a suggestion from one
29 in authority was in fact an order. And you have given a suggestion and
30 I reject it.

31 PRESIDENT:

32 Well, it certainly is isn't optional in a mandatory sort of way,
33 Senator, but I would ask the other persons who I have asked to have an

1 informal meeting and give us the benefit of your thinking on this
2 subject tomorrow. I'm not telling anyone how or what this should be
3 in terms of whether the Legislature is going to accept it. But, I
4 think intelligently under these circumstances where the amount of money
5 and dollars and other things that are involved here, that we ought to
6 have the benefit of as much information as possible before we make a
7 decision. That's all I'm suggesting. I assume that would go for the
8 next bill, so the next bill is in the same posture, and that, as far as
9 I'm concerned, concludes the House Bills on 3rd reading for this even-
10 ing. We'll go to the order of Total Vetoes, and the bill is House Bill
11 1659, Senator Don Moore.

12 SENATOR MOORE:

13 Thank you, Mr. President and members of the Senate. House Bill
14 1659 creates a legislative committee, two members appointed by each
15 of the leadership in the House and Senate, to study and determine a
16 computation formula and recommend a cost related reimbursement plan
17 for facilities providing sheltered, intermediate care, and nursing...and
18 skilled nursing care. The bill originally came to our attention as a
19 result of the problems that our county nursing homes are having in
20 the State. This committee shall report back to the leadership and to
21 the Legislative Advisory Committee on Public Aid, and they shall recom-
22 mend to, and I underline the word recommend, to the department a
23 cost computation formula to recommend a related reimbursement plan
24 which we are mandated to do by July 1 of last year. The Governor felt that
25 we were infringing upon the Executive Branch of Government, we are not,
26 because in the same section that this, House Bill 1659, was in specifi-
27 cally states that the Illinois Department shall negotiate with the
28 various dispensers of medical services. As there are no questions I
29 would appreciate a favorable roll call.

30 PRESIDENT:

31 Any discussion? Senator Dougherty.

32 SENATOR DOUGHERTY:

33 Thank you, Mr. President, I want to remark to the members of the

1 Senate that I too am a cosponsor of this bill in...in this regard.
2 That this Legislation is a recommendation of the Legislative Advisory
3 Committee on Public Aid. It is vitally necessary that we have it.

4 PRESIDENT:

5 Any further discussion? The question is shall House Bill 1659
6 pass, the Veto of the Governor to the contrary notwithstanding. Those
7 in favor vote Aye. Opposed Nay. Mr. Secretary will call the roll.

8 SECRETARY:

9 Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
10 Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
11 Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
12 Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
13 Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
14 Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
15 Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
16 Wooten, Mr. President.

17 PRESIDENT:

18 Bloom, Aye. Call the absentees. Call the absentees. It will
19 be easier to do it that way.

20 SECRETARY:

21 Buzbee, Carroll, Daley, Demuzio, Donnewald, Fawell, Hynes, Joyce,
22 Knuppel, Lemke, McCarthy, Morris, Newhouse, Palmer, Romano, Savickas,
23 Wooten.

24 PRESIDENT:

25 Course, Aye. Have all voted who wish? House Bill...no, on this
26 question the Ayes are 39, the Nays are 5, with 1 Voting Present. House,
27 House Bill 1659 having received the required three-fifths vote is
28 declared passed, the veto of the Governor to the contrary notwith-
29 standing. For what purpose does Senator Carroll arise?

30 SENATOR CARROLL:

31 Mr. President, if I might to make a motion to discharge a bill
32 from the Committee on Rules. It's an appropriation bill, an emergency
33 bill, I've discussed it with both Senator Hynes and Senator Weaver,

1 and it would be in order at this time. I would like to make a motion.

2 PRESIDENT:

3 Senator Hynes is recognized for the purpose of a motion. (Machine
4 cut-off)...oh, I'm sorry, you said Hynes. Senator Carroll.

5 SENATOR CARROLL:

6 Thank you. As I said both Majority and Minority on the Appropri-
7 ations are aware of this. This is House Bill 3154, and it's a supple-
8 mental appropriation to the Court of Claims to pay the victims of the
9 compensation...compensation of victims of Crime Act Awards. I
10 would ask that it be discharged from the Rules Committee, read a first
11 time, and advanced to the order of 2nd reading without reference to
12 committee.

13 PRESIDENT:

14 Is leave granted?

15 SENATOR CARROLL:

16 Leave.

17 PRESIDENT:

18 Leave is granted, and so ordered. Read the bill.

19 SECRETARY:

20 House Bill 3154.

21 (Secretary reads title of bill)

22 2nd reading of the bill. No committee amendments.

23 PRESIDENT:

24 Any amendments from the Floor? Senator Carroll.

25 SENATOR CARROLL:

26 Thank you, Mr. President, there is an amendment on the Secretary's
27 Desk that was devised by both the Senate Democrat...

28 PRESIDENT:

29 Senator, Senator, just a moment. The bill has been discharged
30 from the committee, and...and from the Order of rules, and it's been
31 read a first time, and ordered to the order of 2nd reading. A day
32 must elapse before...

33 SENATOR CARROLL:

1 Fine.

2 PRESIDENT:

3 ...we can read it on 2nd reading.

4 SENATOR CARROLL:

5 Thank you, Mr. President.

6 PRESIDENT:

7 It means if anyone wants to know, that there will be a Saturday
8 Session.

9 SENATOR CARROLL:

10 Well, I won't ask everybody to stay for this bill, but if we're
11 here I'll call it.

12 PRESIDENT:

13 Is there any further business to come before the Regular Session.
14 Senator Rock.

15 SENATOR ROCK:

16 I understood that there were some Messages from the House.

17 PRESIDENT:

18 Yeah, there's some Messages from the House.

19 SENATOR ROCK:

20 In the Regular Session?

21 PRESIDENT:

22 In the Regular Session. Messages from the House.

23 SECRETARY:

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

25 Mr. President - I am directed to inform the Senate that the
26 House of Representatives has passed a bill with the following title,
27 in the passage of which I am instructed to ask concurrence of the
28 Senate, to-wit:

29 House Bill 3202.

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(End of tape)

(Continued next page)

1. Bill 3202.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. House Bill 3202 is sponsored by Representative Berman. I
7. would ask that we suspend the rules for the purpose of moving this bill
8. to the Calendar without reference to committee.

9. PRESIDENT:

10. You heard the motion. All in favor say Aye. Opposed Nay.
11. The Ayes have it. Read the bill.

12. SECRETARY:

13. House Bill 3202. Sponsored by Senator Hynes.

14. (Secretary reads title of the bill)

15. 1st reading of the bill.

16. PRESIDENT:

17. 2nd reading.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate
21. that the House of Representatives passed the bill with the following
22. title and the passage of which I am instructed to ask the concurrence
23. of the Senate, to-wit:

24. House Bill 3197.

25. PRESIDENT:

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President, I would like leave of the Senate for the
29. suspension of the rules so that House Bill 3197 can be read a first
30. time, advanced to second without reference to committee.

31. PRESIDENT:

32. You heard the motion. All in favor say Aye. Opposed Nay.
33. Ayes have it. Read the bill.

1. SECRETARY:

2. House Bill 3197. Senator Shapiro is the Senate sponsor.

3. (Secretary reads title of the bill)

4. 1st reading of the bill.

5. PRESIDENT:

6. 2nd reading.

7. SECRETARY:

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

9. Mr. President - I am directed to inform the Senate
10. that the House of Representatives has passed bills with the following
11. titles and the passage of which I am instructed to ask the concurrence
12. of the Senate, to-wit:

13. House Bill 3174, and House Bill 3156.

14. PRESIDENT:

15. Senator Knuppel...well, just a moment. Who is the sponsor
16. there? (Machine cut off)...Senator Rock.

17. SENATOR ROCK:

18. I think that can properly go to the Rules Committee.

19. PRESIDENT:

20. That's that Voc-Ed Bill. I think it ought to...no let's
21. move this to second reading.

22. SENATOR ROCK:

23. Well, do you wish a motion to suspend the rules for the purpose
24. of reading it a first time...move to the order of...

25. PRESIDENT:

26. I'd rather do that than to have someone come tomorrow and worry
27. me all day about it when...they weren't here. So there's a motion...
28. you're making a motion to suspend the rules to read the bill a first
29. time, and...move to the order of 2nd reading. You heard the motion.
30. All in favor say Aye. Opposed Nay.

31. SENATOR ROCK:

32. Can we have Senator Brady shown as a sponsor?

33. PRESIDENT:

34. Motion carries. For what purpose do you arise, Senator Nudelman?

1. SENATOR NUDELMAN:

2. Thank you, Mr. President. I was going to suggest that that
3. necessary meeting, and I could see it is necessary, be requested at a
4. time to move someplace else, but they sort of quieted down so I'm going
5. to not make my request.

6. PRESIDENT:

7. Now read...did you read this bill? Well, one at a time.

8. Both.

9. SECRETARY:

10. House Bill number 3147. Senator Brady is the chief sponsor.
11. 3147.

12. (Secretary reads title of the bill)

13. PRESIDENT:

14. Senator Harris.

15. SENATOR HARRIS:

16. Mr. President, I would respectfully point out that we don't
17. seem to be tracking consistently all the time. It's my understanding
18. that these bills that come over here from the House, would
19. automatically be referred to Rules rather than be read a first time.
20. Hasn't...has not that been our procedure?

21. PRESIDENT:

22. You're right. You're very right. But today I received several
23. phone calls about these bills. I know they'll be in the morning,
24. worrying about them and if they're in Rules tomorrow and we have lost
25. the dates involved, I just simply means that we...here longer, and I
26. don't want to do that. That's all I'm saying.

27. SENATOR HARRIS:

28. Well, I believe that this procedure is the kind of procedure that
29. gets us into the difficulty that's taking place here on the Senate
30. Floor, now. You know, honestly, we very well have reached the point
31. of having run out of time. If, in fact, we are going to adjourn on
32. Friday, and I...I am not in any way familiar with the bills that are
33. being referred to by the Secretary's reading the Messages from the
34. House, and I...I do not think that this is a productive way for us to

1. be about the business of carefully evaluating these proposals.
2. The fact that the House has acted on them, I...I understand. But
3. I...I just don't see how we're going to effectively and carefully, and
4. I think that's one of the reasons why we have screened things through
5. the Rules Committee. We...we are leaving some House Bills in the
6. Rules Committee and I...I...I'm a little bit concerned about this
7. procedure.

8. PRESIDENT:

9. All right. Now, what is the posture as to the two bills, and
10. what are their numbers?

11. SECRETARY:

12. House Bill 3147 was just read a first time.

13. PRESIDENT:

14. Senator. What we would have to do, Senator, is...

15. SENATOR HARRIS:

16. Yes.

17. PRESIDENT:

18. ...someone to make a motion to reconsider the vote by which that
19. bill was moved to 2nd reading.

20. SENATOR HARRIS:

21. Yes.

22. PRESIDENT:

23. Will you make it?

24. SENATOR HARRIS:

25. Okay. Well, I would so move. I understand, also, that they
26. are individually sponsored bills, that they are not Committee Bills,
27. and I just...I...

28. PRESIDENT:

29. Senator Harris moves...

30. SENATOR HARRIS:

31. ...would move to reconsider the vote by which those bills
32. were advanced be reconsidered.

33. PRESIDENT:

34. Only one of them.

1. SENATOR HARRIS:

2. One? Okay.

3. PRESIDENT:

4. Yes. You heard the motion. All in favor say Aye. Opposed

5. Nay. The motion is reconsidered. 31...what's the number? 3147.

6. Is that the one we were discussing in that passing? 3147 go to

7. Rules Committee. Now, the second bill is numbered 3156. Rules.

8. Is there any other business to come before the Regular Session?

9. The Regular Session will stand in adjournment until 10 A.M. tomorrow
10. morning.

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