

79TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 21, 1975

1. PRESIDENT:
2. The hour of ten having arrived, the Senate will come to order.
3. The prayer will be by Father George E. Nelis, St. Patrick Church,
4. Springfield, Illinois.
5. FATHER NELIS:
6. (Prayer given by Father Nelis)
7. PRESIDENT:
8. Reading of the Journal.
9. SECRETARY:
10. Tuesday, ...
11. PRESIDENT:
12. Senator Johns.
13. SECRETARY:
14. ... November the 18th, 1975.
15. SENATOR JOHNS:
16. Good morning, Mr. President, I move that the Journal just read by
17. the Secretary be approved unless some Senator has additions or
18. corrections to offer.
19. PRESIDENT:
20. You heard the motion. All in favor will say Aye. Opposed Nay.
21. The Ayes have it. The motion carries. Senator Johns.
22. SENATOR JOHNS:
23. I move that the reading and approval of the Journals of Wednesday,
24. November the 19th, 1975, and Thursday, November the 20th, 1975, be
25. postponed pending arrival of the printed Journals.
26. PRESIDENT:
27. You heard the motion. All in favor will say Aye. Opposed Nay.
28. The Ayes have it. The motion carries. Message from the House.
29. SECRETARY:
30. A Message from the House by Mr. O'Brien, Clerk.
31. Mr. President - I am directed to inform the Senate that the
32. House of Representatives has adopted the following preamble and joint
33. resolution in the adoption of which I am instructed to ask the concurrence

1. of the Senate, to-wit, House Joint Resolution 70.

2. PRESIDENT:

3. Executive.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Resolutions. May I have the attention of the Body? We have a
6. series of death resolutions and the Secretary will read them and indicate
7. the sponsor and we'll consider all of them at one time. May we have
8. order? Proceed.

9. SECRETARY:

10. Senate...Senate Resolution 202, introduced by Senators Daley,
11. Savickas and Lemke. Senate Resolution 203, introduced by Senator
12. Carroll. Senate Resolution 204, introduced by Senator Kenneth Hall
13. and all Senators. Senate Resolution 205, introduced by Senators
14. Mitchler, Harber Hall and all Senators. Senate Resolution 206...
15. introduced by...

16. PRESIDING OFFICER: SENATOR DONNEWALD)

17. These are death resolutions, gentlemen.

18. SECRETARY:

19. ... introduced by Senator Soper and all Senators. Senate Resolution
20. 207, introduced by Senators Lemke, Daley, Romano, Savickas, Kosinski,
21. Course, Dougherty and all Senators.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Motion by Senator Rock to dispense with ... to dispense with the
24. rules...suspend the rules and for the immediate adoption of the death
25. resolutions. All those in favor indicate by saying Aye. Those opposed
26. No. The Ayes have it. Senator Rock now moves that the resolutions
27. just read be adopted. All those in favor indicate by rising. Resolutions
28. are adopted. The Senate will stand at ease Communications.

29. SECRETARY:

30. To the Members of the Senate:

31. I hereby appoint Senator John A. Davidson to be a member of
32. the Insurance Laws Study Commission to replace Senator James Soper,
33. who has resigned. Signed William C. Harris, Minority Leader.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Tomorrow. The Senate will stand at ease.

3. PRESIDENT:

4. Senate Bills on 3rd reading. Senate Bill 1520, Senator Egan.

5. SECRETARY:

6. Senate Bill 1520

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Egan.

11. SENATOR EGAN:

12. Yes, thank you, Mr. President and members of the Senate. Senate Bill
13. 1520 was introduced in ... this part of the Session, Mr. President,
14. because of the emergency nature of the bill. It conveys land, which
15. is in my district, from the Department of Mental Health at the Chicago
16. Reed Center to the New Horizons which is a not-for-profit corporation
17. treating the mentally disabled and they have a ... a special treatment
18. activity which they intend to engage in after they can facilitate the
19. need with the use of this land by constructing and ... and going ahead
20. with...with their program. They can't get their Federal funds until
21. they initiate the program. This was all cleared through the Department
22. of Mental Health, and just the day before yesterday, I discovered that
23. the Department now has some objections to it. So, I discussed it with
24. the Legislative Liaison with the Department and asked if ... if we
25. couldn't compromise and straighten this out in the House, and con-
26. sequently, Mr. President and members of the Senate, I would like to get
27. it to the House, so that we could work on the...on any changes that
28. are necessary in the bill to satisfy the Department completely and I'd
29. ask for your support.

30. PRESIDENT:

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. If the sponsor would yield?

1. PRESIDENT:

2. He indicates that he will yield.

3. SENATOR SCHAFFER:

4. Who is this group, the New Horizons, and who heads it up?

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. It's a neighborhood organization, a mental health organization,
9. they've had grants from the Department budgets for many years, the
10. officers and the list of people, I don't ... I don't have readily avail-
11. able. I could get them for you. I know the alderman in the 38th
12. Ward is part of it, Sheila McCone, my primary opponent is part of
13. the organization, and ... so that, inspite of all the ... all of our
14. past differences, we do agree that the New Horizon. Center is
15. definitely a ... an entity which is indeed good for the community. It's
16. a private not-for-profit corporation.

17. PRESIDENT:

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Does this comprise the whole mental health facility or just part
21. of it that they're asking for?

22. PRESIDENT:

23. Senator Egan.

24. SENATOR EGAN:

25. This...what they're asking for is it will suffice for the needs for
26. which they intend to use it.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Who owns the land if this group goes bust...

31. PRESIDENT:

32. Senator Egan.

33. SENATOR SCHAFFER:

1. ... buy the property?

2. SENATOR EGAN:

3. Well, if they go bust ...I...I...I don't understand what you

4. mean ... that ...

5. PRESIDENT:

6. Senator ...

7. SENATOR EGAN:

8. They're ...

9. PRESIDENT:

10. ...Schaffer.

11. SENATOR EGAN:

12. ... not going to go bust until the State does, because the State

13. funds them ...

14. SENATOR SCHAFFER:

15. Well ...

16. SENATOR EGAN:

17. ... and the Federal government.

18. SENATOR SCHAFFER:

19. ... what

20. PRESIDENT:

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. ... for some reason, we decide that these type of programs are no

24. longer a priority, and we don't fund them, who physically has title

25. to the property, the cottages?

26. PRESIDENT:

27. Senator Egan.

28. SENATOR EGAN:

29. The New Horizons' Center, the ... the not-for-profit corporation.

30. PRESIDENT:

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, this was...this was the concern that I had, that we are in

34. the process right now, I believe, of building one of the specialized

1. living centers in the Chicago area which is a result of a bill that
2. went through here on a...I think the 30th of June last year, and what
3. I am concerned about is we're...we're not only giving them the land
4. and the cottages, we're subsidizing them, we're...we're paying the
5. tab, and it is not totally inconceivable that this group could
6. for a whole variety of reasons go under or this type of project,
7. we...we might decide that we prefer to house people in the brand new
8. specialized living center as opposed to an old one, and I...I'm
9. concerned that if or whatever reasons we want it, our hands would
10. be tied that we would be stuck with this facility because if we didn't
11. utilize it, a...a rather nebulous group ends up with title to some
12. valuable state property, and...and my concern would be alleviated by
13. some sort of a cause in the bill which I...I don't think is there,
14. that if for any reason this project goes awry, that the land and the
15. property and the improvements, which of course will be subsidized by
16. the State, would revert to the State. I don't think that's un-
17. reasonable.

18. PRESIDENT:

19. Senator Egan.

20. SENATOR EGAN:

21. I...I would agree with that, Senator Schaffer. I...it's one of
22. the things that I'd like to do in the House. I'm sorry we're...it's...
23. we're rushed and...but it's not going to go anyplace over there until the
24. ... the Department agrees with it, but I...I...I agree with that reversion
25. clause, and I would....

26. PRESIDENT:

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Well, I, obviously have been expressing some of the concerns of the
30. Department, and with the understanding from the Senate sponsor that those
31. concerns will be fully met in the House, I'll go along with it with a
32. little bit of misgivings.

33. PRESIDENT:

1. Senator Soper.

2. SENATOR SOPER:

3. Thank you, Mr. President, I...is this such a urgent...a bill that's
4. such urgency that you got to have it now?

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Yes, Senator, I would like to move it out of the Senate. This is
9. our last day, and we can work out any of differences with the Depart-
10. ment in the House. It's not come up there until the next...until we
11. meet again anyway, but between now and then, we can work out the
12. differences with the Department. You see, if they...if they don't
13. start to...

14. PRESIDENT:

15. Just a moment, just a moment. Now, there were just...I know the
16. adrenalin flows heaviest in the morning, but if we could just calm
17. our voices so that we could be heard. Senator Soper.

18. SENATOR SOPER:

19. It comes to my mind that there should have been a motion to suspend
20. the rules on this. I...I didn't hear any motion to ...suspend the
21. rules to take this bill up, and if we are going to have to meet again,
22. I think you ought to...this thing should be held. I would rather take
23. this on a rental basis of a dollar a year to the State, than take twenty
24. acres or something of land and give it to somebody, and then if...if
25. something happens, then they can sell it and take the money...if this
26. is necessary, I think a rental basis would be a lot better, and if
27. there was a reversionary clause put on in the Senate, I certainly
28. wouldn't go along with this thing.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Well, just for the purpose of the record, Mr. President and Ladies
33. and Gentlemen of the Senate, to answer Senator Soper's question. There

1. ...there need not be a move to suspend the rules for the reason that
2. the Rules Committee has already acted upon this bill and has deemed
3. it as one of some urgency, and for that reason, it is within the
4. ambient of the Joint Rule 19. I think there is some urgency, and I
5. would urge an Aye vote.

6. PRESIDENT:

7. (machine cut off) further discussion? Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President. It occurs to me that with what appears
10. to be the imminent termination of this Fall Session of the General
11. Assembly, there is no urgency about this, nothing can occur in the
12. House until probably April, and I would much prefer to have this bill
13. in the kind of condition that satisfies the members of the Senate before
14. it leaves the Senate, and so, I would respectfully suggest that to the
15. sponsor that this would be much appropriate to be kept on the Calendar
16. until we come back, then we will be in a position to handle it thought-
17. fully, carefully, and see that it is in the proper form as far as the
18. Senate is concerned before we ask the House to correct our mistakes.

19. PRESIDENT:

20. (machine cut off) further discussion? Senator Soper, you have
21. spoken already on this question.

22. SENATOR SOPER:

23. Now, I want to ask a question. Aren't we supposed to have a copy
24. of this bill in our Bill Book or something? I don't even know what
25. this thing does. If it hasn't been printed, I'd like to have it
26. printed.

27. PRESIDENT:

28. Any further discussion? Senator Egan, immersed in nobility, may
29. close the debate.

30. SENATOR EGAN:

31. Well, I...Mr. President, members of the Senate, we're going to
32. have to approve any House amendments to this bill when it comes back,
33. and it was my original suggestion, it'll come back, and it was my

1. suggestion that we get it to the House where it can be fully deliber-
2. ated upon, and I will cooperate with the Department a hundred percent.
3. With that, Mr. President and members of the Senate, I would ask that
4. we get the bill out of here, and I'd appreciate your support.

5. PRESIDENT:

6. The question is, shall House Bill ... Senate Bill 1520 pass? Those
7. in favor vote Aye. Opposed Nay. Mr. Secretary, 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. Request for a call of the absentees.

19. SECRETARY:

20. Bell, Bloom, Course, Demuzio, Fawell, Harris, Johns, Joyce, Knuppel,
21. Kosinski...

22. PRESIDENT:

23. Knuppel, Aye.

24. SECRETARY:

25. ...Kosinski, Latherow, Lemke, Morris, Newhouse, Nimrod, Nudelman,
26. Ozinga, Philip, Regner, Roe, Savickas, Shapiro, Sommer, Soper, Weaver.

27. PRESIDENT:

28. Nudelman, Aye. Weaver, Aye. Latherow, Aye. On that question, the
29. Ayes are 37, the Nays are 6. Senate Bill 1520 having received a con-
30. stitutional majority is declared passed. Will the members be in their
31. seats? There's a request for a verification of the roll call. Secretary
32. will verify the roll by calling the affirmative votes.

33. SECRETARY:

1. The following voted in the affirmative: Brady, Bruce, Buzbee,
2. Carroll, Chew, Daley, Davidson, Donnewald, Dougherty, Egan, Glass,
3. Graham, Kenneth Hall, Hickey, Hynes, Knuppel, Kosinski, Lane, Latherow,
4. McCarthy, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nudelman,
5. Palmer, Rock, Romano, Schaffer, Shapiro, Smith, Vadalabene, Weaver,
6. Welsh, Wooten, and Mr. President.

7. PRESIDENT:

8. The roll call has been verified. House Bills on 3rd reading.
9. House Bill 233, Senator Vadalabene.

10. SECRETARY:

11. House Bill 233

12. (Secretary reads title of the bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President and members of the Senate. House
18. House Bill 233 makes an appropriation to the Board of Trustees of SIU,
19. Edwardsville, for construction of a television transmitting tower and
20. related facilities. Just a brief statement in regard to this legislation
21. ...

22. PRESIDENT:

23. Just a minute, Senator. Now, the noise is not going to be
24. tolerated today, and you're either going to...take your conversations
25. out or keep quiet. This is not rhetoric, I mean it. Senator
26. Vadalabene.

27. SENATOR VADALABENE:

28. ... Yes, just a brief comment in regard to this legislation, there
29. was two subcommittees, the one by the BHE and one by Representative
30. Sam McGrew who made a study of this during the summer. This bill was
31. in subcommittee predicated on those hearings. Both of those hearings
32. came out favorable in regard to this legislation for SIU Edwardsville
33. and I would appreciate a favorable vote.

1. PRESIDENT:
2. Any further discussion? The question is, shall House Bill 233
3. pass? Oh, Senator Glass. Chair recognizes Senator Glass.
4. SENATOR GLASS:
5. Thank you, Mr. President. I wonder if Senator Vadalabene would
6. advise us how much this costs?
7. PRESIDENT:
8. Senator Vadalabene.
9. SENATOR VADALABENE:
10. Yes, yesterday, Senator Glass, we amended that bill to one million
11. five hundred thousand dollars, and this was...this was on the suggestion
12. of the BHE and the subcommittee who made the study.
13. PRESIDENT:
14. Any further discussion? The question is, shall House Bill 233
15. pass? Those in favor vote Aye. Opposed Nay. Mr. Secretary, please
16. 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, Johns,
21. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
22. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
23. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe...
24. PRESIDENT:
25. Senator Rock, for what purpose do you arise?
26. SENATOR ROCK:
27. Parlimentary inquiry. Is this Senator Latherow's bill or Senator
28. Vadalabene's bill?
29. PRESIDENT:
30. This is Senator Vadalabene's bill, Senator Latherow's is next.
31. SENATOR ROCK:
32. Thank you. I vote Aye.
33. PRESIDENT:

1. Continue with the roll call.

2. SECRETARY:

3. ...Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
4. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. I request a call of the absentees, Mr. President.

9. PRESIDENT:

10. Request for ... call the absentees has been made. Call the absentees.

11. SECRETARY:

12. Bloom, Clarke, Davidson, Harris, Hickey, Johns, Joyce, Lemke,
13. Mitchler...no...no, you...you voted No, I'm sorry. Howard Mohr, Don
14. Moore, Netsch, Newhouse, Palmer, Roe, Shapiro, Sommer, Soper, Weaver,
15. Wooten.

16. PRESIDENT:

17. Weaver, Aye. Lemke, Aye. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Postpone Consideration.

20. PRESIDENT:

21. Postpone Consideration. House Bill 766, Senator Latherow. Is
22. that a postponed consideration? Senator Latherow.

23. SENATOR LATHEROW:

24. Thank you, Mr. President. I want to say that these two bills are
25. under Capital Development Funds. There's a million and half dollars
26. of Federal money that's set back for these, and if I can't get any
27. more help on this side of the aisle than we got on the other two, I'm
28. not going to call the bill. They don't want to help out on ... on
29. this...this television project and some of this money, that's all
30. right with me, I've lost things before. I can lose this one without
31. calling it.

32. PRESIDENT:

33. Senator Hynes.

1. SENATOR HYNES:

2. Mr. President, perhaps we ought to hold all three of these until
3. there is chance to distribute an explanation of the contents of the
4. bills.

5. PRESIDENT:

6. Yes, he's indicated he's going to hold them. House Bill 3131,
7. Senator Vadalabene.

8. SECRETARY:

9. House Bill 3131

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, take this one out of the record for the time being.

16. PRESIDENT:

17. House Bill 3169, Senator Egan. House Bill 3179, Senator Lemke,

18. SECRETARY:

19. House Bill 3179

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Lemke.

24. SENATOR LEMKE:

25. This bill appropriates nine hundred and sixty thousand dollars to
26. the Dangerous Drug Commission, all Federal funds. All the dollars
27. contained in the appropriations are Federal, there's no requirement
28. of GRF match. These Federal funds are in the form of two national
29. institutes for drug abuse grants. An umbrella grant for the purchase
30. of treatment of eight hundred and forty-six thousand dollars and a
31. rapid expansion grant of a hundred and fourteen thousand, total of
32. nine hundred and sixty thousand. Monies from the umbrella grant are
33. used to fund community drug rehabilitation programs. The eight hundred

1. and forty-six thousand dollars represents Federal funds which ...

2. PRESIDENT:

3. One...one..one moment, Senator. The gentleman is entitled to
4. your attention, please be in your seats. Continue, Senator Lemke.

5. SENATOR LEMKE:

6. ... The monies from this umbrella grant of eight hundred and
7. forty-six thousand dollars are to fund community rehabilitation
8. programs. They represent Federal funds which previously flowed directly
9. to the local community program, however, due to the changes in HEW
10. regulations, this money must be disbursed through the single state
11. agency during the last seven months of FY '76. The rapid expansion
12. grant of a hundred and fourteen thousand dollars is new. It was not
13. available at the time of the FY '76 budget consideration. The grant will
14. be used to reimburse the cost of physical examinations of persons
15. entering drug treatment programs. I will again say this there is no
16. State General Revenue Fund money involved. This is all Federal money
17. without a match, and I suggest for a favorable roll call.

18. PRESIDENT:

19. Clicketyclack. Have...any further discussion? The question is,
20. shall House Bill 3179 pass? Those in favor vote Aye. Opposed Nay. The
21. Secretary will call the roll.

22. SECRETARY:

23. Bell, Berning, Bloom, Brady, Bruce, Buzbee...

24. PRESIDENT:

25. Brady, Aye...

26. SECRETARY:

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

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1. PRESIDENT:

2. Aye. Vadalabene, Aye. Hynes, Aye. Morris, Aye. Berning, Aye.
3. Bell, Aye. Merritt, Aye. Savickas, Aye. On that question, the Ayes
4. are 47, the Nays are none, with 2 Voting Present. House Bill 3179
5. having received the constitutional majority is declared passed. House
6. Bill 3203, Senator Fawell.

7. SECRETARY:

8. House Bill 3203

9. (Secretary begins reading title of bill) ...

10. PRESIDENT:

11. Oh, oh, ... pardon me, there's an indication there's a hold on
12. this bill, Senator. House Bills on 2nd reading. House Bill 3154,
13. Senator Carroll.

14. SECRETARY:

15. ... House Bill 3154

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments. One Floor amendment
18. offered by Senator Carroll.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and members of the Senate. This amendment
23. was suggested to us by both the Democrat and Republican Senate Appro-
24. priation's Staff. It's a technical amendment making the bill amend the
25. FY '76 existing appropriation, and I would move the adoption of the
26. amendment. I move the adoption of the amendment, Mr. President.

27. PRESIDENT:

28. Amendment No ... any further ...

29. SENATOR CARROLL:

30. Move the adoption of Amendment No. 1 to House Bill 3154.

31. PRESIDENT:

32. ... Any discussion? The question is, all in favor of Amendment No.
33. 1, say Aye. Opposed Nay. The Amendment is adopted. Any further amend-
34. ments? 3rd reading. House Bill 3197, Senator Shapiro.

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SECRETARY:

House Bill 3197 ... excuse me...

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor? 3rd reading. House Bill 3202,

Senator Hynes.

SECRETARY:

House Bill 3202

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments...Senator Hynes.

SENATOR HYNES:

I am...intend to advance this bill now. There may be...

PRESIDENT:

Just a moment, Senator...

SENATOR HYNES:

...There may be...

PRESIDENT:

...Just a moment...

SENATOR HYNES:

...an amendment...

PRESIDENT:

...Will you break up the caucus there right behind you there, Senator. We...now, I'm sorry, go right ahead.

SENATOR HYNES:

I...I...simply said, Mr. President, I would like to move the bill to 3rd...3rd reading. There may be amendments at a later time.

PRESIDENT:

Any further discussion? Any amendments from the Floor? 3rd reading. On the order of Total Vetoes, Page 5 on your Calendar. House Bill 751, Senator Harris.

1. SENATOR HARRIS:

2. Yes, thank you. Mr. President, this bill is really a very
3. simple bill, and a straightforward attempt to provide the benefits of
4. the Senior Citizen Tax Relief Program to be effective at age sixty-five.
5. It permits application to qualify at age sixty-four, so that, in fact,
6. the impact on your local property tax will become operative at age
7. sixty-five. Now, that's the...that's the magic line of demarkation
8. that public policy time and time again states is the full age of
9. affective senior citizenship. It does not impact tremendously heavily
10. insofar as added burden, and quite frankly, I was surprised at the
11. Governor's Veto. I would encourage you to join me in the passage of
12. this singularly effective bill in behalf of that important part of
13. our constituency, the senior citizen group, to affirm this bill
14. affectively the Governor's veto to the contrary notwithstanding. I
15. solicit your favorable roll call...

16. PRESIDENT:

17. Senator...

18. SENATOR HARRIS:

19. ...Thank you, Mr. President.

20. PRESIDENT:

21. ...Senator Donnewald.

22. SENATOR DONNEWALD:

23. Will the sponsor yield? Senator...

24. PRESIDENT:

25. He indicates he will yield.

26. SENATOR DONNEWALD:

27. ...have you conducted a study to determine how much loss there
28. would be to local governmental units?

29. PRESIDENT:

30. Senator Harris.

31. SENATOR HARRIS:

32. My...yeah, my recollection is spread through the entire
33. ... number of taxing districts. It would cost about three million. Now,

1. that would be a one-time affect, thereafter, of course, it would
2. remain static but, that one-time thrust forward, that would be the
3. impact on the sum ... what are there, about twelve thousand separate
4. districts, so it's impact on individual taxing districts, it's not
5. tremendously great.

6. PRESIDENT:

7. Senator Donnewald.

8. SENATOR DONNEWALD:

9. Our studies indicate that it would be approximately four million.

10. PRESIDENT:

11. Any further discussion? Senator Harris.

12. SENATOR HARRIS:

13. Well, I would point out that this doesn't impact on the State at
14. all, and your question, of course, was directed to local property tax
15. affect. Our calculations are that, it would produce about a three
16. million dollar loss, and I'm not sure just how many actual separate
17. taxing districts we have now, but, of course, we have the dubious
18. distinction in the United States of having the most. So when you
19. spread it against all of the separate taxing districts, the impact is,
20. in fact, not great. I would hope that we could make this bill effective
21. by overriding the veto.

22. PRESIDENT:

23. Senator Nudelman.

24. SENATOR NUDELMAN:

25. Thank you, Mr. President, would the sponsor yield for a question?

26. PRESIDENT:

27. He indicates he will.

28. SENATOR NUDELMAN:

29. If the qualifying age is to be reduced from sixty-five to sixty-
30. four for everyone continuously would the sponsor please explain to me
31. how this is a one-time impact and not a continuing impacts where that
32. everyone who arises the age sixty-four gets the benefit of this at that
33. age rather than at sixty-five, and so, therefore, the impact of that

1. one year would continue for each new person reaching the magic age?

2. PRESIDENT:

3. Senator Harris.

4. SENATOR HARRIS:

5. Well, the...the...point is that it then becomes a continuing
6. relationship, and we don't ... to whatever degree there are increasing
7. numbers will become age sixty-five each succeeding each year, it...it's no
8. different than what occurs now at age sixty-six. That is a generally
9. stable figure each year, but adding on the one year of new qualification
10. does have...a...surge affect on that one year, but thereafter the
11. numbers of people except for the change in the total number in that
12. age group, if it is a growing number or a declining number, those are,
13. in fact, the number who would qualify. That's the point I attempted
14. to make.

15. PRESIDENT:

16. Senator Nudelman.

17. SENATOR NUDELMAN:

18. Thank you, Mr. President. I would merely submit, Mr. President
19. and Gentlemen and Ladies, that this is going to have a continuing impact
20. because instead of getting taxes up to age sixty-six, as evidently we
21. presently we do, the tax would cease at age sixty-five for each person
22. reaching that age, and though...therefore, every year we are going to
23. be deprived of the taxes from that one year age...from all the people
24. reaching that one year age group, and I would submit that this is not a
25. one-time impact, but it will be a continuing on-going impact through-
26. out ...throughout the time of the taxation.

27. PRESIDENT:

28. Senator Harris.

29. SENATOR HARRIS:

30. Well, I would point out that the fact is, this law has now been
31. operative, I believe, about five years, and it is now stable, reasonably
32. stable. The number of people who become age sixty-five each year
33. remains relatively stable, and I'm pointing out that this one-time surge

1. occurs when we move the...the qualification age back one year. There-
2. after, the number remains as is the case today of those people who
3. became...become sixty-five each succeeding year becomes relatively
4. stable. There will be a one-time surge and then it will remain stable
5. thereafter. I think that's understandable. The number of people who
6. today ...become...become eligible each year and make application in
7. their sixty-fifth year and actually reap the benefit in the sixth-
8. sixth year now is relatively stable since the law has been operative
9. for some five years or so.

10. PRESIDENT:

11. Senator Nudelman.

12. SENATOR NUDELMAN:

13. Thank you, Mr. President. I would point out that the stability
14. isn't the question. It...well may be stable, but it certainly will
15. be less, and I think we should understand that before voting.

16. PRESIDENT:

17. Any further discussion? Does Senator Harris...desire to close
18. the debate?

19. SENATOR HARRIS:

20. Yes, I would just encourage you all to make affective the benefit
21. of this policy for our senior citizens to make it operative for them
22. at age sixty-five and I would encourage your favorable vote.

23. PRESIDENT:

24. The question is, shall House Bill 751 pass. Those in favor will
25. vote Aye. Opposed Nay. The Secretary will call the roll.

26. SECRETARY:

27. Bell, Berning, Bloom, ...

28. PRESIDENT:

29. Wait a moment, wait one moment. The question was improperly
30. stated. This is a override of a total veto. The question is, shall 75 ...
31. House Bill 751 pass, the veto of the Governor to contrary notwithstanding.
32. Those in favor vote Aye. Opposed Nay. The Secretary will call the
33. roll.

1. SECRETARY:

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

10. PRESIDENT:

11. Bell votes Aye. Harber Hall votes Aye. Merritt, Aye. Mitchler,
12. Aye. On that question, the Ayes are 18, the Nays are 5, with 5
13. Voting Present. House Bill 751 having failed to receive the required
14. three-fifths vote is declared lost. House Bill 2825, Senator Rock.

15. (Continued on next page)

19. (End of reel)

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I have filed a motion which reads that I am moving that House
4. Bill 2825 Do Pass the veto of the Governor to the contrary notwith-
5. standing. House Bill 2825, you will recall, was sent to this Chamber
6. under the sponsorship of Representative Garmisa, and what it intended to
7. do is exempt scrap metal processors from those reporting requirements
8. required of automobile wrecking companies. The Governor, in his
9. message, I feel, frankly, made a mistake. He is concerned, as all
10. of us are concerned, about the identification of purportedly stolen
11. vehicles, but I would point out as I pointed out last June when this
12. bill was before the Senate, that scrap processing deals only with
13. hulks which are processed by the processors and these, in no way,
14. would contain, nor are they involved with any kind of identification
15. numbers. I have received, as Representative Garmisa had received,
16. a telegram or mailgram from the Vehicle Recycling Board of Illinois
17. which strongly urges the override of the veto of House Bill 2825
18. for the reason that it is vitally important, and I quote, "to the
19. future of vehicle recycling environmental quality in the entire
20. automotive scrap industry in Illinois". Scrap recyclers by legal
21. definition in thirty-six states do not handle automotive vehicles.
22. They handle scrap. This is the end of the line in the disposal of
23. recyclable materials, and these materials that they receive contain
24. no engines, gas tanks, wheels and in most instances are totally ...
25. unidentifiable as any type of motor vehicle because they have either
26. been crushed or cubed or both. The requirement that scrap recyclers
27. identify and maintain records on individual automotive bodies they
28. receive is not only impossible but would, and I quote, "would severely

(Continued on next page)

1. affect ongoing programs and employment at county levels in the
2. State of Illinois." As I pointed out before, I had also received
3. a telegram from the Director of the Illinois Institute for Environ-
4. mental quality, which states in part that this proposed amendment
5. which the Governor saw fit to veto would, in fact, allow the system
6. to continue. That is the system for recycling and no governmental
7. subsidies are involved, and that this institute believes that this
8. is the best source of resource recovery and urges our approval of the
9. bill. So, I would move you, Mr. President and Ladies and Gentlemen
10. of the Senate, that House Bill 2825 Do Pass the veto of the Governor
11. to the contrary notwithstanding.

12. PRESIDENT:

13. Senator Harber Hall.

14. SENATOR HALL:

15. Mr. President, fellow Senators, yes, I am on. This bill, I hope
16. each and every member will take a very close look at. I have a file
17. here that speaks in very articulate terms, I think, and very force-
18. ful terms that this is a bad bill. First of all, I would direct the
19. members recollection to the fact that the bill failed when it was
20. first called in the Senate last Spring and that it had a considerable
21. number of negative votes when it finally did pass with 35 votes in the
22. latter part of June, being called from Postponed Consideration. At
23. that time, the Secretary of State, as much trouble as the bill
24. was having, did support it. He no longer supports it. Now, why doesn't
25. he support it and why do many other groups oppose this bill? Simply
26. this - that the problem of theft cars and theft car rings organize
27. to steal cars, rapidly strip them, hide them and thereby profit illegally
28. is a very serious problem in the United States. There are one million
29. cars per year stolen in the United States. The trend to tightening
30. up the titling of vehicles throughout the country is increasing. More
31. rigid titling is being the order of the day and being necessitated
32. by this rapidly expanding business of car theft. With this bill, we
33. would act in direct contravention of the trend and the need. We would

1. interrupt in the train of audit and study of theft car records...
2. the control of cars until they're finally dismembered and recycled
3. into some other products. If this bill were to pass, cars could
4. be swept off the streets in our larger cities, taken to wrecking
5. yards, stripped down in twenty-four hours, crushed and processed
6. without any legal possibility for detection. As it is now, these
7. cars, before they are taken by junk dealers or by processors, must
8. be titled. To take a car and use it in any manner must be done with
9. the knowledge of the Secretary of State, who keeps a complete file
10. on the title of each and every vehicle. I would submit that one
11. of the reputable organizations interested in this is the International
12. Association of Auto Theft Investigators. Another organization known
13. as the Auto and Truck Recyclers of Illinois has this to say - the
14. bill proposed to absolve all scrap metal processors engaged in re-
15. cycling junk and auto hulks from important sections of the Illinois
16. Vehicle Code which required these processors to keep the barest of
17. records for use by law enforcement in tracking stolen records.
18. There are about...the FBI, the Department of Transportation, the...
19. the Department of State, the Customs Bureau are committed to reducing
20. auto theft by fifty percent in the next...in the next five years.
21. They cannot do so with laws like this would be if we pass over the
22. veto of the Governor to this...this poor bill. I think there might
23. possibly be some justification for the arguments for passage. By
24. virtue of the fact that there are a very few industrialists who buy
25. scrap automobiles that have already been pressed out and delivered to
26. their door and this bill would aid them by eliminating them from the
27. requirement to keep a record of the numbers. Now, these numbers could
28. be and are furnished to them now, but...and...and they have to keep
29. these records. Now, this bill will eliminate their keeping records
30. for them and it takes some time for the record process to be accomplish-
31. ed so that they cannot begin immediately their process of metalling...of
32. melting the cars down and processing them. So, there is a delay and
33. it is an inconvenience and it probably has some cost, and with these

1. processors, I...I sympathize, but I don't think we should jeop-
2. ardize our whole protective policy of licensing automobiles and
3. the serious problem of car theft by the passage of this bill, the
4. veto of the Governor notwithstanding.

5. PRESIDENT:

6. Senator Hickey.

7. SENATOR HICKEY:

8. (Machine cut-off)...fellow Senators. I rise in support of Senator
9. Rock's position on supporting this bill and supporting the over-
10. ride. I do agree with Senator Hall that it's a good thing that
11. people are becoming more diligent and that law enforcement is more
12. anxious than it has been about taking care of the problem of auto
13. theft. But, I believe that the scrap processing level is the wrong
14. place to try to do it. I think we need to do something to more
15. strongly enforce the regulations at the auto records level when
16. there is still identity possible, and...but by the time that it reaches
17. the scrap processor, it doesn't make any difference. I talked to
18. the chief police of Rockford about this. We've had a lot of problems
19. such as Senator Hall spoke of within the last year, of even scavengers
20. picking up automobiles which they assumed they said were abandoned,
21. but which turned out to be simply immobile and taking them to the
22. auto wreckers. But, they were able to find all of these cars at the
23. the auto wrecker. It didn't have to go onto the scrap processor, and
24. I think we're...we're...we're simply after the wrong guy if we're...
25. if we're saying that the scrap processor must not be exempt from
26. registration. And so, I...I ask you to consider to override. Thank
27. you.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. I'd like to ask a brief question of the sponsor when he's free.
32. Maybe...maybe someone else...

33. PRESIDENT:

1. Senator Wooten wants to speak to the bill, so if he wants to
2. go ahead and then you can get back to it. Now, you know why we don't
3. want phones on this Floor. Senator Wooten.

4. SENATOR WOOTEN:

5. Thank you, Mr. President and colleagues. I...I have roughly
6. the same thing to say as when this bill first passed here that I
7. was approached by people who processed scrap who were disturbed
8. by the bill, pointing out that they do have problems. But the
9. solution presented in this bill gives them more problems which is
10. that of staying honest because the temptation then becomes over-
11. whelming for many people to get involved in illegal activities
12. regarding auto theft. There's no doubt that we lay a burden on
13. the processor which should be alleviated to some extent. But, as
14. a man involved in the business told me - you can do that by regula-
15. tion. If you take this step, you simply are going to create a
16. climate in which auto theft and disposal will be facilitated. He said it's
17. a good idea to give us some relief, but not in this form. You're
18. opening the door to widespread abuse. We already have some trouble
19. with people in our business and the trouble is going to spread if you
20. take this course of action. I absolutely agree that the processor
21. needs some relief, but not in this form, because we're going to have
22. to come back and take some corrective action on an abuse that is
23. growing and we need not facilitate that growth.

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President. Senator Rock, am I correct that the
28. bill would provide a new exemption. That is for persons who pro-
29. cess junk autos would relieve them of the requirement of returning
30. the title to the Secretary of State, and that is the requirement
31. that they now have to meet.

32. PRESIDENT:

33. Senator Rock.

1. SENATOR ROCK:

2. Your...your statement is in part correct. There is an
3. exemption...provided. However, the way you couched it, these
4. persons do not deal with junk autos. They deal with scrap metal,
5. which is then directly shipped to steel mills for recycling. Now,
6. there's...as I understand it, there's about a three step process,
7. and these persons are the last in line. So, that by the time this
8. piece of scrap metal reaches them, there is no longer any...it is
9. what...what is by definition called a hulk. There is no longer any
0. ...it is no longer identifiable as a junk auto or a junk chair or
1. a junk chandelier, it is a hulk of metal which is then sent to the
2. steel mills.

3. PRESIDENT:

4. Senator Glass.

5. SENATOR GLASS:

6. However, at the present time, is there simply no mention of
7. this...this category. It seems to be a little bit vague. I mean
8. a...persons who process junk autos is...there's just a requirement
9. that everyone who handles such an auto must return the title or to
0. the State. The concern I have is...is something along the line...
1. Senator Wooten was driving at, I think. Are we creating a new
2. exemption for people that are now supposed to return these titles?

3. PRESIDENT:

4. Senator Rock.

5. SENATOR ROCK:

6. The answer directly is, no. When...when the bill...when the...
7. when the law was passed, as I understand it, to require this affidavit
8. or piece of paper identifying an automobile or junk or abandoned
9. automobile, it was not intended in any way to cover this step
0. which is the scrap metal processor. The statute as written is frankly
1. ambiguous, and there is some concern and that is the reason for this
2. bill in the first instance to make it perfectly clear. And I have
3. the accord of the Secretary of State of this State to make it perfectly

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1. clear as has been made clear in thirty-six other States, that
2. this requirement was never intended to cover those in the business
3. of processing. The processing is the last step in the recycling
4. process. From the processor it goes right to the steel mill. And
5. the second step where you have the automobile wreckers, those are
6. the persons that are intended to be covered by the statutes, and they
7. are still covered.

8. PRESIDENT:
9. Senator Glass.

10. SENATOR GLASS:
11. Just one final question. What is the definition in the bill
12. of scrap metal processor, if there is one?

13. PRESIDENT:
14. Senator Rock.

15. SENATOR ROCK:
16. Well, the way the bill reads, scrap metal processors engaged
17. in the business of processing, recycling and manufacturing junk
18. auto hulks. And the operative word is hulk. By definition, a
19. hulk is a piece of metal upon which there is no identification
20. number, so that this is the final step. The auto wrecker deals
21. in junk autos where there is, in fact, an identifiable or an
22. identification number, either on the engine or the door or where-
23. ever they put it, I frankly don't know. But the hulk, as I under-
24. stand it, is the operative word.

25. PRESIDENT:
26. Senator Ozinga.

27. SENATOR OZINGA:
28. Senator Rock, is this not the same bill that at the time when
29. it was up in the Senate was put on Postponed Consideration to
30. receive an answer from the Secretary of State as to whether or not
31. he went along with this bill?

32. PRESIDENT:
33. Senator Rock.

34. SENATOR ROCK:

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1. That is correct and the answer from the Secretary was at
2. that time and is at this time, yes.

3. PRESIDENT:

4. Senator Ozinga.

5. SENATOR OZINGA:

6. Do I understand you right then that the Secretary is in
7. accord with this bill right now?

8. PRESIDENT:

9. Senator Rock.

10. SENATOR ROCK:

11. That is correct.

12. PRESIDENT:

13. Senator Ozinga.

14. SENATOR OZINGA:

15. Well, I have just received word not too long ago, in fact,
16. just in the last two days that he was not in accord with this.
17. Do you have something that positively states this?

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Well, I...I don't know where you got your word from. I have
22. spoken with Michael J. Howlett, who is in fact, the Secretary of
23. State.

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. Following one other situation. Now, Senator Glass just
28. touched upon the idea of scrap processor and you have given a
29. definition, is this definition in the bill?

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

33. My response to Senator Glass was, in fact, a direct quote

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1. from House Bill 2825.

2. PRESIDENT:

3. Senator Ozinga.

4. SENATOR OZINGA:

5. All right. With all of that information, I still wonder, and
6. the reason I do that, is because they have been answers to such
7. a degree that lead me to wonder as to whether or not this will
8. facilitate these auto thefts. I would wonder how many auto wreckers
9. that deal in hulks are also scrap processors, or in other words, it
10. can all be in one processing where it would make it so much easier,
11. and from all that I can gather, from all indications, there are
12. just a few that are vitally interested in this bill.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Well, in answer to Senator Ozinga's wonder, there are none,
17. in fact.

18. PRESIDENT:

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President, I rise also to support Senator
22. Rock's motion and maybe can clarify some of the statements, having
23. also found out a little bit about the industry and the way this works.
24. Senator Glass and Senator Ozinga, this is a recycling of metals. A
25. junker buys the car and it is his responsibility to be licensed and
26. it is his responsibility, the car junker, to turn that title back
27. in. Once he has done that and reduces that car to a hulk and has
28. already surrendered the certificate, it then goes on to the next
29. step, which is this scrap processor, who then bales it and sends
30. it back to the steel mills to be used for new steel. If that
31. processor wants to deal with a hulk, which is identifiable as a
32. vehicle, he must also be licensed, he must get the title, and he
33. must surrender that title with that number. But once that has already

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1. been done on the car once and it goes on as a hulk to the next step,
2. not only is there no need to send that title in again, which you
3. don't have, but you can't identify the door, the fender, or the
4. pieces that have been baled, as any identifiable product. That's
5. why the processors in the vast majority of the States, because they
6. are dealing in hulks, have been exempted from this type of regulation.
7. It's something that they just cannot comply with at that stage of the
8. process. If they jump into the process earlier, they're going to
9. be regulated, they're going to be licensed and they're going to
10. have to supply the titles.

11. PRESIDENT:

12. Senator Berning.

13. SENATOR BERNING:

14. Thank you, Mr. President. I'd like to ask one point of clarification
15. of the sponsor.

16. PRESIDENT:

17. He indicates he'll yield.

18. SENATOR BERNING:

19. When...when you indicate that the hulk is no longer identifiable
20. I ask you how is the identifying number removed, bearing in mind, that
21. in most instances the serial number, the identifying number of that
22. vehicle is on the cowl or firewall just outside the windshield and
23. visible either with the hood up or sometimes down. When that is
24. crushed, that number is still there, still available to the individual
25. who is interested in circumventing the law as I see it. So my
26. question is, when you say there is no...way of identifying that
27. unit, how is that number removed and then what becomes of that
28. segment of the hulk which has the number on it? I think this is
29. part of the whole problem about changing the number on a subsequent
30. vehicle by inserting the old number.

31. PRESIDENT:

32. Senator Rock.

33. SENATOR ROCK:

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1. Well, I...I thought that Senator Carroll had...had made that,
2. or attempted to make that clear. This is the final step. The
3. second step is the one about which you're concerned and I share
4. that concern and those persons are, in fact, licensed and regulated
5. by the Secretary and they do, in fact, have to surrender the title
6. or some equivalent to the Secretary's office. The bill, as I
7. understand it and as it reads, deals with hulks scrap metal which
8. have been crushed and compressed into specific grades of iron and
9. steel scrap suitable for melting by steel mills.

10. PRESIDENT:

11. Senator Berning.

12. SENATOR BERNING:

13. I..I follow you and yet that number is still there on that
14. cowl, and I think this is where part of the difficulty arises.
15. The potential for someone utilizing that number and that portion
16. of the vehicle, if you will, to superimpose it on another vehicle,
17. still exists as a means of circumventing the titling of a stolen
18. automobile. Now if there is some way that this number is removed,
19. so that the processor really has no way of identifying the unit
20. that remains, the hulk, then there could be justification for what
21. you are saying, but as long as there is an identifying number on
22. that hulk, and that's true to the best of my understanding in all
23. cases of automobiles, until that number is obliterated, there is no
24. way that you can be assured that the number will not be diverted.

25. PRESIDENT:

26. Senator Soper.

27. SENATOR SOPER:

28. Thank you, Mr. President. Senator Rock, there is only one
29. thing that disturbs me about this. When a junker gets a car or
30. a fellow that sells you his parts of an automobile, there's an
31. accident, there's certain parts of that automobile that can be
32. used and they're sold. Now...a then he takes the remainder and
33. he crushes it and he sends it over to the fellow that disposes it,

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1. whatever he does with it, melts it up. Now, it comes to my mind that
2. there's certain parts on an automobile that can be used when they're
3. stolen and then if a yard is a...is a fence for...for thieves, all
4. they have to do is report some of these junk cars that they've
5. picked up, they have numbers on, crush the rest of the stuff
6. that they can't sell, because there are numbers on them and dispose
7. of the...dispose of the metal to the...to the fellow that melts it
8. down. Now, if this junkyard or this...or this fence, sends in
9. more weight to the disposer of this, then he can be caught up with
10. because you know what the weight of a car is, how much stuff is
11. sold off a car and what numbers or where the numbers appear. And
12. if it, there is an unusual amount of weight sent to a...a one that
13. disposed of it...disposes of the parts of a car that are not usable
14. because of the fact that they are destroyed, then there is a suspicion
15. and then there can be an investigation and...and in that way they
16. can't circumvent the law, so I think there's got to be a little
17. tightening up on this bill before this bill should become law.

18. PRESIDENT:

19. Senator Harber Hall.

20. SENATOR HALL:

21. I don't propose to talk twice, except there's just one question
22. that we disagree on here.

23. PRESIDENT:

24. Senator Hall has a question, Senator Rock.

25. SENATOR HALL:

26. Senator Rock, I have just, since this discussion began, I have
27. just talked to Mr. Ward Johnson of the Secretary of State's office,
28. who is here in back of the room. He informs me that the Secretary's
29. position went from favoring to no position yesterday and that is
30. the position that the Secretary is in right now, is having no
31. position in regard to this bill. I wonder if you had a later word
32. than that since it was Mr. Johnson of the Secretary's office.

33. PRESIDENT:

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1. Senator Rock.

2. SENATOR ROCK:

3. No, I have been standing here on the Floor, I have not spoken
4. with Mike this morning.

5. PRESIDENT:

6. Any further discussion? The question is shall House Bill 2825
7. pass, pardon me. Senator Rock.

8. SENATOR ROCK:

9. Well, I just wish to close.

10. PRESIDENT:

11. You may close the debate. Go right ahead, I'm sorry.

12. SENATOR ROCK:

13. Thank you. Very...very briefly, I wish to close and point
14. out that the same kind of discussion occurred in June when this bill
15. came around the first time and apparently the same kinds of mis-
16. understanding is...is still extant. This is as I understand it,
17. a three step process and the concern that has been expressed here
18. about stolen automobiles and fences and everything else is in fact,
19. in step two, which is in fact licensed and regulated by the Secretary
20. of State. This is step three and we want to make it clear as thirty-
21. six other states have done, that step three is in no way involved
22. with junked automobiles. They are involved with processing scrap
23. metal, period. And on that basis, I would move, Mr. President, that
24. House Bill 2825 do pass, the Veto of the Governor to the contrary
25. notwithstanding.

26. PRESIDENT:

27. The question is shall House Bill 2825 pass, the Veto of the
28. Governor to the contrary notwithstanding. Those in favor will
29. vote Aye. Opposed Nay. Mr. Secretary please call the roll.

30. SECRETARY:

31. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
32. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
33. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey,

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

6. PRESIDENT:

7. Egan, Aye. Buzbee, Aye. Senator Rock.

8. SENATOR ROCK:

9. I would request of the Chair to call the absentees, please.

10. PRESIDENT:

11. Call the absentees.

12. SECRETARY:

13. Berning, Bloom, Brady, Course, Daley, Davidson, Graham, Johns,
14. Kosinski, Lemke, Howard Mohr, Morris, Newhouse, Philip, Romano,
15. Savickas, Schaffer, Weaver.

16. PRESIDENT:

17. Pardon me. Morris, Aye. On this question the Ayes are 29 and
18. the Nays are 14, Senator Kosinski. I'm in the process of announcing
19. the roll call now. The Ayes are 29, the Nays are 14 and 1 Voting
20. Present. House Bill 2825 having failed to receive the required
21. three-fifths vote is declared lost. House Bill 3122, Senator Clarke.
22. No call. On the order of Specific Recommendations for Change,
23. House Bill 2058, Senator Harris. House Bill 3024, Senator Daley.
24. On the item of Specific Recommendations for Change, House Override,
25. Amendatory Veto, page 6, House Bill 2692, Senator Schaffer. For
26. what purpose does Senator Vadalabene arise?

27. SENATOR VADALABENE:

28. Yes, Mr. President, if you're waiting for intervening business,
29. House Bill 233 is on Postponed Consideration and I would like to
30. take that back off of Postponed Consideration to 2nd reading if
31. it is possible, for the purpose of an amendment.

32. PRESIDENT:

33. Is leave granted? Leave is granted. House Bill 233 is now on the
34. order of 2nd reading for the purpose of an amendment. Read the

1. amendment.

2. SECRETARY:

3. (Secretary reads Amendment No. 2 to House Bill 233)

4.

5.

6.

Continued on next page

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33.

1. PRESIDENT:

2. Senator Vadalabene moves the adoption of this amendment.

3. All in favor say Aye. Opposed Nay. The amendment is adopted.

4. Any further amendments? The bill is returned to the order
5. of consideration postponed. Resolutions. Hold the resolutions
6. one moment. The Senator's ready on...now on the order of
7. Specific Recommendations for Change. House Bill 3024, Senator
8. Daley.

9. SENATOR DALEY:

10. Mr. President and fellow Senators. There's a motion filed on
11. House Bill 3024 to accept the Governor's Specific Recommendations
12. for that specific bill. The two changes in the bill are, number
13. one: there was an ambiguity in regards to whether or not this will
14. give Illinois the concurrent jurisdiction with the Federal government
15. to inspect businesses in regards to the minimum wage in Illinois.
16. Presently, we do not have the concurrent jurisdiction. The Governor
17. did place this language in the bill. Secondly, the bill was passed
18. after June 30th, '75. As we know, the bill was supposed to be
19. effective October 1, 1975. There's a change in there. The Governor...
20. stated that the bill should become effective December 1, 1975. I
21. need thirty-six votes in regards to this. I'd ask for a favorable roll
22. call.

23. PRESIDENT:

24. Any further discussion? Senator Graham.

25. SENATOR GRAHAM:

26. Now, Mr. President, when the Governor started meddling around
27. with this bill, as he has a habit of doing with other bills,
28. I think he performed an injustice, and I think that no one is hearing
29. what I'm saying. When...when we amended this bill, Senator Daley
30. and I amended the bill, we took into account that under the Fair Labor
31. Standard Act of 1938, there was about three million workers in Illinois
32. covered. We made a sincere effort to embrace that philosophy in
33. Senate Bill 3024. His Excellency felt that it was necessary again

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1. that he start meddling with something that he had no business getting
2. into, as far as I'm concerned, and we should have left that
3. portion of Senate Bill 3024 as we worked out in our Committee
4. on Labor, Commerce, and Industry last year, and not have this
5. occasion come up with regard to him amending out that portion
6. dealing with the Fair Labor Standards Act. I'm saying to you,
7. Ladies and Gentlemen of the Senate, that when we vote on Senate
8. Bill 3024, with thirty votes we can establish the effective date
9. with thirty votes. I'm suggesting to you, Ladies and Gentlemen
10. of the Senate, that we get the thirty votes, but that we get
11. less than thirty-six votes, because if we get less than thirty-six
12. votes, then we're not dealing with the Governor's veto where
13. he took out the provision on the Fair Labor Standards Act. So
14. I'm suggesting that we be alert on this roll call, and that we get
15. thirty votes, at least, but less than thirty-six. I commend this
16. to the attention of the Gentlemen on our side. If we have to go
17. through a couple of roll calls we might be able...might be able to do
18. it that way. I would suggest that we get not more than thirty votes.

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well, I have heard Senator Graham's comments, and I'd like to
23. make a parliamentary inquiry. That is, since the Amendatory Veto
24. puts in an effective date other than July 1, the effective voting
25. less than thirty would assume that we would not adopt the Amendatory
26. Veto, which means the bill would not become effective at all.

27. PRESIDENT:

28. No, he did not say less than thirty. He said...

29. SENATOR BRUCE:

30. No, if we get thirty, but less than thirty six, since the
31. amendatory veto itself requires a three-fifths vote, does that
32. not make 3024, in fact, a dead bill, and does not become effective
33. at all?

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1. PRESIDENT:

2. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President. We're accepting Specific Recommendations. That
5. takes thirty votes. We're accepting the...recommendations, and
6. I'm informed by our people, with thirty votes, will accept the...the
7. provision to make it effective December 1st, nineteen hundred, seventy-
8. six. We are saying, however, that we don't want the Governor's
9. Amendatory Veto with regard to the Fair Labor Standards Act to
10. prevail, that part of his...veto message, and if we don't do that...
11. if we don't have thirty-six votes, that will not prevail. That's
12. what I'm told by our legal counsel. I think that's the understanding
13. Senator Daley has.

14. PRESIDENT:

15. Senator McCarthy.

16. SENATOR MCCARTHY:

17. Yes, Mr. President and members. The instructions or the
18. suggestions that Senator Graham gives you is that, give this
19. thirty votes and then you can say that you've done something.
20. But what the Legislature has done, has passed the bill to the
21. Governor, with an overwhelming vote. I forget the amount, but I think
22. it was nearly unanimous, I may be incorrect in that. The Governor
23. wanted to correct the provision where there...where the concurrent
24. jurisdiction on the employing units more...handling more than
25. two hundred and fifty thousand dollars per year, was in there, and he
26. did correct it that way and he also wants the effective date to be
27. December 1st of this year. Now, thirty-six votes are the number of
28. votes that I think are proper to make the effective date of the
29. bill December 1st of this year. If you don't get thirty-six votes,
30. the bill is somewhere, postponed into the future where you will
31. have mass...you will have confusion. And the safe way to do this
32. is to accept the recommendations of the Governor, the bill will then
33. become effective December...December 1st of this year, and people...

1. people understand the implications of this bill. If we, as a
2. Legislative Body get into parliamentary maneuvers, say we're passing
3. a minimum wage law with the effective date uncertain, into limbo,
4. you are going to confuse the employers, you are going to confuse the
5. employees, and that is not the purpose of this Body to confuse.
6. The purpose of this Body is to make certain. And so, Mr. President,
7. I'm suggesting thirty-six votes and the issue is clear.

8. PRESIDENT:

9. Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President, I'd like to suggest to Senator McCarthy,
12. that you've done enough confusing of employers already, and the
13. employees of the State of Illinois. I did misstate my...on my comments
14. with regard to the effective date, I misstated. I have no
15. quarrel with the effective date of this being this year, nineteen
16. hundred, seventy-five, December 1. I'm saying to Senator McCarthy,
17. that it is time that we take some action. I can understand.
18. I don't want to gyp you out of any fees, Senator McCarthy. But, I'm
19. saying to you, Sir, that three million workers in Illinois are
20. now under the Fair Labor Standards Act, and we incorporated that in
21. our amendment and the Governor sees differently, with regard
22. to his action. I'm saying that we have an opportunity to do something.
23. And I don't think we're going to confuse this issue any worse than
24. he has, and with your help, it's getting worse. I suggest we only
25. have thirty votes, or less than thirty-six.

26. PRESIDENT:

27. Senator McCarthy.

28. SENATOR McCARTHY:

29. Let's...let's narrow it down here, and so all of...all of the people
30. that can afford lawyers that make less than two dollars an hour,
31. they'll...they'll be able to find somebody some...someplace.
32. Now Senator, what this is, of course, it...the last point is, we're
33. in agreement that we want the bill to become effective December 1st

1. of this year. The only remaining question is, is whether or not there
2. should be concurrent jurisdiction on a group of employees in the
3. State of Illinois, who are exempt who...who are not exempt under the
4. Federal Act, but are exempt under the State Act. What it means is,
5. employees of...employers doing two hundred and fifty thousand dollars
6. per year, that they should be subject to concurrent investigative
7. jurisdiction by the State of Illinois and the United States Government.
8. That's the thrust of this bill. It's true in the Income Tax Law
9. where you have concurrent jurisdiction, it's true in the
10. Commerce Commission law, it's true in a lot of laws and that's
11. the...

12. PRESIDENT:

13. Will the members be in their seats.

14. SENATOR McCARTHY:

15. ...that's the suggestion of the Governor. I happen to think
16. it's a good one, because it will divide up the work between the
17. supervising by giving concurrent jurisdiction between the Federal
18. and the State Agencies. And I personally think the State Agencies
19. should have concurrent jurisdiction because if an employer has some
20. legitimate gripe about his investigation, he can get better action
21. in Springfield if he's got a legitimate gripe about investigative
22. practices rather than have to go to Washington and go through their
23. bureaucracy. So I applaud the Governor on his veto, which really
24. corrected this bill. I think that's the only issue remaining.
25. I'd like thirty-six votes, if possible.

26. PRESIDENT:

27. Senator Graham.

28. SENATOR GRAHAM:

29. Senator McCarthy, I have one fear that I think you share with
30. me, or should share with me, with regard to this bill. If we don't
31. take the course of action that I'm suggesting, then there is no
32. reason for us to believe that the State Agencies couldn't raise the
33. minimum wage above that established by the Fair Labor Standards

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1. Act of 1938, in the Federal Government. And that concerns me,
2. and it should concern you. Or you're turning it over to that other
3. lawyer, huh?

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Yes, Mr. President, perhaps we ought to clarify the reason
8. this bill was in the posture that we find it. The bill passed the
9. House and came to the Senate and was not passed in the Senate
10. until after June 30th. The bill, as it passed on June 30th, had no
11. effective date. It would have been effective, therefore, even though
12. it passed the Senate by a three-fifths vote. It would have been
13. effective July 1. The Governor contacted the interested parties,
14. including the sponsor, and asked if it would be appropriate
15. to put a December 1st effective date by Amendatory Veto. That
16. Amendatory Veto was agreed to. The effective date was placed in the
17. bill, and we find ourselves in...in a situation of adopting the
18. December 1 effective date. The rates, in fact, do not go in effect,
19. as it's stated in the original bill, until January the 1st. But the
20. bill, as it passed this Body on July the 1st, after our June 30th
21. constitutional deadline, got a three-fifths vote, but had no effective
22. date. That's what the Amendatory Veto adds, is an effective date.
23. Because we find ourselves in the year where we are, it would
24. obviously require a three-fifths vote to make the Amendatory Veto
25. effective and since that is the topic, failure to give a three-fifths
26. vote or thirty-six votes, means the Amendatory Veto is not accepted,
27. and under our constitution, it would be, in fact, be treated as a
28. vetoed bill, and not ever become effective.

29. PRESIDENT:

30. The question has been asked of the Chair, by way of parliamentary
31. inquiry, concerning this bill. Let me...and this is an interesting
32. question, and I hope you'll be interested. The Message from the House
33. reads as follows:

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has accepted the Governor's
3. Specific Recommendations for Change to a bill with the
4. following title, in the adoption of which I am instructed to
5. ask the concurrence of the Senate, to-wit:

6. House Bill 3024, which amendments are as follows:

7. Amendment number one to House Bill 3024: Acceptance of the
8. Governor's Recommendations. Amendment number two: This amendatory
9. act of 1975 should take effect on December 1st, 1975. Now, therein
10. are embraced two specific questions. One, as has been suggested,
11. could be...the acceptance would have to be, of course, by thirty-six
12. votes, and to accept Amendment number two, would be different. Now, if
13. this message had been divisible, had been in two parts, then we could
14. treat them individually. It is one message. It is the Chair's
15. opinion that we have to either accept the...this matter in its
16. entirety, or to reject it in its entirety. We have to follow
17. what the House did and accept the entire message or reject the
18. entire message. There's no way to develop an economy. It cannot
19. be divided. Any further discussion? Senator Mitchler.

20. SENATOR MITCHLER:

21. Well, Mr. President, I don't quite get the answer to the
22. original question. If...if thirty votes are cast on this question,
23. what would the posture of the bill be at that time?

24. PRESIDENT:

25. It would mean that the Senate did not accept the Specific
26. Recommendations of the Governor. In that event, the bill would
27. die.

28. SENATOR MITCHLER:

29. All right. All right, thank you. Now may I just make a comment
30. on the...on the bill? Now, House Bill 3024, with the changes recommended
31. by the Governor, it does change the effective date to December 1, 1975,
32. with which I have no quarrel, I don't believe that's really the matter
33. of debate. But, the Governor did make some changes that I do believe

1. are very important. And that would be that it would bring the
2. more than three million workers in Illinois, that are now covered
3. by the Fair Labor Standards Act of 1938, under concurrent jurisdiction
4. of the Federal Minimum Wage Law, and the Illinois Minimum Wage Law
5. through the Department of Labor. Now, this is what could happen.
6. Presently, the more than three million workers under the Fair Labor
7. Standards Act of 1938, that of those employers that employ more
8. than fifteen people or any employer who is involved in interstate
9. commerce, are covered by the Federal Minimum Wage Law. They have
10. been for a long period of time. But if we did get this concurrent,
11. it could very well be that the Illinois Minimum Wage Law would have things
12. in it that would be in conflict with the Federal, and thereby,
13. instead of the Illinois Minimum Wage Law pertaining to those not
14. covered by the Fair Labor Standards Act, would cover them, and it would
15. extend itself over the three million workers. And now some of the...
16. Illinois could very well, in many cases, have a minimum wage
17. far in excess of the Federal Minimum Wage Law. And there you would
18. have again, confusion. And this, as I believe, is what Senator
19. Graham was alluding to. I think we've confused the employers in
20. industry and businessmen in the State enough by some legislation
21. we passed and this would even go to greatly confuse them more.
22. So, if that's the case, then, maybe it wouldn't be bad if we didn't
23. even come up with thirty votes on this bill.

24. PRESIDENT:

25. Any further discussion? Senator Smith.

26. SENATOR SMITH:

27. Mr. President and members of the Senate.

28. PRESIDENT:

29. Just a moment, Senator. Senator Smith is one of the quietest
30. members in this Body when he is not addressing this Body. He's
31. entitled to attention. Now, will you...Mr. Sergeant-at-Arms,
32. clear the back. Mr. Sergeant-at-Arms, wherever you are. There's some
33. noise...peace back there. Senator Smith.

1. SENATOR SMITH:

2. Briefly, Mr. President, and members of the Senate.

3. I am overly interested in the vote with regards to this bill.

4. The older members here will recall the fact that Illinois

5. was the last large industrial state to pass a minimum wage

6. act. Others had tried a goodly numbers of years since I became a

7. member of this Body, and some few years ago I handled a minimum wage

8. act and we were successful in becoming the last, as I said, large

9. industrial state in this nation to accept legislation of that sort, of

10. that particularly legislation. Now, what I'm disturbed about here, Mr.

11. President, is the suggestion on the part of Senator Graham, in

12. reference to the numbers of votes necessary. I know the number

13. that the present sponsor of this bill rather fears, and I do too.

14. You ruled on yesterday, and you've reiterated that ruling here today,

15. that we, here in this Senate, must act exactly in accordance to the way

16. that the House did. And the House Bill...and the House...when the

17. bill went in the House according to what has been stated here and

18. received thirty-six votes. Now, I have been knowledgeable of the

19. reasoning of the membership here in the Illinois State Legislature,

20. with reference or regards to minimum wage laws. It's a difficult

21. thing to pass.

22. PRESIDENT:

23. Just a moment. Will the members be in their seats. Those not

24. entitled to the Floor. Now, please, will the members be in their seats.

25. I can't hear the Gentleman, and I'm sure you can't either.

26. SENATOR SMITH:

27. Now...

28. PRESIDENT:

29. Senator Smith, continue.

30. SENATOR SMITH:

31. ...I merely wish to say that we have a minimum wage act law here,

32. now. And I know that it was with considerable reluctance that the

33. membership of this Body saw fit to give us thirty votes when this.

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1. bill was before the Legislature just a few years ago. I became
2. exceedingly nervous when the young Senator, who is now handling
3. the bill, sought to amend it. I think during his first term here
4. in this Body. You did succeed, Sir. And I'm hoping and praying that
5. you succeed here, today. The Chair has, in his wisdom, ruled that
6. thirty-six votes are necessary. And I know how hard and difficult it is
7. in this particular Body to get thirty-six votes. But that is
8. your ruling, is it not, Mr. Chairman?

9. PRESIDENT:

10. Yes, Sir.

11. SENATOR SMITH:

12. Now, with all that is a part of me and in all earnestness,
13. I pray that we succeed in getting thirty-six votes here on the
14. subsequent roll call.

15. PRESIDENT:

16. Senator Daley may close the debate. Senator McCarthy.
17. Just a moment. Senator McCarthy.

18. SENATOR McCARTHY:

19. Mr. President, I...I think it's probably against the rules to
20. speak more than once on the subject but...

21. PRESIDENT:

22. Well, you...you do that so seldom, we're going to waive that.
23. Go ahead.

24. SENATOR McCARTHY:

25. Thank you. Now, Mr. President and members of the Body, the issues
26. as I see it, and I ... I think I'm correct, are these. The effective
27. date, December 1, both sides of the aisle agree on that?

28. PRESIDENT:

29. Yes, the effective date is December 1, 1975.

30. SENATOR McCARTHY:

31. '75. Thirty-six votes necessary to make it. They agree upon
32. that? What they are objecting to is concurrent jurisdiction between
33. the Federal inspectors on minimum wage and the State inspectors.

1. PRESIDENT:

2. Well, that is...that is the logic of the bill, and that is
3. a philosophical question.

4. SENATOR MCCARTHY:

5. Yes.

6. PRESIDENT:

7. You are either for that or you are against that.

8. SENATOR MCCARTHY:

9. Right.

10. PRESIDENT:

11. The other questions are sort of peripheral.

12. SENATOR MCCARTHY:

13. I just would like to state that insofar as concurrent jurisdiction
14. is concerned, it's the only sensible way to do it. We have a State
15. Labor Inspector, who goes in now, to inspect on the six day week,
16. concurrent jurisdiction with the Federal. He goes in to inspect
17. on the eight hour day, concurrent jurisdiction with the Federal.
18. He goes in to inspect on income tax, concurrent jurisdiction with the
19. Federal. What these agencies want to do, is be able to sit down the
20. Federal and the various states and carve out their assignments
21. so that you won't have...so that the work will be divided. This is
22. a logical, sensible way to do it, and it's the only way in which
23. I believe the employers and the employees will know what the
24. Act means. And I would conclude further, that if this fails to
25. get thirty-six votes, I think it probably leaves the issue clouded,
26. which will leave a lot of people confused that are intensely
27. interested in it. I would urge the thirty-six votes.

28. PRESIDENT:

29. Senator Daley may close the debate.

30. SENATOR DALEY:

31. Thank you, Mr. President and fellow Senators. Originally the
32. bill, in regards to Labor Committee and venturing onto the Floor,
33. the agreement was that the bill would be effective July 1, '76

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1. and at that time, they would have received concurrent jurisdiction
2. from the State and the Federal government. Unknown to the sponsor
3. of the bill, the Governor changed it after October when he sent the
4. message in regards to Specific Recommendations for Changes. I think
5. there's a constitutional question, here. It's all we heard
6. for the last week. Any time we want to vote against a bill...for
7. or against a bill, you raise a constitutional question. Whether
8. or not it needs thirty or thirty-six, I think it's up to the courts.
9. I would ask for a favorable roll call. Of course, I'm seeking
10. thirty-six votes. Thank you.

11. PRESIDENT:

12. The question is shall the Senate accept the Specific Recommendations
13. of the Governor as to House Bill 3024. Those in favor vote Aye.
14. Those opposed will vote Nay. Mr. Secretary, please call the roll.

15. SECRETARY:

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

24. PRESIDENT:

25. Newhouse, Aye. Brady, Aye. Egan, Aye. McCarthy, Aye. Buzbee,
26. Aye. Senator Smith. On that question, the Ayes are 33.34, the Nays,
27. are 1. The Specific Recommendations of the Governor as to House Bill
28. 3024, having failed to receive the required majority of Senators
29. elected, the three-fifths vote of Senators elected, are declared
30. not accepted. On the order of Consideration...Senator Mitchler.

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1. SENATOR MITCHLER:

2. Just for clarification, Mr. President. That last bill, House
3. Bill 3024, having received thirty-four votes, do I understand now,
4. that House Bill 3024 has been laid to rest completely, or is that to
5. be...portions of that to be effective July 1, '76?

6. PRESIDENT:

7. It is the Chair's judgment that it has met its demise. It is
8. dead.

9. SENATOR MITCHLER:

10. Thank you.

11. PRESIDENT:

12. On the order of...on the order of Consideration Postponed.
13. House Bill 2971, Senator Hynes.

14. SENATOR HYNES:

15. Mr. President and members of the Senate. We have debated this
16. issue at great length, here on the Floor, privately in discussions,
17. and even more extensively I suppose, in the news media. But the moment
18. of truth, with respect to this matter, has arrived. It is here and
19. now. And I would suggest that the membership of this Body think
20. very carefully about the decision we are about to make. The restora-
21. tion involved in this motion amounts to eighty-one million dollars, on
22. a State-wide basis. Approximately eighteen million dollars of that
23. amount would go to the Board of Education of the City of Chicago,
24. sixty-three million dollars to states around the ... to schools around
25. the rest of the State. This is not the first time that we have
26. faced this issue. In 1974, we faced an identical problem. The Governor
27. reduced the appropriation in his recommendations for full-funding
28. by seventy-eight million dollars, almost the identical amount involved
29. here. On that occasion, the General Assembly, and in particular, the
30. Senate, met the challenge and fully-funded the School Aid Formula.
31. And we did that in the face of a prediction at that time, that the
32. fiscal posture of the State was such that we were flirting with
33.

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1. bankruptcy and that we could not afford that appropriation.
2. The fact of the matter was, Mr. President...Mr. President, could we
3. have some order, please?

4. PRESIDENT:

5. Yes, it is absolutely...let's break up the caucus right here...
6. right here. Senator Nimrod and these other gentlemen. Please.
7. Now this is still the State Senate. It has not the ornate appearance
8. as our normal chambers, but it is still the State Senate.
9. It is neither a ballroom nor in poolroom, and I would ask you to
10. demean yourself in a way that reflects that this is the State Senate.
11. Will the members be in their seats. Continue, Senator Hynes.

12. SENATOR HYNES:

13. In that...on that occasion in 1974, we were threatened with
14. the same dire predictions. They did not come true. They will
15. not come true on this occasion. We are speaking about an amount
16. that is...is less than one percent of the State budget. We can afford
17. this appropriation. The revenue is available to finance it. Beyond
18. that there is a desperate need, a desperate need around this State
19. to restore this appropriation. If we do not restore it, I say to you
20. now that the burden of what will follow, the tremendous negative
21. impact that it is going to have on the school systems of this State,
22. the burden will lie at the doorstep of the Governor of this State
23. and his supporters. This is a tragic, tragic situation. It is
24. a situation which I think would be a blemish on the record of this
25. Senate and this Legislature if we fail to restore these funds.
26. The choice here is a simple one. Meet our commitment...meet our
27. commitment...our constitutional, our legal, and our moral commitment
28. to the schools of this State, and allow the schools to provide the
29. kind of quality education that all of us want. Or on the alternative,
30. force the burden of financing these programs to the local governments,
31. force an increase in local real estate taxes, force districts into
32. massive borrowing and deficit financing, and force slashes in educa-
33. tional programs all around this State. And I tell you here and now,

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1. they are going to start taking place in the very near future.
2. Schools all over this State are going to be reducing programs,
3. laying off personnel, refusing to go forward with plans that are on
4. the drawing board. It is going to be a tragedy for this State.
5. This is one of the wealthiest states in the Nation. We are
6. at a position to...to afford this restoration. We have a moral
7. responsibility to do it. And I would urge that every member of the
8. Senate support this motion.

9. PRESIDENT:

10. Any further discussion? Senator Chew.

11. SENATOR CHEW:

12. Thank you, Mr. President. On the first call of this bill I
13. purposely did not speak on it. Now I'll just speak briefly.
14. My position is to help to educate every child in the State of
15. Illinois. And I suppose that if we were to go back into history,
16. I ought to be the one that should be adamant toward this Country
17. about education. There was a time when my people were not allowed
18. free education. There was a private foundation, the Julius
19. Rosenwald, who went through the Southern States and set up schools,
20. one room school houses for black children, while white children
21. enjoyed education from taxpayers' monies. I should be bitter, but
22. I'm not. The progress that's been made in the field of education
23. by and large, has come through court cases, case, after case, after
24. case, Trusive versus Ferguson, Brown, the Board of Education versus
25. Little Rock Seven, Montgomery Boycotts, and et cetera. And even today,
26. in many sections of this Country, there's an issue of busing. I should
27. be bitter, but I'm not. Because if I were to look back and allow my
28. feelings to be projected according to the struggle in which my people
29. have had attempting to get an education, then I would be fighting
30. against what we're asking for. But I don't have time to go back into
31. history because progress to me is today. I don't know whether
32. the State can afford the money or not. I don't think it's a question
33. here as to whether the State can or cannot afford the monies.

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1. I do know that we appropriated these funds and we did it in all
2. sincerity because I believe we want all of our children to have
3. as much education as humanly possible. By and large, the crime in the
4. streets today is there because people have been denied the right
5. to a full education. And if you read your statistics, you'll
6. find that a man that has gainfully employed is a man that is not
7. involved in criminal activities. It is the unemployed, and the
8. illiterate that are breaking into your homes, breaking into my
9. homes. Stealing your automobiles, and have gotten these highly
10. paid daily habits. If these people were, in fact, given a chance
11. in yesteryears, and virtually forced to stay in school and monies
12. were available, the amount of crime that we have in the streets
13. of our metropolitan areas and suburbs would be greatly reduced,
14. because he would have something to give to a society in the form
15. of skill and a man that's employed has more to think about than
16. possibly stealing your car. One way to decrease the criminal activities
17. for the tomorrows, is to give as much, and give, and give, again, to
18. see that these monies are spent in areas where they do the student
19. most good. I suppose some of my people have been denied employment
20. simply because they were black. But I suppose the majority of my people
21. have been denied employment simply because they had nothing to offer.
22. And we should not attempt to produce another generation of
23. illiteracy through our neglect of our responsibilities to the children
24. of the State of Illinois. If a tax increase is necessary for education,
25. you can count me in. Because I believe my desire is to be responsible.
26. And I don't think we would have a tax revolt if we know what an increase
27. was for. I am not here depending on what I'd do as the outcome of my
28. next election, I am here to attempt to do the best that I can
29. in this term in which I serve. And when I go back to my voters,
30. if my stewardship has been sufficient, I won't have a problem of being
31. re-elected. But if I have been down here acting irresponsible, then
32. I, too, must report to my constituents. And I don't ever plan to have
33. my ears to the ground twenty-four hours a day listening to the various
34. rings from various groups. If I were, I would never be in a prone

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1. position where I was capable of representing. And for that, Mr.
2. President, I would hope that the four votes we fell short the
3. other day, would somehow look to the future and attempt to make
4. the next generation we're producing, a generation in demand,
5. and one that we can be proud of. Thank you.

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(end of reel)
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1. PRESIDENT:

2. The Chair has been requested by Associated Press and Channel 20
3. for permission to shoot some silent photographs. Is there leave?
4. Leave is granted. The same ground rules will apply as we mentioned
5. the other day. No one is to be taken in any compromising picture or
6. posture. Now, permission was only requested for still photographs,
7. that's all the permission that's been requested. Now, are you
8. asking for permission to shoot...film? Is leave granted? Leave is
9. granted. Senator Knuppel...Nudelman.

10. SENATOR NUDELMAN:

11. Thank you, Mr. President. At the time you made the last announcement
12. in this area, and we granted the request, I ...I requested of the
13. Chair that the photographers be instructed not to keep the lights on
14. when they were not shooting. This, in fact, this request was made by
15. the Chair to the Press, but, in fact, they did keep the lights on when they
16. were not shooting, and I don't know how to handle this, but I would
17. again respectfully request the Chair to respectfully request of the media
18. that when they are not shooting that they do, in fact, turn out the
19. lights which are most disconcerting.

20. PRESIDENT:

21. That will be the ground rule when you are not shooting, your lights
22. will extinguished. Senator Harris.

23. SENATOR HARRIS:

24. Thank you, Mr. President. I would like to recall for the member's
25. recollection that at the close of the Regular Session, those bills on
26. consideration postponed by a gentleman and womanly understanding, we
27. limited explanation and debate to the principal sponsor, on questions
28. of major importance, and this is that, I do not want to be understood to be
29. closing debate, but I would admonish the membership to recall that that
30. affective and judicious use of our time expedited decision making, we
31. still have a great number of decisions to make for us and I would just sug-
32. gest that that procedure was affective in the Regular Session, and hopefully
33. that on matters under the order of Consideration Postponed, we might

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1. pursue again.

2. PRESIDENT:

3. Well, Senator, I'm very glad that you mentioned that. That has
4. been a ground rule and it worked out very well. The sponsor will make
5. a brief explanation. The matters have already been thoroughly debated.
6. and then we'll take a roll call. That's the way it ought to be. The
7. question is, shall the item on Page 1, Line 7, of House Bill 2971 be
8. restored, the item reduction of the Governor to the contrary notwith-
9. standing. Those in favor will vote Aye. Opposed will vote Nay. Mr.
10. Secretary, please call the roll.

11. SECRETARY:

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

20. PRESIDENT:

21. Call the absentees.

22. SECRETARY:

23. Glass.

24. PRESIDENT:

25. Have all voted who wish? Take the record. On this question, the
26. Ayes are 26, the Nays are 32. The item on Page 1, Line 7, having failed
27. to received the majority vote of Senators elected is declared restored.
28. House Bill 28...2989, Senator Hynes.

29. SENATOR HYNES:

30. Mr. President and members of the Senate. This motion is the
31. second ... in regard to the school aid package, and I think it is made
32. at a moment of real tragedy as far as this State Senate is concerned,
33. because in my judgement, we have now reneged on a commitment that we

1. made to the schools of this State, a commitment that I think we had
2. a responsibility to fulfill. The impact of the decision we just made
3. is going to be felt all around this State, and I think we are going
4. to see a very serious reaction from the grass roots about it. We have
5. an opportunity with respect to House Bill 2989 to at least, in part,
6. redeem ourselves in the eyes of the people of this State. This motion
7. involves the restoration of thirty-five million dollars in categorical
8. grants for special educational programs, programs for the gifted and
9. handicapped and in a number of other areas. I think with respect to
10. this bill in its present posture, the arguments of fiscal responsibility
11. or the argument that would say that a favorable vote is an abdication of
12. fiscal responsibility, goes completely out the window. We are now
13. discussing the prospect of restoring thirty-five million dollars to the
14. budget of this State, thirty-five million dollars, when that budget is
15. at a bloated fat ten billion dollars, thirty-five million dollars,
16. about one-third of one percent, if that. Not only is the amount within
17. our capability to afford, but the programs that are involved here are
18. of special concern. They are programs, for the most part, that this
19. General Assembly has mandated and required local school districts to
20. institute, programs that are geared to meeting some very serious
21. problems that hundreds of thousands of children in this State face.
22. We have come a long way in Illinois, we have come a long way in terms
23. of special education, in providing programs for handicapped children.
24. This restoration will enable us to keep on that road. A failure...a
25. failure to restore this money is first and foremost a signal to the
26. local districts that the State will not be behind them in their efforts to
27. meet the legal requirements we have imposed on them. It is going to
28. make these districts extremely cautious in terms of any type of improve-
29. ment in programming, but more than that, it is going to make it impossible
30. in many cases for these districts to even keep the programs presently
31. on board in operation. There are going to be reductions. I think it
32. would be a tragedy. We are talking again about thirty-five million
33. dollars for some of the most critically needed programs in this State,

1. thirty-five million dollars, and I think, Ladies and Gentlemen of the
2. Senate, that a failure on our part to vote affirmatively on this bill
3. is an action that is inexcusable and will be a tragic day in the
4. history of this Body. There is no way in my mind that we can justify
5. voting against...or not voting for this motion to restore. I would
6. urge all of you to think very carefully before you cast your vote and
7. ask that you cast a favorable vote.

8. PRESIDENT:

9. The question is ... Senator Fawell.

10. SENATOR FAWELL:

11. Yes, just...just briefly, I think that obviously everything that
12. has been said has pretty much covered the point that we have in our
13. minds on this, but ...insofar as the categorical grant program is
14. concerned, I did want to express my own feelings when I came down to
15. Springfield for this Veto Session, that the Governor has indicated
16. there's approximately twenty, twenty-two million dollars that he feels
17. is available, and I have felt that all of the reductions which are of
18. immediate importance, and I would go along with what Senator Shapiro
19. said the other day, that we can, of course, review in the spring if we ...
20. as we have had in past years the question of the amount of money in
21. deficiency which might be necessary, and at that time, we're going to
22. have a much better idea of what the revenues and the expenditures are,
23. so that the seriousness of what we are doing here today, I think, has
24. been overstated and that's...that's all right, we all do that when we are
25. expressing our views, but I have felt very sincerely, and I don't mean
26. to cast aspersions at anyone here that one of the most logical steps
27. we could have taken, is simply to address ourselves to several of the
28. line items in the Handicapped Children's Program where the cut by the
29. Governor is in the area of twenty-five percent. This is...this is a
30. large cut, and it does have some severe implications. I regret very
31. much that the Chair has ruled that that is out of order. I'm sure that
32. the Chair is sincere in arriving at that conclusion. I didn't mean
33. yesterday by using the word "sophistry", that's an old legal word that

1. we lawyers utilize when we disagree with the conclusion that a
2. colleague has arrived at. I sincerely believe that the Senate can
3. and we still, I think, have the opportunity if the Chair has reconsidered,
4. we can address ourselves to giving some immediate help in the one area
5. where I believe, the reduction vetoes can have a immediate impact
6. which can be very detrimental to the reimbursement of professional
7. workers, the teachers, certificated and noncertificated, for our handi-
8. capped children and the tuition payments to private schools in those
9. instances where the public schools cannot give the educational services
10. for handicapped children. I think that here we can and we still have
11. the opportunity to be able to give that immediate help because those
12. motions are still pending on the Secretary's Desk, and if this group...
13. this Body were to take the view that indeed we do have this right as I be-
14. lieve very sincerely that we do have, we can in part, to use the words of
15. Senator Hynes, in part be able to signify some immediate help, and thus
16. I...I do want to bring that out, but also in the final analysis, every-
17. one of us here, every man and woman is deeply interested in the plight
18. of our children, the educational...the public educational system,
19. elementary and secondary in the State of Illinois, and I do want to
20. make it very, very clear that deficiency appropriations will be obviously
21. considered in the spring. At that time, we'll have the added ability
22. as we consider other deficiency appropriations to also make priority
23. decisions, and as far as I am concerned, I still have and always have
24. had very high priority in regard to our public elementary educational
25. system. Thank you.

26. PRESIDENT:

27. The question is...Senator Hynes.

28. SENATOR HYNES:

29. Entitled to close.

30. PRESIDENT:

31. You are entitled to close the debate.

32. SENATOR HYNES:

33. I...I would not do so except for one comment that Senator Fawell

1. made that I think calls for a response, and it has been involved in
2. this debate in a silent way on many occasions, I suppose, and that is
3. the prospect of a deficiency appropriation. It seems to me, in view
4. of the intransigent position of the Governor of this State, in view of the
5. absolutely hard approach that has been taken into this controversy, and
6. into this request for a restoration of funds, in view of the entire
7. approach that has been taken with respect to the funding of schools
8. over the past three years, I do not see any prospect for any cooperation
9. from the Governor's Office on that subject, and I do not think it is a
10. practical proposition to suggest that this Legislature will be able in the
11. closing months of this fiscal year to do something about this problem.
12. I think the opportunity and probably the only opportunity is now, here
13. and now, and I would suggest that you cast your vote on that basis.
14. This is the most important vote that you you will be casting probably
15. during your career as a legislator and I would suggest that it be an
16. Aye.

17. PRESIDENT:

18. The question is, shall the items to be read on House Bill 2989
19. be restored. Those items being on Page 2, Line 12, Page 2, Line 13,
20. Page 2, Line 14, Page 2, Line 21, Page 3, Line 19, Page 3, Line 20,
21. Page 3, Line 21, Page 4, Line 35, Page 5, Line 1, Page 5, Line 2, Page
22. 9, Line 26, Page 14, Lines 29 through 33, Page 15, Lines 3 through 5,
23. ... 3 through 5, Page 15, Lines 6 through 10, Page 15, Lines 11 through
24. 14, Page 15, Lines 18 through 22, Page 15, Lines 23 through 28, Page 15
25. and 16, Lines 29 through 35 and 1, Page 16, Lines 7 through 12, Page 16,
26. Lines 13 through 18, Page 16, Lines 24 through 28, Page 16, Lines 29
27. through 31, Page 16 and 17, Lines 32 through 35 and 1 through 5, Page
28. 17, Lines 6 through 10, and Page 21, Lines 31 34, the item reductions
29. of the Governor to contrary notwithstanding. Those in favor vote Aye,
30. opposed Nay. Mr. Secretary, please 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,
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. Call the absentees.

9. SECRETARY:

10. Glass, Soper, ... I overlooked Senator Weaver, too, he had not
11. voted on...okay.

12. PRESIDENT:

13. On that question, the Ayes are 24, the Nays are 31, with 3 Voting
14. Present. The items on the pages and lines as set forth and stated when
15. the question was stated having failed to receive the required majority
16. of Senators elected, it is hereby declared not restored. Consideration
17. Postponed, Page 3, House Bill 342, Senator Netsch. I'm going to go
18. through this Calendar. There's no obligation for anyone to call these
19. bills that have already lost. I want you to know that. Don't feel any
20. obligation to call them.

21. SENATOR NETSCH:

22. Mr. President, for all of the nonsmokers in the world, I feel an
23. obligation to call this bill. This is the bill that designates certain
24. areas where smoking...certain public institutional areas where smoking
25. will not be permitted unless some segment thereof is set aside as a
26. designated smoking area. The veto had to do with the Home Rule Amend-
27. ment and its...effect on the importance of the bill. I disagree legally
28. with the Governor's Staff. I think it is still important and I would
29. urgently seek that we override the Governor's Veto.

30. PRESIDENT:

31. The question is, shall House Bill 32...342 pass, the veto of the
32. Governor to the contrary notwithstanding. Those in favor vote Aye,
33. opposed Nay. Mr. Secretary, please call the roll. Will the gentlemen

1. cut off the lights now, please.

2. SECRETARY:

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

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. There is a request for a call of the absentees.

13. SECRETARY:

14. Brady, Daley, Dougherty, Glass, Graham, Kenneth Hall, Hynes, Johns,
15. Lane, Lemke, McCarthy, Don...Don Moore, Palmer, Philip, Regner, Romano,
16. Savickas, Welsh, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Brady, Aye. On that question, the Ayes are 33, the Nays are 11.
19. House Bill 342 having failed to receive the required three-fifths vote is
20. declared lost. House Bill 233, Senator Vadalabene. We are on the order
21. of Postponed Consideration. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, thank you, Mr. President and members of the Senate, this
24. bill has been debated ...just prior to the Session in opening up and
25. again this is for the TV antenna for SIU Edwardsville. We have till
26. December 12, 1975, which is next month, to be eligible to receive Federal
27. matching funds, but Mr. President and members of the Senate, let me
28. explain to you, just briefly, what the delay has cost SIU Edwardsville
29. at this time. When the bill was first ...introduced, intended to be
30. constructed, has increased from fifty thousand to a hundred and twenty
31. thousand, the tower facility has increased from a hundred and seventy-
32. five thousand to two hundred and ninety thousand, the transmitter itself
33. has been increased from four hundred and seventy-one thousand to five

1. hundred and sixty-seven ... thousand dollars. These figures justify
2. the amendment, but they also point out the wisdom of us going forward
3. with educational television appropriations as quickly as possible.
4. Further delay will only cost Illinois taxpayers more dollars, and I
5. might add in closing that we've already spent a million dollars, over
6. a million dollars for the preparation of the ... television educational
7. series with the in-house technical facilities. So at this time with the
8. Federal monies at stake, I would appreciate a favorable vote.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The question is, shall House Bill 2...Senator Howard Mohr. I...
11. my understanding was that the principal sponsor was to speak and then
12. the bill was to be voted on...

13. SENATOR MOHR:

14. All...all right....

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. ...whether it is Postponed Consideration...

17. SENATOR MOHR:

18. ...Personal...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. ...Just a moment...

21. SENATOR MOHR:

22. ...point...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. ...Senator Howard Mohr.

25. SENATOR MOHR:

26. ...my personal point was that it was so noisy in here I didn't
27. hear all of Senator Vadalabene's remarks, but he said that this was
28. only going to cost four dollars, and I wondered, you know, what you
29. would get for four dollars today. We didn't hear that explanation.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. I see. The question is, shall House Bill 233 pass, the veto
32. of the Governor to the contrary not...just a moment. Just a moment,
33. Senator Harris.

1. SENATOR HARRIS:

2. I'm sorry, I've been...distracted here. We are considering
3. House Bill 233?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Which is on Postponed Consideration, Senator.

6. SENATOR HARRIS:

7. Yeah, in the Regular Session? ...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. In the Regular Session. Senator, it was called earlier and
10. postponed. It shown on 3rd reading in...on the today's Calendar.

11. SENATOR HARRIS:

12. Oh, I see, okay. Well, I...oh, I see, it was called earlier
13. today.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Yes, it was.

16. SENATOR HARRIS:

17. Okay, fine, now, I'm ... I'm tracking with you, thank you.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The question is, shall House Bill 233 pass. Those in favor vote
20. Aye. Those opposed Nay. The voting is open.

21. SECRETARY:

22. Bell...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The Secretary will 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, Lathérow, Lemke, McCarthy, Merritt,
30. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod, Nudelman,
31. Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas, Schaffer,
32. Shaprio, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh, Wooten,
33. and Mr. President.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Daley, Aye. Lemke, Aye. Morris, Aye. Kosinski, Aye. Savickas,
3. Aye. Newhouse, Aye. On that question, the Ayes are 36, the Nays are
4. 14, ...House Bill 233 having received the constitutional majority is
5. declared passed, and the bill having received the affirmative vote of
6. three-fifths of the members elected is effective immediately upon its
7. becoming a law. There is a request for verification. Will the members
8. please be in their seats. Senator Savickas, for what purpose do you
9. arise?

10. SENATOR SAVICKAS:

11. Who asked for the verification?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Verification was requested by Senator Bell. Will the members
14. please be in their seats. The Secretary will call the affirmative votes.
15. I have just been advised by the Secretary that the ... correct count is
16. thirty-five votes. The bill...and J...J...the ... Senator Vadalabene,
17. it's your desire to call the absentees? The Secretary will call the
18. absentees.

19. SECRETARY:

20. Berning, Davidson, Glass, Hickey, Johns, Don Moore, Netsch, Nimrod,
21. Palmer, Wooten.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Don Moore...Senator Don Moore, Aye. ...On that question, the
24. Ayes are 36, the Nays...the Nays are 14. Just a moment. House Bill 233
25. having received the constitutional majority is declared passed, and the
26. bill having received the affirmative vote of three-fifths of the members
27. elected is effective immediately upon its becoming a law. There is a
28. request for a verification by Senator Bell. Will the members please be
29. in their seats, and I presume that the affirmative vote is requested. The
30. Secretary will read the affirmative...those voting in the affirmative.

31. SECRETARY:

32. The following voted in the affirmative: Bloom, Brady, Bruce, Buzbee,
33. Carroll, Chew, Course, Daley, Demuzio, Donnewald, Dougherty, Egan, Graham,

1. Kenneth Hall, Hynes, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke,
2. McCarthy, Merritt, Don Moore, Morris, Newhouse, Nudelman, Rock, Romano,
3. Savickas, Schaffer, Shapiro, Smith, Vadalabene, Welsh, and Mr. President.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bell. Is...Senator Brady is on the Floor. Senator Hynes,
6. Senator Hynes is on the Floor. Senator McCarthy is on the Floor. Senator
7. Morris is on the Floor. Senator Egan, Senator Egan is in his seat. The
8. roll has been verified. Senator Savickas moves to reconsider the vote
9. by which this bill passed. Senator Buzbee moves that lie on the Table.
10. All in favor say Aye. Those opposed No. The Ayes have it. The motion is
11. Tabled. House Bill 3...378, Senator Kosinski. House Bill 419, Senator
12. Romano. House Bill 574, Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Thank you, Mr. President. Mr. President and Senators, this bill
15. was called day before yesterday and it received more than enough votes
16. to pass, however, I took the bill out of the record temporarily because
17. there was some confusion as to what the intent of the House sponsor was,
18. Senator Harold Washington. I conferred with him, and let me tell you
19. what the bill does, you knew that previously, but let me explain it
20. again. You'll recall that House Bill 2784 placed the Governor, the
21. Lieutenant Governor, the Secretary of State, the Treasurer, the Comptroller,
22. and the Attorney General in the General Assembly retirement plan.
23. Now, the Governor chose House Bill 574 as a vehicle by which he removed
24. himself from the General Assembly retirement plan, which is a major portion
25. of this bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Just...just a moment, Senator. Will the Sergeant-at-Arms clear
28. the back aisles or have them be quiet. Proceed.

29. SENATOR NEWHOUSE:

30. However, another portion of this bill does another thing, and
31. that is this. It reduces the amount of the award to the surviving spouse
32. from three hundred and fifty a month to three hundred a month. It leaves,
33. as it presently is, the award to spouse with children which is at a rate

1. of five hundred dollars a month. Now, in the absence my confusion and
2. what I wanted to discuss with the House sponsor was what we were, in
3. fact, doing to the surviving spouse. It appears that without this
4. bill, there will be no provision to be certified. So in those circum-
5. stances, I am again placing the bill on the Calendar, and I'd ask for
6. your Yea vote for an override of the ... or rather for confirmation
7. of the Governor's Item Veto.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. All right, the question is, shall House Bill 574 ...the Senate
10. accept the specific recommendations of the Governor as...of the Governor
11. as to House Bill 574 in the manner and form just stated by Senator
12. Newhouse. Those in favor vote Aye. Those opposed Nay. The Secretary
13. will call the roll.

14. SECRETARY:

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

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Ozinga, Aye. Daley, Aye. Vadalabene, Aye. Lemke, Aye. Just
25. a moment, just a moment. Ozinga, Aye. Kosinski, Aye. Morris, Aye.
26. Brady, Aye. Hynes, Aye. Bell, No. Hall, Aye...Harber Hall, Aye.
27. Regner, Aye. Mitchler, Aye. Course, Aye. Carroll, Aye. Nimrod, Aye.
28. Moore,...Don Moore, Aye. Egan, Aye. On that question, the Ayes are 41,
29. the Nays are 3. The specific recommendations of the Governor as to
30. House Bill 574 having received the required majority of the Senators
31. elected are declared accepted. Senator Savickas, House Bill 709.

32. SENATOR SAVICKAS:

33. Right on. Well, now that everybody has had a chance to renew

11/2/17
709
Partee
Fawell

1. their interest in the playing of cards at home and in their hotel
2. rooms last night...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Just a minute, Senator. Look like we've got a little crap game
5. going on in the aisles. Let's go. Proceed.
6. SENATOR SAVICKAS:
7. ...and I tried to talk to the...the chief sponsor of one of the
8. most important gambling bills that have come across our desks in many
9. years, the ... the champion of the bingo legislation, to ...to support
10. the poor little gamblers that play cards in their hotel rooms while
11. they have nothing else to do in Springfield, away from their wives and
12. families, so I would request a favorable vote on House Bill 709...
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. ...The...
15. SENATOR SAVICKAS:
16. ...One for the Giffer
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. ...The question...the question is, shall House Bill...just a
19. moment. Senator Fawell, for what purpose do you arise?
20. SENATOR FAWELL:
21. Is there no debate at all on these? ...
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. I...by Senator Harris and Senator Partee and...and there was no
24. objection at the time that we proceed with the order that we had in the
25. Regular Session that the...when we're chewing it over, why we...
26. SENATOR FAWELL:
27. I just wanted to say that it is still as bad a bill as ever, but
28. that...
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. I... you...you've said it. All right, the question is, shall House
31. Bill 709 pass, the specific recommendations of the Governor to the contrary
32. notwithstanding. Those in favor vote Aye. Those opposed Nay. The
33. Secretary will call the roll.

HB
709
11/21/75
C. ...
Postponed

1. SECRETARY:
2. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
3. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
4. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
5. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
6. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
7. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Savickas, Aye. ...
10. SECRETARY:
11. ...Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
12. Welsh, Wooten, Mr. President.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. ...Smith, Aye. Lane, Aye. Nudelman, Aye. Hynes, Aye. How is
15. Senator Lemke recorded?
16. SECRETARY:
17. Aye
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. You were recorded Aye. Berning, No. This...this takes thirty-
20. six votes. There's a request for a call of the absentees. The absentees
21. will be called.
22. SECRETARY:
23. Daley, Davidson, Demuzio, ...
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Daley, Aye.
26. SECRETARY:
27. ...Glass, Graham, Johns, Howard Mohr, Don Moore, Newhouse, Nimrod,
28. Rock, Mr. President.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Davidson, No. Course, Aye. Demuzio, Aye. Demuzio, No, I'm sorry.
31. Nimrod, No. Partee, Aye. On that question, the Ayes are 29, the Nays
32. are 22. House Bill 709 not having received the required three-fifths vote
33. is declared lost. Senator Harber Hall, 1121. 1121 on Postponed

11/21/75
709
Consideration
Postponed

1. Consideration. You don't have to call these bills, gentlemen, but
2. we're going right down the line. 1592; Senator Fred Smith. ...House
3. Bill 2204, Senator Vadalabene. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, thank you, Mr. President and members of the Senate, this
6. bill again on Postponed Consideration has had plenty of discussion. The
7. bill appropriates one million five hundred thousand dollars to the
8. Secretary of State for the ordinary and contingent expenses of the photo
9. division license program, and I would appreciate a favorable vote.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. On that question...the question is, shall House Bill ... just a
12. moment. The question is, shall the Senate accept the specific recommenda-
13. tions of the Governor as to House Bill 2204 in the manner and form
14. just stated by Senator Vadalabene. Those in favor vote Aye. Those
15. opposed No. The Secretary will call the roll.

16. SECRETARY:

17. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew, Clarke,
18. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Fawell,
19. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
20. 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, Savickas,
23. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
24. Wooten, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Rock, Aye. Joyce, Aye. Bell, Aye...No, make up your mind.
27. Buzbee, Aye. Morris, Aye. Wooten, Aye. Lane, Aye. Bruce, Aye. Johns,
28. Aye. On that question, the Ayes are 31, the Nays are 14. Specific
29. recommendations of the Governor as to House Bill 2204 having received
30. the required majority vote of Senators elected are declared accepted.
31. House...there's a ... there's a request of verification of the affirmative
32. votes by Senator Soper. Will the members please be in their seats. The
33. Secretary will call the affirmative votes.

1. SECRETARY:

2. The following voted in the affirmative: Brady, Bruce, Buzbee,
3. Carroll, Chew, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
4. Egan, Kenneth Hall, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane,
5. Latherow, Lemke, McCarthy, Don Moore, Nudelman, Palmer, Rock, Savickas,
6. Smith, Vadalabene, Welsh, Wooten, and Mr. President.

7. PRESIDENT:

8. Who were you requesting? There's Senator Knuppel there. Senator
9. Latherow, he's right here. ...Oh, Senator Latherow.

10. SENATOR LATHEROW:

11. Yeah, Mr. President, I think the Secretary misunderstood my vote.
12. On that, my vote, I intended to be No. I realize I can't get off ...

13. PRESIDENT:

14. No, Senator...

15. SECRETARY:

16. Senator Latherow, your name is up on our roll calls. You did not
17. vote period. I did call your name because it appeared it is there, but
18. it is not in that block at all.

19. PRESIDENT:

20. The roll call is verified. House Bill 2328, Senator Dougherty.
21. House Bill 2693, Senator Schaffer.

22. SENATOR SCHAFFER:

23. I know...I know. Mr. President, if I know...this is House Bill
24. 2693. With permission of the Chair, I'd like to ask leave to let
25. Senator Davidson make a brief statement before I make a comment.

26. PRESIDENT:

27. Is leave granted? Senator Davidson.

28. SENATOR DAVIDSON:

29. Mr. President and members of the Senate, since this bill pertains
30. or could pertain to the Section or the Statute which I hold a license
31. under, I need to be recorded Present, so I will not be voting. Present.

32. PRESIDENT:

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Seeing that there's no opposition, sorry, Doc, I think the
3. members of the Senate will...are familiar with this bill. This is a
4. bill to clean up the medical profession in Illinois, to get the bad
5. actors out, supported by the Medical Society, by the Hospital Society,
6. and by virtually everyone in the State interested in cleaning up
7. Illinois medicine. It is opposed and actively opposed by the Director
8. of the Department of Education and Registration, Ron Stackler. I think
9. he is the principal and leading advocate of the defeat of this bill, and
10. I can honestly say it's because he does not wish to see his power in
11. any way diluted. I think those are the issues before us, I don't think
12. it needs any further debate, I'd like a vote for the override, and if
13. you'll pardon the expression, against Ron Stackler's somewhat overneed for
14. power.

15. PRESIDENT:

16. (machine cutoff) is the motion, Senator? You see on these post-
17. poned considerations they are not identified Is this an override of
18. a total veto or amendatory or what?

19. SENATOR SCHAFFER:

20. The motion is, I move that the House...House Bill 2693 do pass
21. the veto of the Governor to the contrary notwithstanding and Mr. Stackler's
22. objections notwithstanding.

23. PRESIDENT:

24. Senator Chew.

25. SENATOR CHEW:

26. I...

27. PRESIDENT:

28. Does this relate to this matter, Senator?

29. SENATOR CHEW:

30. Yes, Sir.

31. PRESIDENT:

32. Yes, go ahead.

33. SENATOR CHEW:

1. Definitely so, Sir. The Governor was at his best wits when he
2. vetoed this bill. If most of us knew what this bill was about, we'd
3. kill it right now, in fact, what it does, it creates a separate board
4. of medical examiners. It does not give one of our constitutional
5. agencies any authority at all. In other words, to have this kind of
6. legislation, we could, in fact, eliminate the Department of Education
7. and Registration. I'm not concerned about who heads that Department,
8. but by Statute it was created for the very purpose in which it is
9. functioning now. This is an attempt to put this kind of legislation
10. outside of the Department of Registration and Education, and it is
11. absolutely no good, and I would urge this Senate to vote to sustain the
12. Governor's veto.

13. PRESIDENT:

14. The question is, shall House Bill 2693 pass, the veto of the
15. Governor to the contrary notwithstanding. Those in favor vote Aye.
16. Opposed Nay. Mr. Secretary, please 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, Johns,
21. Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,
22. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod,
23. Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
24. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
25. Wooten, Mr. President.

26. PRESIDENT:

27. Philip, Aye. Bruce, Aye. Knuppel, Aye. Bloom, Aye. Hickey, No.
28. Graham, Aye. Now, we are building pyramids around the President and the
29. Secretary's Desk, a waltzing pyramid. Will wonders never cease. Senator
30. Schaffer.

31.

32. (continued on next page)

33. (end of reel)

1. SENATOR SCHAFFER:

2. At the risk of interrupting the music, I'd like to poll
3. the absentees.

4. PRESIDENT:

5. Will the members be in their seats. Poll the absentees.

6. SECRETARY:

7. Bruce.

8. PRESIDENT:

9. Bruce had voted Aye. You didn't get him. I said yes.
10. That's the problem. It's just difficult for you to concentrate
11. on what you're doing when there are persons there asking you
12. questions. Bruce is Aye.

13. SECRETARY:

14. Daley. Glass. Johns. McCarthy. Howard Mohr. Newhouse.
15. Romano.

16. PRESIDENT:

17. Newhouse, Aye. Did you...did you give me that signal?

18. SECRETARY:

19. Savickas.

20. SENATOR NEWHOUSE:

21. Yes.

22. SECRETARY:

23. Wooten.

24. PRESIDENT:

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. How am I recorded?

28. SECRETARY:

29. Aye.

30. SENATOR NEWHOUSE:

31. Mr. President, I committed myself to vote for this bill to some
32. of my...

33. PRESIDENT:

1. You can't explain your vote, Senator. How do you desire to
2. be recorded?

3. SENATOR NEWHOUSE:

4. Well, I...I'm holding my nose while I confirm my Aye vote,
5. Mr. President.

6. PRESIDENT:

7. On this question, the Ayes are 38, the Nays are 9. The
8. question...the...House Bill 2693, having received the required
9. three-fifths vote is declared passed, the veto of the Governor to
10. the contrary notwithstanding. Verification has been requested, and
11. if we're going to verify every vote, I'm going to lock the back
12. door. I want to tell you that because...call the affirmative vote.

13. SECRETARY:

14. Following...the following voted in the affirmative.
15. Bell, Berning, Bloom, Bruce, Buzbee, Clarke, Course,...

16. PRESIDENT:

17. Hold it Senator till the end of the call, and then you may ask
18. for all the members there. Let's do it in an orderly fashion.
19. Continue.

20. SECRETARY:

21. Demuzio, Donnewald, Fawell, Graham, Harber Hall, Kenneth Hall,
22. Harris, Hynes, Knuppel, Lane, Latherow, Lemke, McCarthy, Merritt,
23. Mitchler, Don Moore, Newhouse, Nimrod, Philip, Regner, Rock, Roe,
24. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver, Welsh,
25. Mr. President.

26. PRESIDENT:

27. Is Senator Vadalabene on the Floor? Senator Philip I see.
28. He's on the Floor. Senator Bloom. Is Senator Bloom on the Floor?
29. I'm running this Senator. Just...do you have any other people?
30. Names, please. Just give me the names and we'll do what's proper.
31. Is Senator Bloom on the Floor? Take him off the roll call.
32. Senator Berning is in his seat. Is Senator Vadalabene on the Floor?
33. Senator Philip, you've asked that about...before. He's standing
34. right there. Take off Senator Bloom and Senator Vadalabene. On this

H. B. 2692
Nov. 21, 1975

1. question the Ayes are 36, the Nays are 9. The roll call has
2. been verified. Senator Schaffer.
3. SENATOR SCHAFFER:
4. Mr. President, there is also another bill, House Bill 2692,
5. which is the companion bill to this and neither bill operative
6. without the other and I'd appreciate the same roll call on that if
7. we could leave the order of Postponed...Consideration Postponed
8. and cover this so we could eliminate some debate in the future.
9. PRESIDENT:
10. Is there leave? Leave is granted. On that...what is the
11. number of the bill?
12. SENATOR SCHAFFER:
13. House Bill 2692, Mr. President.
14. PRESIDENT:
15. Now, where is it on the Calendar?
16. SENATOR SCHAFFER:
17. Specific Recommendations for Change, House Override,
18. Amendatory Veto. Page six.
19. PRESIDENT:
20. All right. House Bill 2692. On the order of Specific
21. Recommendations for Change, House Override, Amendatory Veto.
22. One moment. On that question, the Ayes and 36, the Nays are 9, and
23. this bill having...Senator Chew.
24. SENATOR CHEW:
25. I don't believe the Constitution gives us the right to take the
26. same roll call.
27. PRESIDENT:
28. Senator Schaffer.
29. SENATOR CHEW:
30. I'm requesting a roll call.
31. PRESIDENT:
32. Senator Schaffer on final passage to assure validity, I would
33. suggest that we do take a roll call. There is a constitutional
34. section on it.

1. SENATOR SCHAFFER:

2. Roll call.

3. PRESIDENT:

4. Now, one moment so we can...where we are. So the record is clear,
5. we are now addressing House Bill 2692, on the order of Specific
6. Recommendations for Change, the House override of a...an Amendatory
7. Veto. Senator Schaffer.

8. SENATOR SCHAFFER:

9. I think we should clearly understand what it's...we are about.
10. We have overridden one bill. To fail to override the second bill
11. is to leave this particular area of registration and licensure
12. in the medical profession in total chaos. The responsible thing
13. for us to do is to override this second bill. These two bills,
14. one without the other are not operative. Now, I know that there
15. are those, perhaps one or two, that don't agree with me on this
16. issue. But for us to have overridden one area and not override in
17. the other is to leave the health care industry in utter and total
18. chaos. Now, the issue has carried on one Amendatory Veto. If
19. there's somebody in the hall who's talking to a constituent, he
20. better get his tail back in here.

21. PRESIDENT:

22. Senator Chew, for what purpose do you arise?

23. SENATOR CHEW:

24. The language that the distinguished Senator used is...is out
25. of order and...and he used a threat, Mr. President, as if to say that
26. you've got to vote on this last bill that's before the Senate now,
27. which is not true. You do not have to vote on it. He gave you
28. imperfect information as he been doing all the year. This is a bad
29. bill and I hope it's defeated.

30. PRESIDENT:

31. I wish you'd been here last night, Senator. One of our members
32. used the Lord's name in vain. Senator Chew.

33. SENATOR CHEW:

1. It's in the Bible. That's in the Bible.

2. PRESIDENT:

3. Senator...all right...Senator...Senator Davidson.

4. SENATOR DAVIDSON:

5. Mr. President and members of the Senate. As I announced on
6. the other bill, this bill does have, if it would pass, would
7. have control over the license, which I practice under in this State.
8. Therefore, I would have to vote Present.

9. PRESIDENT:

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. On a point of Personal Privilege. If I have offended
13. Senator Chew, I apologize. Occasionally in my part of the State, that
14. type of language is appropriate and I...I slipped.

15. PRESIDENT:

16. Senator Chew.

17. SENATOR CHEW:

18. The only way the distinguished Senator could offend Senator
19. Chew was to get some dirt and chew it up and skeet it through
20. his teeth.

21. PRESIDENT:

22. With friends like that, who needs enemies. (Machine cut off)...
23. is shall House Bill 296...2692 pass, the Specific Recommendations
24. of the Governor to the contrary notwithstanding. Those in favor
25. vote Aye. Opposed Nay. Mr. Secretary, please call the roll.

26. SECRETARY:

27. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
28. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
29. Egan, Fawell, Glass, Graham,...

30. PRESIDENT:

31. Continue with the roll call.

32. SECRETARY:

33. ...Harber Hall, Kenneth Hall, Harris, Hickey, Hynes, Johns,
Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy, Merritt,

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

5. PRESIDENT:

6. Call the absentees.

7. SECRETARY:

8. Bloom,...

9. PRESIDENT:

10. Senator...Senator. The Secretary will not be able to hear the
11. names responded to if you persist in talking while he's calling the
12. roll.

13. SECRETARY:

14. Course, Daley, Demuzio, Dougherty, Egan, Glass, Johns,
15. Joyce, Knuppel,...

16. PRESIDENT:

17. Knuppel, Aye.

18. SECRETARY:

19. Howard Mohr, Newhouse, Nudelman, Philip, Roe, Romano, Savickas,

20. PRESIDENT:

21. Now, we just cannot conduct business in an orderly fashion
22. if we are...

23. SECRETARY:

24. Vadalabene,...

25. PRESIDENT:

26. Start with...start with the beginning. I...I can't tell...
27. I can't hear the people who vote. I don't know who's voting.
28. I'm sure you don't. Start at the beginning. Call the absentees.

29. SECRETARY:

30. Bloom, Course, Daley, Demuzio, Dougherty, Glass, Johns, Joyce,
31. Howard Mohr, Newhouse, Nudelman, Philip, Romano, Vadalabene,
32. Wooten.

33. PRESIDENT:

1. Have all...have all voted who wish? Senator Philip, Aye.
2. Take the record. On that question, the Ayes are 37, the Nays are
3. 8. House Bill 2692, having received the required three-fifths
4. vote is declared passed, the Specific Recommendations of the
5. Governor to the contrary notwithstanding. Senator Chew, for
6. what purpose do you arise?

7. SENATOR CHEW:

8. If it doesn't antagonize you, Sir, would you verify that
9. roll call?

10. PRESIDENT:

11. Sir, I am the least antagonistic person you will ever meet.
12. I'll be delighted, Senator Chew, to verify the roll call for you.
13. I only wish I had a violin so they could play music while it's
14. being verified. Verify the roll call for Senator Chew.
15. Call the affirmative vote.

16. SECRETARY:

17. The following voted in the affirmative. Bell, Berning,
18. Bruce, Buzbee, Clarke, Demuzio, Donnewald, Fawell, Graham,
19. Harber Hall, Kenneth Hall, Harris, Hynes, Knuppel, Lane, Latherow,
20. Lemke, McCarthy, Merritt, Mitchler, Don Moore, Nimrod, Ozinga,
21. Philip, Regner, Rock, Roe, Savickas, Schaffer, Shapiro, Smith,
22. Sommer, Soper, Vadalabene, Weaver, Welsh, Mr. President.

23. PRESIDENT:

24. The roll call has been verified. On the order of House Bills
25. on 3rd reading. House Bill 3169, Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President, and members of the Senate. House Bill
28. 3169 is an appropriation bill that is necessary at this time because
29. Federal funds have done...have become available since the last
30. appropriation bill authorizing expenditures from the Federal government
31. in these areas took effect. It involves about a hundred and eleven
32. million Federal dollars. It does not involve any State money. We have
33. discussed the bill with the minority spokesman on the Republican
34. side, Senator Weaver, relative to some of the objections on that side,

1. which have been satisfied and this is the last day for the bill.

2. It's all Federal money. I ask for your support.

3. PRESIDENT:

4. Any further discussion? Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. In part because of the confusion
7. around here, I'm not sure all of us heard this. Do I understand,
8. Senator Egan, this is one hundred percent Federal money, that is now
9. known to be available and cannot be used if this appropriation bill
10. is not passed?

11. SENATOR EGAN:

12. Yes, that is correct.

13. PRESIDENT:

14. The question is shall House Bill 3169 pass? Oh, I'm sorry.
15. Read the bill.

16. SECRETARY:

17. House Bill 3169.

18. (Secretary reads title of the bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. The question is shall House Bill 3169 pass. Those in favor will
22. vote Aye. Opposed Nay. The voting is open.

23. SECRETARY:

24. Bell, Berning, Bloom, Brady, Bruce, Buzbee,...

25. PRESIDENT:

26. Bruce, Aye. Buzbee, Aye.

27. SECRETARY:

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

1. PRESIDENT:

2. Mitchler, Aye. Roe, Aye. Davidson, Aye. Nimrod, Aye.

3. On this question, the Ayes are 45, the Nays are none. House Bill
4. 3169, having received the constitutional majority, is declared passed.
5. For what purpose does Senator Buzbee arise? Item Vetoes on page five.
6. House Bill 1302. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. Mr. President, this is a...an Item
9. Veto to the Department of Conservation for one hundred thousand
10. dollars for dredging of drainage ditches in the Union County
11. refuge. Union County is not in my district, by the way. It includes
12. the cost for planning supplies, materials, labor services and other
13. expenses necessary for such dredging. Representative Choate was the
14. sponsor of the...of the...this motion in the House. This is a project
15. of...which I am very acquainted. It's a project that's badly needed
16. in Union County. Representative Choate sponsored the motion in
17. the House on Representative Hart's bill, and...it's...it's a worthwhile
18. project and I would appreciate having your favorable support.

19. PRESIDENT:

20. Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President. I'd just like to point out to the
23. Senate that this is a hundred thousand dollar project out of General
24. Revenue Fund.

25. PRESIDENT:

26. Senator Regner.

27. SENATOR REGNER:

28. A question for the sponsor.

29. PRESIDENT:

30. He indicated he'll yield.

31. SENATOR REGNER:

32. Senator Buzbee, during the last Spring Session, how did you vote
33. on all the creek bills that were non-budgeted items?

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Senator Regner, there has been so much water under the bridge
5. since then, that I...I really don't recall how I voted on those
6. creek bills. President...

7. PRESIDENT:

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. I...I might add that this bill will not cause an increase
11. in the income tax.

12. PRESIDENT:

13. Give me the page and line, Mr. Secretary. The line and page for
14. this bill, please. The question is shall the item on page two,
15. lines eight through thirteen, of House Bill 1302 pass, the Item
16. Veto of the Governor to the contrary notwithstanding. Those in favor
17. will vote Aye. Opposed Nay. Mr. Secretary, please call the roll.

18. SECRETARY:

19. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
20. Clarke, Course, Daley, Davidson, Demuzio, Donnewald,...

21. PRESIDENT:

22. Just a moment. Senator Buzbee.

23. SENATOR BUZBEE:

24. Yes, Mr. President. I...I guess my...I'm having a little
25. trouble seeing. I...I thought I saw some Senators on the Floor,
26. but apparently they...it's a mirage. I...I'm not...yes...like
27. Senator Palmer, is not my first bill.

28. PRESIDENT:

29. All right. Now, let's continue with the roll call. We're
30. on the roll call. Continue with the roll call.

31. SECRETARY:

32. Donnewald, Dougherty, Egan, Fawell, Glass, Graham, Harber Hall,
33. Kenneth Hall, Harris, Hickey, Hynes, Johns, Joyce, Knuppel,

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

6. PRESIDENT:

7. As what goes around comes around. On this question, the Yeas
8. are 3, the Nays are 7, with one Present. The...and on that question...
9. oh, yes. The items on page two, lines eight through twelve, having
10. failed to receive the required three-fifths vote, is declared
11. lost. Senator Buzbee.

12. SENATOR BUZBEE:

13. I'm sure that this will help me in my goal, which is to achieve
14. the Most Effective Legislator Award and the three positive votes,
15. I'm sure will...will impress those folks who make those kinds of
16. determinations and I...I thank you.

17. PRESIDENT:

18. House Bills on 3rd reading. On page two, House Bill 3203,
19. Senator Fawell. Read the bill.

20. SECRETARY:

21. House Bill 3203.

22. (Secretary reads title of the bill)

23. 3rd reading of the bill.

24. SENATOR FAWELL:

25. Mr. President,...

26. PRESIDENT:

27. Senator Fawell.

28. SENATOR FAWELL:

29. ...and members of the Senate. I think the appropriate motion
30. should initially be that we suspend the rules so as to authorize
31. the vote on this bill. Is that correct Mr. President?

32. PRESIDENT:

33. Yes.

1. SENATOR FAWELL:

2. I do ask leave of the Senate for the suspension of rules for that
3. purpose.

4. PRESIDENT:

5. Senator...Senator Fawell seeks leave to ask for a suspension
6. of the rules for the consideration of House Bill 3203 on 3rd
7. reading. Is leave granted? Leave is granted. The rules
8. are suspended. House Bill 3203 is now under consideration.
9. Senator Fawell.

10. SENATOR FAWELL:

11. Yes, Mr. President, and members of the Senate. Enrolling
12. and Engrossing...

13. PRESIDENT:

14. One moment, Senator. Just to keep our records straight,
15. I should have alluded to the joint rules. We are move...we...the
16. motion was to suspend the joint rule for the immediate consideration
17. of this bill. Is leave granted. Leave is granted. Now the
18. bill is under consideration. The bill has been read a third time,
19. has it not, Mr. Secretary. Senator Fawell, you may proceed.

20. SENATOR FAWELL:

21. Thank you. Enrolling and Engrossing made an error in
22. a bill that was passed several months ago. This is merely to
23. clarify an Enrolling and Engrossing error so that four or five bond
24. issues, which have been authorized by referendum, can be consumated.
25. That's the full effect of the bill and it is an emergency bill.
26. Thirty-six votes are necessary for immediate passage of the bill.
27. Thank you.

28. PRESIDNET:

29. Any further discussion? The question is, shall House Bill 3203
30. pass. Those in favor will vote Aye. Opposed Nay. Mr. Secretary will
31. call the roll.

32. ACTING SECRETARY: (MR. FERNANDES)

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, Snapiro, Smith, Sommer,
7. Soper, Vadalabene, Weaver, Welsh, Wooten, Mr. President.

8. PRESIDENT:

9. Donnewald, Aye. Shapiro, Aye. Bloom, Aye. Course, Aye.

10. Wait a minute. Berning, Aye. Davidson, Aye. Egan, Aye.

11. Lemke, Aye. McCarthy, Aye. Harber Hall, Aye. Kenneth Hall,

12. Aye. Savickas, Aye. Knuppel, Aye. Daley, Aye. Chew, Aye.

13. On this question the Ayes are 48, the Nays are none. House Bill
14. 3203, having received a constitutional majority, is declared passed.

15. And the bill, having received the affirmative vote of three-fifths
16. of the members elected, is effective immediately upon its becoming
17. a law. Any further business in the Regular Session? Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, Mr. President. House Bill 3131, is that in the Regular
20. Session?

21. PRESIDENT:

22. House Bill 3131 on House Bills on 3rd reading on page two.
23. Read the bill.

24. SECRETARY:

25. House Bill 3131.

26. (Secretary reads title of the bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. House Bill 3131, Mr. President, and members of the Senate, is
32. a supplemental appropriation bill for the Department of Labor,
33. the Illinois Bureau of Employment Security. The bill appropriates

1. twenty-five million, six hundred and forty-two thousand dollars,
2. all of which are Federal funds, as passed in the House, and
3. it also transfers two hundred and fifteen thousand dollars from
4. the General Revenue monies appropriated for the original
5. budget bill, Senate Bill 510, as a State's match for the work
6. incentive program, the WIN Program, to pay the two hundred and
7. fifteen thousand dollar deficit to Department experienced
8. in a payment of unemployment benefits to former State employees.
9. And I would appreciate a favorable vote. These...

10. PRESIDENT:

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. Mr. President and members of the Senate, I would just like
14. to point out, although this is a needed bill, there will be a
15. 4.4 million dollar deficiency that will be coming up around April.
16. I had preferred to see it included in this bill at this time, but
17. the Department claims that they can withhold the deficiency
18. application until April. I want the record to show that this
19. monies will have to be appropriated next April, even through the
20. Bureau of the Budget's own memorandum, that we are already four and
21. one-half million dollars behind, at least, in this particular item.
22. And...and this is all General Revenue Fund money that I'm talking
23. about. The twenty-five million in this is Federal funds.

24. PRESIDENT:

25. Any further discussion? Senator Hynes.

26. SENATOR HYNES:

27. Mr...Mr. President and members of the Senate. I intend to
28. vote to support this appropriation bill. But I simply want to put
29. on the record the fact that I consider the operation of this Agency
30. to be a disgrace in terms of the unemployment compensation system
31. in this State, and I would like to serve notice that when the
32. Department comes before the Appropriations Committee in the next
33. Session, the mess had better be straightened out, because I don't
34. think we can tolerate the situation that's been going on.

1. PRESIDENT:

2. Any further discussion? Senator Bruce.

3. SENATOR BRUCE:

4. I rise in support of this legislation. I think Senator
5. Savickas makes a very good point. We will, in fact, have to
6. have a deficiency appropriation of 4.3 million. That shouldn't
7. excite anyone because that's exactly what we've always done.
8. We've always paid these claims of the former State employees
9. out of the Unemployment Compensation Trust Fund, and then we, in fact,
10. bill the State of Illinois, bill ourselves for that, we all
11. put the money in. It's not a question so much of a deficiency.
12. That's the way it's always been done. That's the way we plan to do
13. it. There will be a 4.3 million dollar bill submitted to the
14. State of Illinois for payments made out of the Unemployment
15. Compensation Trust Fund, and it will be coming out of General
16. Revenue.

17. PRESIDENT:

18. Any further discussion? Senator Nimrod.

19. SENATOR NIMROD:

20. Will the sponsor yield to a question.

21. PRESIDENT:

22. He indicates he will.

23. SENATOR NIMROD:

24. Would you state again the monies and...and where their -
25. I understand the twenty-five million from the Federal Government...
26. Federal funds, but why are we asking for, or why are we getting
27. twenty-five million dollars in Federal funds at this time?

28. PRESIDENT:

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. The bill appropriates twenty-five million, six hundred
32. and forty-two thousand dollars of Federal funds. It's appropriated
33. to the original budget bill, Senate Bill 510. Of the twenty-five
34. million, six hundred and forty-two thousand dollars, the major

1. portion approximately twenty-two million dollars is for the
2. administration of the Unemployment Insurance Program.

3. PRESIDENT:

4. Senator Nimrod.

5. SENATOR NIMROD:

6. Now, if there's twenty-two million dollars, then what's
7. the other three million, six hundred and forty-two thousand for,
8. and second question is, are...

9. PRESIDENT:

10. Let him...

11. SENATOR NIMROD:

12. ...there any State funds...

13. PRESIDENT:

14. ...answer the first one, first. Then we don't get as confused.
15. Senator, did you hear the question?

16. SENATOR VADALABENE:

17. Yes. For the State employees and the increased claims load.

18. PRESIDENT:

19. Now the second question.

20. SENATOR NIMROD:

21. All right. Now, are there any State funds involved in this
22. in addition to that?

23. PRESIDENT:

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Not one penny.

27. PRESIDENT:

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes. Mr. President, I too, want to go on record saying that
31. the Senate has appointed a committee here to look into this whole
32. problem of unemployment compensation, and I know we've asked the new
33. director of that...that particular agency to tell us what his plans

1. are and I would say that I think we're remiss since we have
2. no report or no attitude of what's being done there, and we've
3. allowed a chaotic condition to exist for several months and this
4. Legislature certainly is responsible and has set up such a
5. committee, and we have not been meeting and we have not reported
6. any progress. And I for one, am not going to support anything
7. until we get some action by that Department.

8. PRESIDENT:

9. Any further discussion? Senator...are you asking for a
10. roll call? Question is shall House Bill 3131 pass. Those in favor
11. will vote Aye. Opposed will vote Nay. The voting is open.

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,
16. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
17. Lemke, Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
18. Morris, Netsch, ...

19. PRESIDENT:

20. Morris, Aye.

21. SECRETARY:

22. ...Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip,
23. Regner, Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith,
24. Sommer, Soper, Vadalabene, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDENT:

26. Senator Don Moore, Aye. Fawell, Aye. Senator Bell, Aye.
27. On this question, the Ayes are 43, the Nays are none, with 3
28. Voting Present. House Bill 3131, having received a constitutional
29. majority, is declared passed. (Machine cut off) House Bill 3164,
30. Senator Chew.

31. SENATOR CHEW:

32. Mr. President, I understand there are some amendments on this
33. bill and I believe it's the census of opinion of members of this
34. Senate as to hold it until the amendments have been worked out satis-

1. factorily. I'd like to take it out of the record.

2. PRESIDENT:

3. Take it out of the record. 3165? Take it out of the
4. record. (Machine cut off)...Bill 766, Senator Latherow.

5. SENATOR LATHEROW:

6. Thank you, Mr. President. These are the educational
7. T.V.'s for Western Illinois University. It has to do with
8. locations to take care of the Rock Island area, Blackhawk,
9. Carl Sandburg, and areas also to the South. There is in the
10. scene with this shortly, the purchase of the station at
11. Jacksonville that was bankrupt a few years ago to take care of
12. Sanagmon State. This money is from Capital Development Funds.

13. PRESIDENT:

14. Read the bill.

15. SECRETARY:

16. House Bill 766.

17. (Secretary reads title of the bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, Mr. President, and members of the Senate. I want to
23. go on record as in support of this legislation. The same
24. sub-committee traveled all over the State of Illinois, checking
25. the different systems, including the...

26. PRESIDENT:

27. Senator Rock.

28. SENATOR VADALABENE:

29. ...Western and SIU, Edwardsville. The BHA also made a
30. recommendation. There are Federal funds involved in Senator
31. Latherow's case. They have already made application for Federal
32. funds, and I urge my colleagues on both sides of the House to
33. support this legislation.

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. In relationship to the Federal funds, Mr. President, I was
5. going to mention that with the next bill, but there is already
6. one million, five hundred thousand dollars in Federal funds
7. available, some of which are already in the hands of the administration
8. at Western.

9. PRESIDENT:

10. Any further discussion? The question is shall House Bill
11. 766 pass. Those in favor vote Aye. Opposed Nay. Mr. Secretary
12. call the roll.

13. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee, Aye. Senator Palmer, Aye. Senator Brady,
24. Aye. Senator Mohr...Howard Mohr, Aye. President Partee, Aye.
25. On that question, the Yeas are 37, the Nays are 4, 3 Voting Present.
26. House Bill 766, having received a constitutional majority, is declared
27. passed, and the bill having received the affirmative vote of three-
28. fifths of the members elected, is effected...effective immediately
29. upon its becoming a law. 7...Senator...767, Senator Latherow,
30. do you wish that...

31. SECRETARY:

32. House Bill 767.

33. (Secretary reads title of the bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Thank you, Mr. President. This is one of the two bills
6. that is required and I'd appreciate the same favorable
7. roll call. There is immediate effective amendment on this,
8. and it needs thirty-six votes.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Question is shall House Bill 767
11. pass. Those in favor will vote Aye. Those opposed will vote
12. Nay. Mr. Secretary, call the roll.

13. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Latherow.

24. SENATOR LATHEROW:

25. Would you poll the absentees, please.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Certainly. Mr. Secretary, call the absentees.

28. SECRETARY:

29. Berning, Bruce, Clarke, Fawell, Glass, Hickey, Johns,
30. Morris, Newhouse, Regner, Romano, Smith, Sommer, Weaver, Wooten.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. On that question the Ayes are 37, the Nays are 8, one Voting
33. Present. House Bill 767, having received a constitutional majority,
34. is declared passed, and the bill having received the affirmative

1. vote of three-fifths of the members elected, is effective immediately
2. upon its becoming a law. Senator Partee.

3. SENATOR PARTEE:

4. On a point of personal...on a point of personal privilege,
5. I want the members to know that I planned a course of action during
6. this Session, which I have deferred, perhaps, which might have taken
7. a great deal of time, but I want the members to know what it's
8. about. I have been literally deluged and inundated by
9. rather plaintive pleas and cries from people all over my
10. district. And I've received a large number of letters from people
11. all over the State who have registered what I think are very
12. legitimate complaints, about their inability to be paid their
13. unemployment compensation on time. During the Session,
14. Representative Shea proffered a bill, House Bill 3016, which
15. now resides in a Senate committee, which would have taken
16. ten million dollars from the Revenue Fund, and placed it in a fund
17. where up to a hundred and fifty dollars could be lent to any
18. person who, after a period of time, I think it was four weeks,
19. had not received their unemployment compensation. I gave some very
20. serious thought to making the motion to discharge that committee
21. and to put on an amendment which would have provided that the
22. State, instead of lending the money, would have advanced
23. the hundred and fifty dollars to any person who had between over
24. four weeks for his unemployment compensation, with the money
25. to be deducted from his payments when, and if, and finally he received
26. them. I've deferred this course of action for several reasons.
27. But it is my desire, and I hope they are listening at the Division
28. of Labor, the Department of Unemployment Compensation, because
29. I want them to know that I am deadly serious about it. I want them
30. to know that I think that one of the functions of government
31. is to serve people. And when a man works, and has money taken from
32. his salary, and it's put into a fund for that eventuality of
33. unemployment, it is certainly my belief that the State owes him
34. the obligation of getting the unemployment compensation to him on

1. time, or in lieu thereof, of lending him the money, after all it's
2. his money, until such time as that paper work can be processed,
3. and the State can, of course, then deduct the advance made to
4. him from the payment when it is made. I just want you to know
5. that the bill is still here, and that if this whole operation
6. doesn't move with a great deal more celerity and dispatch, we are
7. going to address it in just that fashion, when we get back here
8. in the next Session. Thank you.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Does any member have any bill on the Calendar, with respect
11. to the Regular Session, that he wishes to call? Senator Harris.

12. SENATOR HARRIS:

13. On the order of Specific Recommendations for Change, Mr.
14. President, on page six, House Bill 2058, Representative Leon's
15. bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. On the order...is there leave to go to the order of
18. Specific Recommendations for Change? So ordered. On the order
19. of Specific Recommendations for Change, is House Bill 2058.
20. Senator Harris has filed a motion. Senator Harris.

21. SENATOR HARRIS:

22. Yes. Mr. President, I'm move to concur in the Governor's
23. specific recommendations to this bill. This bill relates to the
24. power of utilities to pass through taxes levied against them. The
25. Governor determined that some additional clarifying language was
26. needed to make it perfectly clear, and I concur in his suggestions
27. and this is an important piece of legislation and I would hope
28. that the membership would join me in concurring.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any discussion? The question is shall the Senate accept
31. the Specific Recommendations of the Governor as to House Bill 2058,
32. in the manner and form just stated by Senator Harris. Those in
33. favor will vote. Those opposed will vote Nay. Mr. Secretary call
34. the roll.

1. SECRETARY:

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

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Berning, Aye. Senator Roe, Aye. Senator Vadalabene,
12. Aye. Senator Hynes, Aye. No? Senator Hynes, No. Senator Buzbee,
13. No. Senator Johns, No. Senator Lemke, No. Senator Daley, No.
14. Senator Welsh,...how is Senator Welsh recorded?

15. SECRETARY:

16. Aye.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Change Senator Welsh from Aye to No. How is Senator Joyce
19. recorded?

20. SECRETARY:

21. Aye.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Joyce, you are recorded Aye. Change Senator Joyce to
24. No. Senator...how is Senator Lane recorded?

25. SECRETARY:

26. Aye.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. He is recorded Aye. Change his vote to No. Senator Bruce...
29. how is Senator Bruce recorded?

30. SECRETARY:

31. Aye.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator...change Senator Bruce's vote to No. On that question,

1. the Yeas are 34, the Nays are 13, two Voting Present. The
2. Specific Recommendations of the Governor as to House Bill
3. 2058, having received the required majority vote of the Senators
4. elected, are declared accepted. Does any other...any other member
5. have any business in the Regular Session that he wishes to
6. pursue at this point? Now, we'll get to Resolutions? On the
7. Calendar. Resolutions.

8. SECRETARY:

9. Senate Joint Resolution No. 59.

10. (Secretary reads Senate Joint Resolution No. 59)

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Partee. This is the Senate Joint Resolution 59,
13. which is the Adjournment Resolution calling for us to come back
14. in the Regular Session on January 14, 1976.

15. SENATOR PARTEE:

16. I move its adoption.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Partee moves for the suspension of the rules for
19. the immediate consideration and adoption of this resolution.
20. All those in favor signify by saying Aye. All those opposed...
21. The Ayes have it. Senator Partee moves the adoption of Senate
22. Joint Resolution 59. All those in favor signify by saying Aye.
23. All those opposed... The Ayes have it. The Resolution is adopted.
24. Resolutions. Is there leave to consider all the congratulatory
25. resolutions at once? Senator Partee, for what purpose do you arise?

26. SENATOR PARTEE:

27. There is...I didn't see all of them, but there's one con-
28. gratulatory resolution that I want to ask be sent to Executive...

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Executive.

31. SENATOR PARTEE:

32. ...it relates to the Federal Bureau of Investigation. And I'm
33. not about to agree to it being heard.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. If I can have your attention, we have a series of ... resolutions
3. numbering from 208 to 221...to 222, all of which are congratulatory,
4. either congratulating individuals, or groups or churches and that sort
5. of thing. I'm going to ask the Secretary to read the number and the spon-
6. sor and then we'll move on one voice for the adoption of all these congrat-
7. ulatory resolutions. The one Senator Partee eluded to is not in this group.

8. SECRETARY:

9. Senate Resolution 208 introduced by Senators Davidson and all
10. Senators. Senate Resolution 209 introduced by Senator Shapiro and
11. Mitchler all and Senators. Senate Resolution 210 introduced by Senator
12. Hynes and all Senators. Senate Resolution 211 introduced by Senator
13. Carroll. Senate Resolution 212 introduced by Senators Newhouse, Partee,
14. Chew and Smith. Senate Resolution 213 introduced by Senators Daley,
15. Lemke and Romano. Senate Resolution 214 introduced by Senator Berning.
16. Senate Resolution 215 introduced by Senator Partee. Senate Resolution
17. 216 introduced by Senator Mitchler and all Senators. Senate Resolution
18. 217 introduced by Senator Mitchler and all Senators. Senate Resolution
19. 218 introduced by Senators Hynes, Ozinga and all Senators. Senate
20. Resolution 219 introduced by Senator Nimrod. Senate Resolution 220
21. introduced by Senator Daley, Savickas, and Lemke. Senate Resolution 221
22. introduced by Senator Bell and Mitchler. Senate Resolution 222 introduced
23. by Senators Mitchler, Bell, Graham, Schaffer, Fawell, and all Senators.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Mitchler moves for the suspension of the rules for the
26. immediate consideration and adoption of the aforeread resolutions. All
27. those in favor signify by saying Aye. All those opposed, the Ayes have
28. it. The rules are suspended. Senator Mitchler moves for the adoption
29. of these aforementioned congratulatory resolutions. All those in favor
30. signify by saying Aye. All those opposed. The Ayes have it. Resolutions
31. 208 through 222 inclusive are declared adopted.

32. SECRETARY:

33. Senate Resolution 223 introduced by Senators Don Moore, Smith,

1. Dougherty, Schaffer, Ozinga and Lane.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Don Moore.

4. SENATOR MOORE:

5. Thank you, Mr. President and members of the Senate, Senate
6. Resolution 223 introduced by Senators Dougherty, Smith, Lane, Ozinga,
7. Schaffer and myself, directs the Legislative Advisory Committee on
8. Public Aid to conduct hearings and to have cooperation with the various
9. agencies, both public and private in the State, to develop a State-wide
10. co-ordinated data system, so as to develop a cooperative rather than the
11. present competitive system of health care utilization review and quality
12. control, and to establish and to make recommendations for a State-wide
13. co-ordinated data system for a unified effective health care monitoring
14. program. I'd move you, Mr. President, to suspend the rules for the
15. immediate consideration and adoption of this resolution.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Partee.

18. SENATOR PARTEE:

19. Just going to ask that it go to Executive because it does involve
20. a rather substantial change in our systems.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Leave is not granted. Executive.

23. SECRETARY:

24. Senate...Senate Resolution 224 introduced by Senator Bell.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Executive.

27. SECRETARY:

28. Senate Joint Resolution introduced by Senators Harris, Regner,
29. and Mitchler.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Executive.

32. SECRETARY:

33. Senate Joint Resolution No. 61, Constitutional Amendment introduced

1. by Senators Regner, Harber Hall, Mitchler and others.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Executive.

4. SECRETARY:

5. Senate Joint Resolution No. 62, Constitutional Amendment, introduced
6. by Senator Bloom, Roe, Sommer and others.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you, Mr. President. I'd like ... I'd like leave to put
11. this on the order of 2nd reading.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. I think that there ... there is objection. Leave is not granted,
14. goes to Executive. The Senate will be at ease for a few moments.
15. Senator Howard Mohr, for what purpose do you arise?

16. SENATOR MOHR:

17. Yes, Mr. President, I wonder if I might make a brief announcement.
18. I was looking for Senator Chew, but I don't see him. There's a lot of
19. interest in the bills that we discussed yesterday, House Bill 3164 and
20. 3165, and I would just point out to the members of the Body, not going
21. into what happened yesterday, but want them to know that we are going
22. to study with our Transportation Staff who have been working on this
23. who are in touch with Washington on some of the concerns that we have,
24. and there is time to act on this bill when we come back here in January,
25. it's on 3rd reading, we could pass it at that time, take care of any
26. objections that we might have. I think that most of them could be cleared
27. up, but we're not in a position at this time to say that we can accept the
28. bill, because it opens a lot... a lot of doors in a lot of areas that we
29. are concerned with, so, and I'm assured by our staff that there's no
30. problem in holding this bill until January. The statement from the
31. Department of Transportation would suffice insofar as the Federal govern-
32. ment goes, so there's no problem in holding it. We will be working, the
33. staffs and the committee members of Transportation will have an opportunity

1. to better look at it and act at that time.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Joyce, for what purpose do you arise?

4. SENATOR JOYCE:

5. Well, Mr. President and members of the Senate, it's on the same
6. issue. I really think that it's ... it's of such urgency that we ought
7. to act on this right now. You know, I think that downstate
8. Illinois and, in fact, Cook County, also will be effected tremendously
9. by this, and I ... I think just because things got ruffled around a little
10. bit doesn't give us the excuse to just shove this thing in a corner, so
11. if it would be in order, I would like to move to suspend the rules and
12. to vote on this motion.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Howard Mohr.

15. SENATOR MOHR:

16. Mr. President, the bill is not being shoved in the corner. ... I
17. don't know if you've read the bill or not, Senator, but we're talking
18. about a lot of areas of concern to ... should be of concern to everybody.
19. You're talking about diverting more money from the Motor Fuel Tax Fund
20. to the Road Fund, subsidizing rail transits, there're all kind of areas
21. of concern. We assure you we can act on this without any ... any problem
22. ... with the Federal government if we come back here and take care of
23. that matter in January. All that our Committee is asking to do is, to
24. have a little time. A bill of ... of this magnitude that comes over here
25. on the 3rd day in November and nobody hears anything about it, and all
26. of sudden why you want us to ... to buy a pig in a poke, we're not ready
27. to do that.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. Point of inquiry, Mr. President.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Why don't you take Senator Mohr's microphone. I think that one ...

1. that one has been malfunctioning all week. Too much use, I might say.

2. Go ahead, Senator Hall.

3. SENATOR HALL:

4. Mr. President, may I ask you ... a point of inquiry, where we are
5. right now. I don't see any House ... or any House or Senate Bill number
6. up there ...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. We are ... we are, I take it, on a ... on a inquiry, Parliamentary
9. Inquiry. Senator Joyce has inquired of the Chair whether or not it
10. would be in order to move to suspend the rules for the purpose of hearing
11. or calling for passage House Bill 3164. That is the order we are on.
12. Senator Mohr has made some remarks to that question. Senator Howard
13. Mohr.

14. SENATOR HARBER HALL:

15. Mr ... Mr. President, I would also point out that I think you would
16. be setting a bad precedent if we did suspend the rules and let someone
17. else take charge of the sponsor's bill. The sponsor is not here, he's
18. in charge of that bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well, I don't know what the topic we would be discussing this bill
23. under, whether Senator Joyce's motion to suspend the rules and he be
24. shown as sponsor of this bill, but I, for one, want to speak out against
25. the Senate delaying action on this bill. Now, it's been our great
26. pleasure here the last month to stick it to the Governor by calling
27. his administration completely inadequate, they blunder around, they
28. don't do the job. Now, if you want to give the Governor a wonderful issue
29. in his next campaign for re-election, you come into my district, and
30. you come into Decatur, and you come into Peoria, and you tell the farmers
31. in that area that their soybeans which are on the ground now, and the
32. corn that's on the ground, it's not going to move. You can't tell me
33. in a period between ... January the 14th and February the 6th, with all

1. the railroad lawyers I've seen at these harings, fourteen at a time,
2. that you're going to make any kind of agreement between the 14th of
3. January and ... February the 6th. It just won't be done. Now, if you
4. want to say that to the Governor, if you want to give him that issue,
5. fine. He will take the farmers of this State and stick it to you. He
6. will take the coalminers of this State, and stick it to you. He will
7. take the steelworkers in Hennepin, who will be out of work, and stick
8. it to you. Now, it's time to quit worrying about sticking it to the
9. Governor, and it's time to be doing something for the people. Now, let's
10. get serious. Two hundred and eighty miles of railroad track terminate
11. service on February the 6th. Now, that's the truth. Now, this bill
12. has been gone over in detail by the House Transportation Committee. I
13. don't know what the Senate did. I do know what the House did. They've
14. come up with a bill that's workable, viable, and will give the Department
15. of Transportation a way of working with railroads. Failure to pass this
16. bill means that we do nothing. And we come back in here in February the
17. 6th, and those railroads closed, I don't want anybody to stand on this
18. Floor and say that Governor Walker failed to do his job. He wants to
19. do his job. You're going to cut him, you're going to give the issue he
20. really wants, and that is, the farmers, the coalminers, the steelworkers.
21. The people of this State are going to say that we dropped the ball, not
22. Dan Walker. Let's get back to the business of the Senate.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. I've had a request from the Speaker, if there are any House members
25. within the ... sound of my voice, please return to the Chamber, they're
26. in a verification of some roll call. Senator Howard Mohr.

27. SENATOR MOHR:

28. Mr. President, we're not attacking the Governor on this issue. You
29. talk about somebody that didn't do their job, I think the representatives
30. of the three hundred and six miles of railroad line that ... that supposed
31. to be abandoned, they didn't do their job. I didn't receive one
32. communication from the couple of Senators that suddenly yesterday got
33. up here and they were concerned about the farmers, and the coalminers and

1. the shippers. If it is such a hot issue, where have they been the last
2. six months or whatever time element that they have been involved in.
3. I don't think this Body should come in and act on something at zero
4. hour, and have it rammed down our throat and then find out that we're ...
5. we're subject to a lot ... a lot of problems, liability is one that we're
6. concerned with, there're other areas. So, the only people that we've
7. heard from in the last of couple of days are the...Chicago Motor Club
8. and some other people that are concerned with the diversion of motor fuel
9. tax funds. If it was so important, those that are...that are concerned
10. with it today, should have let us know a few months ago and we'd had
11. some hearings in the Senate. The House did have hearings, that's fine.
12. That's their ...that's their operation. We didn't have any hearings,
13. because we didn't have an opportunity when they bring a bill over here
14. on November 3rd for us to act. I don't like...like in acting in ...in
15. haste, and generally when we do, we have all kinds of problems.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Joyce.

18. SENATOR JOYCE:

19. Mr. President, it has ...and members of the Senate, it has been
20. brought to my attention that the Democratic and Republican Staff of the
21. Senate were at all of the hearings that were held around the State, and
22. there's a forty-two page House Committee Report on the thing, so I ... I
23. would again ask if what the order is to ...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Well, as...as I understand it, the order...there is in our...
26. there is a provision in our rule under order...under Rule 4 that says
27. "nothing in this paragraph shall be allowed to affect the right of a
28. sponsor to control his bill, and if a sponsor is not present, or not
29. ready to proceed, the bill shall remain on the same order", so I presume
30. that your motion would then be to suspend that rule for the purpose of
31. ...advancing or attempting to advance or moving House Bill 3164, and that
32. motion I think is in order. Senator Howard Mohr.

33. SENATOR MOHR:

1. Mr. President, if he wants to put that motion, that's fine, I
2. would just caution him that if the bill fails, the bill fails, if you
3. want to wait until January 14th, I'm positive that you'd pass the bill,
4. but it...it's your move, Senator, if you want to go ahead and proceed
5. with it, I'm going to encourage all the members I can on this side to
6. sit back and not vote on this issue. When you come here January 14th,
7. will give us time to study the ... the proposal, you don't know what is
8. in that forty-two page proposal anymore than I do, so if you want to
9. proceed, let it go down, if it's that important, why then some people
10. can ... will suffer and then you can answer to them.

11. SENATOR JOYCE:

12. Whatever your pleasure.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Joyce.

15. SENATOR JOYCE:

16. Let's proceed with the motion.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The motion is to suspend the rules for the purpose of considering
19. House Bill 3164. That motion takes 30 affirmative votes. Senator Harris.

20. SENATOR HARRIS:

21. Mr. President, I just want to make it clear that I am a Senator that
22. wants to proceed affirmatively eventually with this important piece of
23. legislation, but it is obvious to me that the procedure that is being
24. suggested by Senator Joyce would establish a precedent that I want no
25. part of, and I really believe a terribly dangerous precedent would be
26. established. In no way should my vote not to suspend this important
27. rule be construed to be a position negative toward the further orderly
28. enactment of this important piece of legislation, but I suggest that ...
29. that ... that there will be chaos if we proceed ever to take from member
30. of this Body the very precious right for a sponsor to control his own
31. bill. It's an affront to the membership of Senator Chew that the sugges-
32. tion would be made at all, and I declare to you my complete understanding
33. of the importance of the bill, but far more important is the long-run

1. orderly procedure of this Chamber. To suspend this rule would be a
2. very serious mistake.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator ... there ... there are a number of Senators who have in-
5. dicated their desire to speak to this motion, and I will ... I've got a
6. list, so we'll ... we'll get to everybody. Senator Latherow.

7. SENATOR LATHEROW:

8. Thank you, Mr. President. I think I should speak to one fact
9. concerning the delay on this particular piece of legislation. Yesterday
10. when I asked permission to ask a question, I don't think there was a
11. person on the Floor who could answer it. I questioned how many people
12. on this Floor had ever read House Bill 3164 and 3165. I certainly am not
13. in opposition to the legislation, but when I asked that question of the
14. House members who had so carefully reviewed and studied all the informa-
15. tion that they had available to them, which I find this morning in talking
16. to Washington D.C. and to some other people, was the information I had,
17. why they weren't aware of it, I don't know, but today we find it has been
18. mailed to them, mailed to several people involved in this ... particular
19. instance, and yet those who were in leadership on both sides of the
20. aisle in that committee knew nothing about this piece of ... piece or
21. order from the Commerce Commission. Now, I have satisfied myself con-
22. siderably on what went on in talking to the Gentleman this morning in
23. Washington, I guess it was in Washington, but let me tell you when we
24. start implementing legislation of this type and no one, and I mean almost
25. that, almost no one knows anything about it, I think we are asking for
26. more trouble. I bet there is five times as many people that knows some-
27. thing about this bill today than what did yesterday when we tried to
28. call it. There was never any time or anyone other than the staff person
29. laying of a piece of property in front of me did that I ever have anyone
30. contact me concerning this legislation, and I believe in it. ...I think
31. Charlie Chew or whoever the sponsor, ...I...I certainly wouldn't approve
32. if I were gone and somebody moved to take a sponsorship of a bill away
33. from me. This is something we need to protect and I talked with the

1. Department this morning, I talked with the House, ... Transportation
2. Department at Transportation Committee Staffman, I talked with Representa-
3. tive Neff, and I think there are still a few problems, but then they're
4. not vast enough to hold me up on the consideration of it, but I ... if
5. you feel that I held it up yesterday, I still contend, Mr. President, I
6. held it up justly.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Partee.

9. SENATOR PARTEE:

10. Well, Mr. President and members of the Senate, this is a ex-
11. cruciating kind of question. I've listened to all who have had input on
12. it, and it occurs to me that the problem needs solving and needs solving
13. as quickly as is humanly possible. Whose fault it is, as we live out
14. our lives, one day nobody will remember. I would say that the Department
15. of Transportation, though normally doing a good job, left something to
16. be desired in their handling of this matter. They did not do an affective
17. job in this area. As President of the Senate, I've had no information
18. from the Department of Transportation or from either of the Governor's
19. two liaison men who are here on this Floor all day long, everyday, not
20. one of them has mentioned this bill to me. Neither of them has said that
21. this is important, this is a matter that has to be handled, not one word
22. has been spoken to me as President of this Senate about this bill. Now,
23. it seems to be that I am given to understand that I have heard obtrusively,
24. not directly, that the Department says that they can certify to the govern-
25. ment the fact that this bill is under consideration and will be handled ...
26. posthaste. I would implore the Body to not take this vote. I think it
27. will just render us asunder, and I will give you this assurance. It occurs
28. to me that between now and the 14th of January, when we return, the Depart-
29. ment can effectively communicate the importance of the impact of this leg-
30. islation to the membership, and we can handle this bill on the 14th. If it
31. needs to be, we can stay the 15th and handle it. I've no problem with that.
32. I just think we have to do it, and I just certainly am of the opinion that
33. if the Department certifies to the Federal government that matter is

1. under active consideration by this Body, and will be dealt with on
2. either the 14th or 15th of January that we won't have soybeans and corn
3. and coal lying around bereft of transportation.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Joyce.

6. SENATOR JOYCE:

7. Mr. President and members of the Body, I am in concurrence with
8. Senator Harris and Senator Partee, and with their assurances that this
9. will be brought up, then I would ... would like to withdraw my motion.
10. I did not mean to disrupt the Body, but ...I feel this is a crisis, and
11. that we need some definite assurances that this matter will be taken
12. care of.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Thank you. ... The ... the motion is withdrawn. On the Order
15. of Motions, Senator Bloom.

16. SENATOR BLOOM:

17. Thank you, Mr. President. Caused to be passed out House Joint
18. Resolution 70, and is it in Executive Committee now?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. It has, in fact, be ordered to the ...

21. SENATOR BLOOM:

22. Right. ...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. ... Executive Committee. That is correct.

25. SENATOR BLOOM:

26. ... I would move...I would move to discharge Executive Committee
27. from further consideration of this. To give a little background,
28. basically this addresses itself to three hundred thousand that I took
29. out of an appropriation to the Department of Conservation and Capital
30. Development Board on a project, and the transcript I have available
31. in the seat...at my seat to anyone who would like to listen. Basically,
32. it was to stop the project. The Department of Conservation said, well,
33. we're going ahead anyway with other money. This Resolution merely says,

1. we meant it when we took three hundred thousand out of their appropriation,
2. and in order to get the message to Mr. Dean and his Excellency, Governor
3. Walker, I would respectfully urge my colleagues to discharge the Executive
4. Committee and pass this Resolution. Thank you.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. The motion is discharge the Committee on Executive from further
7. consideration of House Joint Resolution 70. Senator Partee.

8. SENATOR PARTEE:

9. Will the sponsor yield for a question?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Indicates he will yield.

12. SENATOR PARTEE:

13. They're indicate...it's indicated to me there's some controversy
14. in your area about it. I've had communications from two different groups
15. who ... one of whom says this is right, and the other says it wrong.
16. Would you for a moment give us little bit more of the background and
17. tell us, you know, what both sides say and why you take the position you
18. do.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Bloom.

21. SENATOR BLOOM:

22. Very good. I didn't want to unduly belabor it. This goes back
23. about ten years ago when, oddly enough, the Rock Island Line abandoned the
24. right-of-way extending twenty-eight miles north of the City of Peoria.
25. When they announced they were abandoning it, they also announced they'd
26. give the people that lived along side of the right-of-way first refusal.
27. That was in February of '65. In May of '65, a group called the Forest
28. Park Foundation, a conservation group, announced that they had acquired the
29. right-of-way along with the Peoria Railroad Station and from '65 to '68
30. the Forest Park Foundation tried to give it to the State. The State
31. didn't want it. Then along about '69, administrations changed and the
32. new director of the Department of Conservation, who just happens to run
33. the Forest Park Foundation, gave it to Conservation where it sat.

1. The State had tried to give it to the Federal government to make it a
2. park, that wouldn't go along. Meanwhile, the residents had been trying
3. to get something down. The Department of Conservation wouldn't let them
4. mow or trim back the trees, and the farmers along there have not been
5. able to plant their last three rows of crops. Suddenly in '74 or '75,
6. the Department decided to go ahead and make a bike way. Now, there are
7. approximately a dozen or so areas where it crosses creeks, it crosses
8. roads and things like that, and that's where the development goes in.
9. These people never had an input, so they came to me, and said stop it, until
10. there can be hearings, and that's when I put in my little amendment to
11. take three hundred thousand out of conservation.

12. PRESIDING OFFICER: (SENATOR ROCK)

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

14. SENATOR PARTEE:

15. I just wanted to say, I am sorry I asked. What do you want,
16. you got it. Whatever you want, you've got it.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The motion is to discharge the Committee on Executive from further
19. consideration of House Joint Resolution 70 and I presume to ask for the
20. suspension of the rules and the immediate consideration and adoption of
21. House Joint Resolution 70, and I'm...okay, Senator Wooten.

22. SENATOR WOOTEN:

23. It seems to me, though, Mr. President and colleagues, ...is there
24. not, in fact, construction going on now, which is least over half complete
25. in this?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Bloom, Senator Bloom.

28. SENATOR BLOOM:

29. No, it is not half complete. As a matter of fact, there's more
30. than one phase of the project and I've been trying to get out Dean's
31. office since July of this year what the total plan is, and what the total
32. cost is, and I haven't got an answer from him. Not only have they not had
33. hearings before they embarked on this, but they won't tell it how much

1. costs and they're saying that the fact the Legislature took three
2. hundred thousand out of their budget doesn't mean a damn thing, they'll
3. do what they want. Now, that's the facts, friend.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Wooten.

6. SENATOR WOOTEN:

7. I'm grateful that we are friends, Senator Bloom. I merely wanted
8. to know if in the present state of fatigue and so on that if we should
9. push this through, we really may not know what it is we're doing. I'm
10. very happy to ... to accede to your request for hearings and all that,
11. but it just seems to me that ... resolutions go through very quickly and
12. sometimes only later do we discover the substance of what we have done.
13. If it is your earnest wish that we proceed, I suppose we will, but
14. personally I'd like to know a little bit more about...you've given a nice
15. history, but I'd like to know precisely where we stand on this project.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Well, Mr. President, it seems to me, as...as Senator Wooten said,
20. it's three-twenty in the afternoon of the last day of the Session, that
21. the worst thing in the world we could be doing is to consider a resolution
22. that's by-passed the Executive Committee that does have quite a bit of
23. import, and for the Senator to persist in this motion to by-pass committee
24. at this time is...is beyond comprehension to me. This is a ... a con-
25. troversial issue. I've gotten some mail on it. I'm sure all of us had,
26. and I don't know a thing in the world about it. I'm going to use Senator
27. Chew's arguments of yesterday evening when we kept talking about
28. the railroad bills. This thing needs to be heard in committee, and I
29. think the Chairman of the Executive Committee ought to be very upset, if
30. he's not given an opportunity to have a full hearing of this important
31. resolution before his committee, so if the Senator is going to persist in
32. this, why I'm going to vote No on his motion to ... to by-pass committee.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The Chair would observe that the Committee Chairman does not at
2. all look upset. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. Chairman, this is typical of the Department of Conservation.
5. This happens to be largely in Senator Bloom's district. I think it is
6. a situation where we should support him. All that he's asking is this
7. be held up until they can get some kind of report on the project. We
8. have several of these projects in the...the audacity and the attitude
9. of the Department of Conservation is that ... that those people who are
10. opposed to anything Tony Dean wants to do, be damned, and I say we
11. should support Senator Bloom in this, and I think everybody on this side
12. of the aisle should support him.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? The motion is to discharge the Committee on
15. Executive from further consideration of House Joint Resolution 70. All
16. those in favor signify by saying Aye. All those opposed. The Ayes have
17. it. The Committee is discharged. The question now is, the motion is
18. to suspend the rules for the immediate consideration and adoption of
19. House Joint Resolution 70. All those in favor signify by saying Aye.
20. All those opposed. The Ayes have it. The rules are suspended. The
21. question is, the adoption of House Joint Resolution 70. All those in
22. favor signify by saying Aye. All those opposed. The Ayes have it. The
23. resolution is adopted. Further motions, Senator Partee, do you have a
24. motion?

25. SENATOR PARTEE:

26. Yes, Mr. President. This is a request of the Speaker. There is
27. House Bill 3180 which is now in the Rules Committee of the Regular Session,
28. and I'm moving to discharge that committee from further consideration.
29. It relates to a thirty-thousand....

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Thirty-thousand dollar appropriation for the Clerk of the House...

32. SENATOR PARTEE:

33. ...for Clerk of the House.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Motion is to discharge the Rules Committee from further consideration
3. of House Bill 3180 and have it read a first time and placed on the
4. Calendar on the order of 2nd reading. All those in favor signify by
5. saying Aye. All those opposed. The Ayes have it. So ordered. Mr.
6. Secretary, read the bill.

7. SECRETARY:

8. House Bill 3180.

9. (Secretary reads title of bill)

10. 1st reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. 2nd reading. Further motions or further business to come before
13. the Regular Session? Senator Partee. Is there any further business?
14. Senator Morris, for what purpose do you arise?

15. SENATOR MORRIS:

16. I have a motion on file on House Bill 1730.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Oh, boy...Mr. Secretary, read the motion.

19. SECRETARY:

20. I move to accept the specific recommendations of the Governor as
21. to House Bill number 1730 in the manner and form as follows: and it is
22. signed by Senator Morris...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. It does not appear to the Chair at least to be in proper form.
25. Senator Mohr, Senator Howard Mohr.

26. SENATOR HOWARD MOHR:

27. Well, that was going be...that was going to be my first question,
28. and then I was just going to make an observation that here again we are
29. trying to do things at the last minute with somebody else's bill. I
30. know that on this bill, though, I would have...or on this motion, I would
31. have Senator Buzbee's support which would be a first, but it is not in
32. proper form?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. I...that...that...is the appearance if you're making that
2. motion, I'm certainly going to sustain it.

3. SENATOR HOWARD MOHR:

4. Well, it...it is my bill, Mr. President. He has that right, but
5. if it is not in proper form, I will make that objection.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. I am informed by the Secretary that the Motion is not in proper
8. form, and will so rule, it's out of order. Any further business?

9. Senator Morris.

10. SENATOR MORRIS:

11. I would like to know why it is not in ...proper form.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Well, when you file a motion to accept specific recommendations,
14. it must be filed in the manner and form in which it was adopted in the
15. House. Your motion does not do that. Further business to come before
16. the Senate. Senator ParTEE, should we just recess this awaiting further
17. action of the House so we could on to the specials? Is that the pleasure
18. of the Body?

19. SENATOR PARTEE:

20. Yes, Mr. President.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. The Regular Session will now stand in recess until the call of the
23. Chair.

24. (RECESS)

25. (AFTER RECESS)

26. PRESIDING OFFICER: (SENATOR ROCK)

27. The Senate will come to order. Message from the Governor.

28. SECRETARY:

29. A Message from the Governor by Mr. Duncan, Assistant to the
30. Governor.

31. Mr. President - The Governor directs me to lay before the
32. Senate the following message:

33. State of Illinois, Executive Department, Springfield, Illinois

1. To the Honorable Members of the Senate 78th General Assembly, I
2. have nominated and appointed the following named persons to the office
3. enumerated below and respectfully ask concurrence in confirmation of
4. these appointments by your Honorable Body.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Committee on Executive Appointments and Administration.
7. Resolutions.

8. SECRETARY:

9. Senate Resolution 225 introduced by Senator McCarthy, Rock and
10. all members. Congratulatory, congratulating the St. Teresa High School
11. football team.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Rock moves for the suspension of the rules for the immediate
14. consideration of this resolution. All those in favor signify by saying
15. Aye. All those opposed. The Ayes have it. The rules are suspended.
16. Senator Rock nows moves the adoption of this resolution. All those in
17. favor signify by saying Aye. All those opposed. The resolution is
18. adopted. Any further business to come before the Senate? Pursuant to
19. the Adjournment Resolution, the Senate of the 79th General Assembly stands
20. adjourned until Wednesday, January 14th, at noon, one o'clock, Wednesday,
21. January 14th, at one o'clock. The Senate stands adjourned.

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