

79th GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 15, 1976

1. PRESIDING OFFICER: (SENATOR McCARTHY)

2. The hour of...the hour of ten o'clock having arrived, the
3. Senate will come to order and the prayer will be given by Senator
4. Wooten. Will the guests in the gallery please rise.

5. SENATOR WOOTEN:

6. God, our Father, please open our eyes to the beauty of Your
7. creation. And help us to live and act in accordance with Thy
8. Holy will. Amen.

9. PRESIDING OFFICER: (SENATOR McCARTHY)

10. Reading of the Journal. Senator Kenneth Hall is recognized.

11. SENATOR HALL:

12. Thank you, Mr. President. I move that reading and approval of
13. the Journals of Wednesday, December 1, 1976, Thursday, December
14. 2, 1976, and Tuesday, December 14th, 1976 be postponed pending
15. arrival of the printed Journals.

16. PRESIDING OFFICER: (SENATOR McCARTHY)

17. You've heard the motion. All in favor signify by saying
18. Aye. Contrary Nay. The Ayes have it. The motion carries. The
19. Senate will now stand in recess till call of the Chair.

20. RECESS

21. AFTER RECESS

22.
23. ... (machine cut off) Make us bold, O, God, in our conviction.
24. Give us a clear understanding and draw near to us with Thy love.
25. Bless this day and these, Thy people and in all our ways we will
26. acknowledge You and let You direct our path. Amen.

27. PRESIDENT:

28. Messages from the Governor.

29. SECRETARY:

30. A Message from...A Message from the Governor by David
31. J. Caravello, Assistant to the Governor.

32. Mr. President - the Governor directs me to lay before
33. the Senate the following message: To the Honorable members of the

1. Senate, the 79th General Assembly. In my message to you dated
2. July the 9th, 1976, there was a clerical error in that Mrs.
3. Joan Cameron of Glenview was nominated to be a member of the Lottery
4. Control Board for a term expiring July the 1st, 1979. In fact, the
5. correction nomination should read as follows: Lottery Control
6. Board, to be a member of the Lottery Control Board for a term
7. expiring July the 1st, 1978. I respectfully ask concurrence in and
8. confirmation of this appointment by your honorable Body.
9. Signed, Governor Dan Walker.

10. A Message from the Governor by David J. Caravello, Assistant
11. to the Governor...

12. PRESIDENT:

13. Caravello.

14. SECRETARY:

15. ...Caravello, Assistant to the Governor.

16. Mr. President - The Governor directs me to lay before
17. the Senate the following message. To the Honorable members of the
18. Senate, 79th General Assembly. I have nominated and appointed
19. the following named person to the office enumerated below
20. and respectfully ask concurrence in and confirmation of this
21. appointment by your honorable Body.

22. PRESIDENT:

23. Executive Appointments. For what purpose does Senator
24. Hall arise?

25. SENATOR KENNETH HALL:

26. Thank you, Mr. President. Yesterday, I would like to ask...I
27. had two bills that were moved from Postponed Consideration
28. back to 2nd reading for purpose of an amendment and in so doing that
29. I should have Tabled Amendment No. 1 on House Bill 3533 before
30. I added the amendment on. I would like, at this time, to be able
31. to correct that.

32. PRESIDENT:

33. Is there leave to return it to 2nd reading? Leave is granted.

1. The bill, House Bill 3533, is now on the order of 2nd reading.

2. Senator Hall is recognized.

3. SENATOR KENNETH HALL:

4. Thank you, Mr. President, fellow members of the Senate.

5. I would like to Table Senate Amendment No. 1 and then, first I should
6. ask...Table Senate Bill No. 1.

7. PRESIDENT:

8. The motion is to Table Amendment No. 1 to Senate Bill 3533.

9. All in favor say Aye. Opposed Nay. The Ayes have it. The
10. amendment is Tabled. Any further amendments? No, Senator, it's
11. been read. Any further amendments? Back to Postponed
12. Consideration. Senator Graham.

13. SENATOR GRAHAM:

14. On the Executive Appointments, that was just delivered to
15. the Secretary of the Senate, is it the thinking of the Chair that
16. these appointments will be considered at our meeting of Executive
17. Appointments tomorrow morning?

18. PRESIDENT:

19. I do not know, Senator. The only way that that could happen
20. would be for...

21. SENATOR GRAHAM:

22. By waiver...

23. PRESIDENT:

24. ...waiver.

25. SENATOR GRAHAM:

26. Well, if that be the case, then should that rule be waived
27. some time today, then I would like to suggest that the members of the
28. Executive Committee be informed forthwith so we know who those
29. appointments are and what their terms are.

30. PRESIDENT:

31. Fine. Well the vice-chairman is not here yet, so we will
32. inform her when she arrives. We're going to the order of Resolutions
33. and Senator Merritt is recognized.

34. SENATOR MERRITT:

11-10-11
1-15-46

- 1. Yes, Mr. President. I have a resolution on the
- 2. Secretary's Desk.
- 3. PRESIDENT:
- 4. Do you desire it read?
- 5. SENATOR MERRITT:
- 6. I would like for it to be read in this instance because...
- 7. PRESIDENT:
- 8. All right. Just...
- 9. SENATOR MERRITT:
- 10. ..it has to do with one of our colleagues.
- 11. PRESIDENT:
- 12. Just a moment. Will our members be in their seats, our
- 13. kissn' cousins and others. Will the members be in their seats.
- 14. Read the resolution.
- 15. SECRETARY:
- 16. Senate Resolution 464, introduced by Senator Merritt and all
- 17. Senators.
- 18. (Secretary reads SR. 464)
- 19. PRESIDENT:
- 20. Senator Merritt.
- 21. SENATOR MERRITT:
- 22. Mr. President, I think that I was bewitched into this resolution
- 23. after my remarks on the Senate Floor two weeks ago regarding his
- 24. sixty-fifth birthday. He didn't appreciate that when I called
- 25. him Saturday, December 4th, which was his sixty-first birthday.
- 26. I think that I've asked all Senators to join in the resolution
- 27. with me and I would move for the suspension of the rules and
- 28. immediate consideration of the resolution, Mr. President.
- 29. PRESIDENT:
- 30. Senator Graham.
- 31. SENATOR GRAHAM:
- 32. Mr. President, now that we are offering our colleague from
- 33. Hancock County,...

1. PRESIDENT:

2. Just a moment. Will the members be in their seats, or
3. keep...keep your voices down, please. Continue, Senator.

4. SENATOR GRAHAM:

5. ...in recognizing his legislative prowess during the years
6. he has spent in this General Assembly and he will be returning to
7. Fountain Green. I think it's fitting for me to say that having
8. had some acquaintance with this area many years ago, that it's
9. perhaps well that a portion of Fountain Green no longer exists.
10. The name of Crooked Creek has quite an implication upon that area
11. and those who don't believe it, had they ever engaged in...in a
12. game of knock rummy on the northwest corner of the square, in
13. Fountain Green, they would have realized the importance of it.
14. And if you go back up there and Cliff in there and there's any
15. knock rummy game, I would suggest you proceed with caution.

16. PRESIDENT:

17. Senator Glass.

18. SENATOR GLASS:

19. I thank you, Mr. President. I will be pleased to join in as
20. a cosponsor of the resolution, but I do object to that part of it
21. that refers to sending Cliff Latherow at the age of sixty-four
22. out to pasture and I just wanted...want the membership for the
23. record to know that I don't think either the sponsor of the
24. resolution or the...the person the resolution honors, either of
25. them are ready to be sent out to pasture.

26. PRESIDENT:

27. Have a personal interest in that and I agree. Any further
28. discussion? Senator Merritt has moved that all Senate members
29. be shown as sponsors of this resolution, that the rules be suspended
30. for the immediate consideration of this resolution. All in favor
31. will say Aye. Opposed Nay. The Ayes have it. The rules
32. are suspended. Senator Merritt now moves for the immediate
33. adoption of this resolution. All in favor will say Aye. Opposed

18-464
12/15/76

1. Nay. The Ayes have it. The resolution is adopted. Senator
2. Latherow.

3. SENATOR LATHEROW:

4. Well, I think, Mr. President, after I listened to some other
5. remarks plus that, before I respond, I probably ought to have a
6. copy so I could reread it...know what they really did have to say.
7. But,...

8. PRESIDENT:

9. I think they sent it down to the Pollution Control Board to
10. have it looked at.

11. SENATOR LATHEROW:

12. You...that...that would be a good place to get it aired,
13. I'll tell you, Senator. But, thanks a lot you members of the
14. Senate. It's been a joy to me.

15. PRESIDENT:

16. Resolutions.

17. SECRETARY:

18. Senate Resolution 465, introduced by Senators Kenneth Hall,
19. Lemke, and all Senators.

20. (Secretary reads SR 465)

21. PRESIDENT:

22. Senator Kenneth Hall.

23. SENATOR HALL:

24. Thank you, Mr. President and fellow members of the Senate.
25. I'm sure all of you are aware of Mrs. Mary Ann Lamm who was my
26. secretary and before I move to suspend the rules for immediate
27. consideration and adoption of this, Mr. President, I would like for
28. Senator Lemke, since she served as his secretary also, to have
29. something to say.

30. PRESIDENT:

31. Senator Lemke.

32. SENATOR LEMKE:

33. Mr. President, fellow members of the Senate, Kenny Hall.

11-1-66
1-1-66
1-1-66

1. It's my pleasure to speak on behalf of our former secretary,
2. Mary Ann Lamm since she is an elected official in Sangamon County
3. and one of the few Democrats that was elected in Sangamon County.
4. But Mary Ann Lamm's record shows that as the record of my former
5. lady committeeman in Chicago, Lillian Piatkrowski, that if a woman
6. works hard at any profession, she will succeed and if she will
7. consistently work at that profession, she will be successful
8. and it shows that if you, instead of picketing, if you work,
9. you'll become successful even if you are, as they say, a minority.
10. Mary Ann Lamm is a exceptional individual because she worked hard
11. to win the office she had in Sangamon County and it's a great honor
12. but a great loss too to Kenny Hall and I not to have a secretary
13. but it's also an honor to have her as a recorder in Sangamon
14. County. So, let the women that are here on ERA know that ERA
15. has been in Illinois without the amendment for many a years
16. because women have always been put ahead in politics in the State
17. of Illinois before if they worked hard. Thank you.

18. PRESIDENT:

19. Senator Netsch. Did you desire recognition? I thought I...
20. you were just twitching, you weren't asking...

21. SENATOR NETSCH:

22. I was twitching.

23. PRESIDENT:

24. I see. Thank you. Any further discussion? Senator Kenneth
25. Hall moves the...that all members be shown as cosponsors of this
26. resolution and that the rules be suspended for immediate consideration.
27. All in favor say Aye. Opposed Nay. The Ayes have it. The
28. ...the resolution is under...rules are suspended. Senator Kenneth
29. Hall now moves for the immediate adoption of this resolution. All
30. in favor will say Aye. Opposed Nay. The Ayes have it. The resolution
31. is adopted.

32. SECRETARY:

33. Senate Resolution 466. It's on Medicare Program.

1. PRESIDENT:

2. Executive. May the Chair have your attention? The
3. daughter of a member of the State Senate of the State of Georgia
4. has graced us by her presence. She is a political person
5. who knows something about politics having a father who is a
6. State Senator and having a father-in-law who is a President
7. elect of the United States. I'd like the Senate to meet and greet
8. Mrs. Judy Carter.

9. MRS. CARTER:

10. I really appreciate your warm welcome. The last time I was
11. in Springfield was on my birthday in March so I really have a
12. pleasant place in my heart for Springfield. This is the first
13. time since the election that I've been in any kind of legislative
14. chamber and as Senator Partee told you, I'm...I'm rather familiar
15. with the inner workings of what goes on here. But, I'm really glad
16. to be here and I hope that...that I get to meet as many of you
17. as I can while I'm here. One of the things that...that I think
18. Jimmy intends to do as much as he possibly can is to get as much
19. input from people outside of Washington as he can during the next
20. four years and one way that he can do that is for us to go to
21. some places where he can't be all the time. And so any of your
22. suggestions or ideas or things like that are really important to us
23. in a very serious kind of way, because I do report those things
24. back to him because it let's him know something in a different way
25. than he can find out himself. So, thank you again, for your welcome.
26. I'm glad to be here.

27. PRESIDENT:

28. To the Calendar. ...Senator Nimrod arise?

29. SENATOR NIMROD:

30. Yeah, Mr. President. I was trying to get your attention on that
31. resolution, 465 when all Senators were shown as sponsors and I'm
32. not familiar with it and I thought there was some other problem.
33. I...I haven't read it so I don't know what we're honoring her

1. for, and whether or not we can...

2. PRESIDENT:

3. Oh, she was honored for her...she's a Senate secretary who

4. was being honored for her election to public office. She was

5. elected Recorder of Deeds in Sangamon County. Senate Bills

6. on 3rd reading. Senate Bill 2021, Senator Carroll. Senator

7. Carroll, do you desire to call 2021? The answer is negative?

8. SENATOR CARROLL:

9. Yes. No, I do wish to. I'm sorry. I was answering two

10. questions at once, Mr. President.

11. PRESIDENT:

12. I have no answer.

13. SENATOR CARROLL:

14. I would like...I would like the bill called, yes please.

15. PRESIDENT:

16. Thank you. Read the bill.

17. SECRETARY:

18. Senate Bill 2021.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. This bill was filed as a result

25. of an agreement reached during the conference committee stage

26. last June on the Prosecutorial Advisory Council. We had agreed

27. to reduce the salary of the head man, the executive director

28. of that council and at the same time delete the requirement that he

29. devote his full time to this occupation. Then that effect would be

30. a reduction in State expense and he could treat it as a part time

31. capacity. I would, therefore, be willing to answer any questions and

32. would ask for a favorable roll call.

33. PRESIDENT:

HB 129
3rd Reading
12/11/76

- 1. Any further discussion? The question is shall Senate Bill
- 2. 2021 pass? Those in favor will vote Aye. Opposed Nay. The
- 3. voting is open. Have all voted who wish? Have all voted who wish?
- 4. Take the record. On this question, the Ayes are 53, the Nays
- 5. are none with one Voting Present. Senate Bill 2021, having
- 6. received the required constitutional majority is declared passed.
- 7. For what purpose does Senator Mitchler arise?

8. SENATOR MITCHLER:

- 9. Well, Mr. President, I look at the board and I see
- 10. Senator Nudelman as recorded as present. Is Senator Nudleman
- 11. a member of the Senate?

12. PRESIDENT:

- 13. No, he is not.

14. SENATOR MITCHLER:

- 15. I would like the record to be corrected, please.

16. PRESIDENT:

- 17. Just a moment. For what...the record has already been corrected
- 18. but let me...someone wants recognition.

19. SENATOR D'ARCO:

- 20. Mr. President, I inadvertantly hit Mr. Nudelman's switch when
- 21. I intended to hit my own and...it's hard to believe, so I just
- 22. want to correct the record.

23. PRESIDENT:

- 24. Well, I think you should put a...Senator Nudelman has resigned
- 25. from the Senate, is a judge in Chicago. Lock the...lock input,
- 26. take the key. Thank you. Those things happen, we read about them
- 27. all the time. House Bill 129, Senator Carroll. Read the bill.

28. SECRETARY:

- 29. House Bill 129.

30. (Secretary reads title of bill)

- 31. 3rd reading of the bill.

32. PRESIDENT:

- 33. Senator Carroll.

H.B. 129
18/15/76

1. SENATOR CARROLL:

2. Thank you, Mr. President and members of the Senate.
3. House Bill 129 is now, as amended, the attempt to correct some of
4. the mistakes technically made and make one substantive change in the
5. change in the interest rates on home ownership mortgages.
6. What we had done last year, as you know, was to change the eight
7. percent limit to a sort of floating limit based on a Federal
8. standard based on a chart that was available from the Federal
9. government so that we would not be back here year in and year
10. out, debating at what maximum interest rates should be. In that
11. bill, however, we made the mistake of using an inaccurate
12. description in defining the index that we will use, so this bill
13. merely makes the change of putting in the correct words of what
14. that index will be which is the Board of Governors of the
15. Federal reserve system, it makes the other technical change of using
16. the term interest instead of yield, which was a mistake we had
17. made and then substantively it adds something that has been held to be
18. very important for the people of this State, and that is where the
19. original bill put in only affected the purchase, only the purchase
20. of real estate, it did not talk about any refinancing and as all of
21. us know we have constituents who today, through repairs and
22. other reasons are seeking to refinance their mortgage and that would
23. have been an eight percent cap and therefore money was not
24. available, though this bill also allows the use of this new
25. floating rate for a refinancing of a mortgage. I would ask for
26. a favorable roll call.

27. PRESIDENT:

28. Senator Merritt.

29. SENATOR MERRITT:

30. Well, Mr. President, I'm in total agreement with what
31. Senator Carroll has said. There was no question but what language
32. needed to be clarified as far as title companies were concerned,
33. I believe one area at least. The thing that disturbs me, Senator

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1. Carroll and I intend to support the bill and I hope my colleagues
2. do here, because it's needed legislation, the thing though, that
3. disturbs me as I understand it, Senator, were...we've got about
4. a two month lag between when those reports are published
5. by the Board of Governors, the Federal Reserve System and actually
6. reaches the commissioner of banks and trust companies here and then
7. I guess, so I'm informed anyway, then the commissioner of banks
8. and trust companies must file it with the Secretary of State.
9. I don't think it amounts to too much right at the moment because
10. I'm sure that we're below what would have been nine and a half
11. percent anyway at the present time. But, in a fluctuating market
12. I think you place your financial institutions in almost a state
13. of noncompliance there for maybe a matter of days because they're
14. sending things to the Recorder's office all the time for recording,
15. even though the mortgage was signed ahead of time, it really is not
16. a mortgage until it's recorded. So, with that, I intend to support
17. the bill, but I do...I do think it has some implications.

18. PRESIDENT:

19. Senator McCarthy.

20. SENATOR MCCARTHY:

21. Just a partial response to Senator Merritt's remarks.
22. I've always thought the mortgage was valid when it was signed
23. and the money was passed and that the recordation merely was a
24. ...a act to make it a public record and I could be incorrect on that
25. but, I just wanted to make a couple of remarks about this bill. I...I
26. intend to support the language that is in here. Had some communications
27. with some of the interest groups that...

28. PRESIDENT:

29. Senator McCarthy's mike still on?

30. SENATOR MCCARTHY:

31. Yeah. I had some communication with some of the lobbyists
32. from the interest groups with whom this whole General Assembly and
33. those of us, Senator Merritt and myself, Senator Carroll and others

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1. have struggled with this problem for the last seven years
2. ever since early in January...in February of 1969 and so I just
3. wanted to make a comment that these changes, I think, are
4. agreeable but we shouldn't escape what has happened because of this
5. legislation. This legislation, as you know, does keep a
6. legal limit on the amount of interest that can be charged by
7. making it a float of two and a half percent over the return
8. of the long term government rates. It puts Illinois in the
9. position of putting a mirror up to the activities of the Federal
10. Reserve Board, the activities of the big bankers who decide prime
11. rate, which of course, is based upon supply of money, other factors
12. and just so that we know what we're doing, commencing January
13. 1 of this year, if this bill is passed and signed into law,
14. and I have every reason to think it will, the interest limitation
15. on home loans will probably drop January 1st, so instead of nine
16. and a half percent, if it's six percent now, the yield
17. is you add two and a half percent, the maximum interest rate on
18. people taking out loans in January of next year would be eight
19. and a half percent. That's rather significant, Mr. President,
20. that the limitation hopefully, in January on home loans would be
21. eight and a half percent as opposed to nine and a half percent
22. because the difference in cost to the borrower can be explained
23. this way. The borrower borrows at eight and a half percent
24. a loan of thirty thousand dollars repaid over thirty years, the
25. savings on that one percent to the borrower is seven thousand
26. six hundred dollars. Significant. I mention that to this
27. Chamber because this has been a source...a subject matter on which
28. we've all struggled very hard and now here it comes that I think we've
29. got a product that now is the law that puts Illinois into the
30. position of reflecting what the money condition is throughout
31. the forty-eight and fifty states of the United States and now
32. we have a new administration coming into Washington with the
33. preceding type of reaction where the rate of interest is dropping and

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1. that reflects here upon us in Illinois and I just mention that as
2. a...a appraisal of the bill and urge your support of this legislation
3. in its final form.

4. PRESIDENT:

5. Senator Ozinga. Senator Ozinga, did you still want recognition?

6. SENATOR OZINGA:

7. Maybe yes and maybe no. It all depends. I'd like to ask
8. Senator Carroll a question.

9. PRESIDENT:

10. Senator Carroll indicates he...

11. SENATOR OZINGA:

12. In...

13. PRESIDENT:

14. ...will yield.

15. SENATOR OZINGA:

16. In his phraseology of...stating the bill, he said, as now
17. amended. And then he went on to proceed to explain, wasn't the
18. original bill or was that amendment made in the House or was it
19. made here?

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. Senator Ozinga, we had had some
24. confusion about that. No, the amendment was not made in the House.
25. We made it here last we were here ten days or so ago. It was a
26. Senate amendment to put in the interest instead of yield, the
27. Board of Governors in...

28. SENATOR OZINGA:

29. In...in other words, this is the amendment that you and I
30. were talking about?

31. SENATOR CARROLL:

32. Right. It...

33. SENATOR OZINGA:

34. Okay.

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1. SENATOR CARROLL:

2. ...was a shell bill when it came over.

3. SENATOR OZINGA:

4. Okay. The...the only answer that I've got to that is that
5. there is thorough confusion or there will be thorough confusion
6. without this bill in the banking industry and with that I would
7. urge every member on the Floor to vote for the bill.

8. PRESIDENT:

9. Any further discussion? The question is shall House
10. Bill 129 pass? Those in favor will vote Aye. Opposed Nay.
11. The voting is open. Have all voted who wish? Take the record.
12. On this question, the Ayes are 52, the Nays are 1 with 2 Voting
13. Present. House Bill 129 having received the required constitutional
14. majority is declared passed. House Bill 3202, Senator Hynes.
15. House Bill 3831, Senator Carroll. House Bill 4008, Senator Rock.
16. For what purpose does Senator Graham arise?

17. SENATOR GRAHAM:

18. We have a rule in the Senate, that we have precluded
19. lobbyists, so to speak, from being on the Floor during the time
20. we're conducting business. I think that should also prevail
21. with regard to those that are seeking gubernatorial appointment
22. to the various commissions.

23. PRESIDENT:

24. Will the persons in the category named, comply with the
25. request. Please leave the Floor. Senator Rock. Senator
26. Soper, for what purpose do you arise?

27. SENATOR SOPER:

28. What Senator Graham said hasn't been heard by the person that's
29. on the Floor.

30. PRESIDENT:

31. Read the bill.

32. SECRETARY:

33. House Bill 4008.

34. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. House Bill 4008 is an amendment to the State Printing
7. Contract Act and it provides an exception at the request, frankly,
8. of the Comptroller of this State. It will provide that the term
9. of contracts for printing the items necessary to conduct legislative
10. business may coincide with the two year term. In other words,
11. we can enter into a long term contract. Under the Printing Act
12. as it now stands, the Comptroller feels that no contract for
13. printing the Journal, the bills, the records of the Senate and
14. the House can be entered into which would go beyond June 30,
15. 1977. For this reason, the Comptroller has requested of the
16. Speaker that this bill be introduced and hopefully passed so that
17. when the 80th General Assembly convenes, a contract for printing for the entire
18. Session can be entered into at a lessor cost. I would know of no
19. objection to the bill and I would urge your favorable consideration.

20. PRESIDENT:

21. Any further discussion? The question is shall House Bill
22. 4008 pass? Those in favor will vote Aye. Opposed Nay. The
23. voting is open. Have all voted who wish? Take the record. On
24. that question the Ayes are 52, the Nays are none with none Voting
25. Present. House Bill 4008 having received the constitutional
26. majority is declared passed. The Chair has an announcement.
27. Mrs. Lucille Ramshaw, our nurse, would like all of you to know
28. that Swine Flu shots will be available between 1:00 p.m. and 3:00
29. p.m. today in her office in the nurses station. Members only.
30. It's an exclusive serum. House Bill 4009, Senator Philip. Read
31. the bill.

32. SECRETARY:

33. House Bill 4009.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President, Ladies and Gentlemen of the

7. Senate. House Bill 4009 is similar to House Bill 3417 which

8. passed the Senate by a fifty-one to two vote. The difference,

9. basically, are three projects, Addison Creek Water Shed, North

10. Branch Chicago River Water Shed, the Bensonville Ditch George

11. Street Reservoir, which are appropriated a higher amount

12. than originally contained in House Bill 3417 because of the

13. deletion of the Middle Forks Project. The failure of House Bill

14. 3656, the bonding authorization which contained the authority

15. for the Division of Water Resources caused the Governor to amend

16. the veto of the appropriation to the level of 12.5 million.

17. I might say that I have a companion bill, House Bill 4010,

18. which increases the authorization from eight million to 20.5

19. million. As you realize, to be a participant in the implementation

20. of the Water Resource Improvement Project, the major method of

21. participation is through the acquisition of project right of way

22. and assumption of operation of maintenance of completed projects.

23. I have here at my desk, a copy of sponsorship agreements dated

24. July 25th, 1976 between the cities of Northlake, Elmhurst,

25. Melrose Park, Stone Park, Broadview, Belwood, Westchester,

26. Addison, Liton Township, Addison Creek and I could go on and on.

27. I might remind you that the State's share of this money for

28. the flooding project is some thirty-eight percent. The Federal

29. share of this project is some forty percent and the local

30. participation is some twenty-two percent. I happen to live right

31. outside of the flooding area, thank God, and I will tell you that

32. it has been a disaster in northern Addison Township. Hopefully,

33. this will solve the...the flooding problems for the future and I

1. ask for your considerable consideration.

2. PRESIDENT:

3. Senator Egan.

4. SENATOR EGAN:

5. Yes, Mr. President, members of the Senate. I rise to support

6. Senator Philip in his plea for your assistance in this project.

7. It's...affects my district as it does the surrounding areas northwest

8. of my district. It is a continuing serious problem in the area,

9. flood control and we just would like not to wait any longer to

10. correct it and I ask for your support.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Merritt.

13. SENATOR MERRITT:

14. Mr. President, members of the Senate. Do I understand, Senator

15. Philip, you said that the Middle Fork Reservoir was added back in that

16. project? I...I heard you make reference to it. Was it deletion

17. or addition?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Philip.

20. SENATOR PHILIP:

21. It was deleted.

22. SENATOR MERRITT:

23. Mr. President.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Merritt.

26. SENATOR MERRITT:

27. It interests me greatly when I hear his figures about

28. how much local participation they had when with our particular

29. project at Middle Fork Reservoir, we had a hundred percent

30. participation, in fact, we had invested more with a referendum

31. than was proposed by the State. Now, in all fairness, I'm going to

32. be a better Senator, I hope, for my colleagues than they were to me

33. because I intend to support it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. Mr. President and members of the Senate. I would rise
5. in support of this...these two bills. They're very important
6. to the flood water that collects up in the northeastern section of
7. the State and several other projects. They're...very important.
8. The point that I would like to make, however, that these projects
9. have been considered not only this year, but in several years
10. past and I probably would rise in opposition to the legislation
11. being considered at this time, if it were not for the fact
12. that to prolong the passage of this legislation so they can get on
13. with the projects, and correct the flooding, but here we are just
14. a few days before Christmas and we're down here on new bills
15. introduced during this veto Session to consider things that
16. we didn't take up properly when we were down here during
17. the Regular Session. And I want to make that point on it, but
18. I wouldn't want to cloud the goodies that are in this bill for the
19. people of the State of Illinois in many of your districts, including
20. mine.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Knuppel.
23. SENATOR KNUPPEL:
24. Well, I just agree with Senator Merritt and others that there's
25. nobody who knows better what's good for their district than
26. Senator Philips and Senator Egan. We need roads in west central
27. Illinois and I'll be expecting them to help me from time to time.
28. I'm going to help them.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Regner.
31. SENATOR REGNER:
32. ...question for the sponsor.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will yield.

2. SENATOR REGNER:

3. Senator Philip, I think you said in your opening testimony

4. that this bill was strictly for flood control work. However, I find

5. on page four there is a two hundred thousand dollar appropriation

6. for a road into a state park and also seven hundred and sixty

7. thousand for a building for performing arts. And I was wondering,

8. are those actually in and in others words, what you said

9. about flood controls, strictly wasn't right?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Philip.

12. SENATOR PHILIP:

13. Yes, Senator Regner, those were added by the House, and I'm

14. hoping that the Governor may just take care of that if we pass this

15. bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Question is shall House Bill

18. 4009 pass. Those in favor vote Aye. Those opposed Nay. The

19. voting is open. Have all those voted who wish? Have all those

20. voted who wish? Take the record. On that question, the Ayes

21. are 39, the Nays are 8, 2 Voting Present. House Bill 4009, having

22. received a constitutional majority is declared passed. House

23. Bill 410...4010, Senator Philip.

24. SECRETARY:

25. House Bill 4010.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Philip. Senator Philip.

30. SENATOR PHILIP:

31. Thank you, Mr. President, ladies and gentlemen of the Senate.

32. House Bill 4010 is the companion bill for 4009. It amends the

33. Capital Development Bond Act, authorize the Illinois General

1. Obligation Bonds to be issued in the amount of seven hundred and
2. sixty million dollars, increases the amount used for water
3. resource management projects. So, I ask for your favorable
4. consideration.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Berning.

7. SENATOR BERNING:

8. Just one question of the sponsor.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. He indicates he will yield.

11. SENATOR BERNING:

12. What is the dollar obligation to the General Revenue
13. Account for each additional million dollars that the Capital
14. Development Board Authorization is increased?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Philip.

17. SENATOR PHILIP:

18. I'm afraid I don't have that figure at my fingertips,
19. Senator.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Berning.

22. SENATOR BERNING:

23. Well, my understanding is that for about every one million
24. dollars that we increase the authorization and expenditure by
25. the Capital Development Board, we are obligating the General
26. Revenue Account to about one hundred thousand dollars. Now,
27. as we do this with each and every request that comes along, we are,
28. of course, deminishing the available General Revenue Account
29. dollars for other necessary services. I merely call to the
30. attention of the members of this Body that the General Revenue
31. Fund does ultimately have to pay the debt service on these
32. Capital Development Bonds. It isn't a question just of authorizing
33. bonds and merely forgetting it and seeing improvements, it is a
34. question, then, of our appropriating money subsequently to pay off

1. these bonds, call it to your attention.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Philip may close

4. the debate.

5. SENATOR PHILIP:

6. Thank you, Mr. President. Trying to put some quick figures

7. together for you, Senator. I think it amounts to about

8. seventy thousand dollars, if I'm not correct, and I'm not

9. positive on those figures at all. But, as I said once before,

10. flooding is a tremendous problem in northern DuPage County, in

11. northern Cook County. It's been a problem for quite a number

12. of years. It's a problem that doesn't stop. Come this spring again,

13. if we don't do something about the flooding we're going to have

14. a tremendous flooding problem in those local communities.

15. So, on that basis, I ask your favorable consideration.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Question is shall House Bill 4010 pass? Those in favor vote

18. Aye. Those opposed Nay. The voting is open. Have all those voted

19. who wish? Have all those voted who wish? Take the record.

20. On that...question, the Ayes are 38, the Nays are 12, 1 Voting

21. Present. House Bill 4010, having received constitutional majority

22. is declared passed. House Bill 4012, Senator Bruce.

23. Read the bill.

24. SECRETARY:

25. House Bill 4012.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President and members of the Senate. This

32. piece of legislation adds six hundred and forty thousand dollars

33. in Federal appropriations to the Illinois Law Enforcement Commission

1. and reallocates both Federal and State General Revenue Funds
2. within and among State agency grants in the existing FY '77
3. ILEC appropriation. There's no additional money involved.
4. It deals with six or seven changes in the...in the legislation.
5. I'd be happy to go over those. Senator Weaver, would you like
6. me to review those?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Weaver.
9. SENATOR WEAVER:
10. Thank you, Mr. President. Well, I was just wondering, isn't
11. this a duplicate of Senate Bill 2030, Senator Bruce?
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Bruce.
14. SENATOR BRUCE:
15. Yes, it is an exact duplicate. I had a chance to speak with
16. Representative Getty yesterday. He...it is his present plan not
17. to move the bill in the House Committee and we would...he...he
18. and I agreed that we would move 4012 and let 2030 die in the House.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Graham.
21. SENATOR GRAHAM:
22. Mr. President and members of the Senate. When we once again
23. gather together and pump some life into one of the worst departments
24. in the State of Illinois, I think that we should consider probably
25. if they call that bill in the House, putting an amendment on it
26. to stike the enacting clause, there has never been an organization in
27. my knowledge in the State of Illinois that has preformed more
28. inadequately and wasted more money than the Illinois Law Enforcement
29. Commission. As far as I'm concerned, I'd like to abolish them.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Is there further discussion? Senator Bruce may close the
32. debate.
33. SENATOR BRUCE:

1. Well, this is identical to House Bill 2030 which passed this
2. House, I think, with 54 affirmative votes. It is an appropriation
3. of Federal money that is needed by the agency including some money
4. for the Corrections Industries in the Department of Corrections.
5. I would ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The question is shall House Bill 4012 pass. Those in favor
8. vote Aye. Those opposed Nay. The voting is open. Have all
9. those voted who wish? Have all those voted who wish? Have all
10. those voted who wish? Take the record. Senator Bruce.

11. SENATOR BRUCE:

12. Thank you, Mr. President. I would like to move to
13. postpone further consideration of House Bill 4012.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Request for postponed consideration. Consideration is
16. postponed. House Bill 4016, Senator Carroll. Read...Senator
17. Carroll asks leave of the Body to bring House Bill 4016 back
18. to the order of 2nd reading. Do we have leave? Leave is
19. granted. The bill is now on 2nd reading. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President. On the Secretary's Desk there
22. should be Amendment No. 1 to House Bill 4016. The one on page
23. three, by deleting line 1 through...21 through 25. Okay. Mr.
24. President, this is the Court of Claims appropriation bill. This is
25. a technical amendment requested by the Court of Claims to make
26. some corrections in various awards that were originally included in the
27. bill. Those awards that are payable directly, there is a five
28. cent correction in another award and...five cents, Senator Netsch,
29. yes. It happened to have been withholding tax, as a matter-of-
30. fact. There's any questions, I'd be willing to answer them.
31. If not, I'd ask for a favorable oral vote on the adoption of Amendment
32. No. 1.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? The question is shall
2. Amendment No. 1 to House Bill 4016 be adopted. Those in favor
3. indicate by saying Aye. Those opposed. The Ayes have it.
4. The amendment is adopted. Senator Carroll.

5. SENATOR CARROLL:

6. Amendment No. 2, Mr. President, on page 1 by deleting lines
7. 26 through 32. If the Secretary has that amendment. Thank you.
8. Mr. President and members of the Senate, this is the request from
9. the Attorney General's Office to delete a specific claim where the
10. Court of Claims had awarded money as a result of damage to property,
11. as a result of the construction and design of a State highway
12. and ends up being a county road and the State should have no
13. responsibility and the Attorney General has therefore, petitioned
14. for a rehearing. I would ask that we, at this time, delete those
15. funds until that's finally determined and I would move the adoption
16. of the amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is shall Amendment
19. No. 2 to House Bill 4016 be adopted? Those in favor indicate
20. by saying Aye. Those opposed. The Ayes have it. The amendment
21. is adopted. Are there further amendments?

22. SECRETARY:

23. Amendment No. 3 offered by Senator Schaffer.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Amendment No. 3 accomplishes four basic things. It adds
28. additional funds to the total of a hundred and sixty-five thousand
29. dollars to this bill for four commissions. These bills, I believe
30. are currently in the Senate Rules Committee having just come over
31. from the House. I'm specifically involved in one commission, but they
32. asked us to put this in one amendment form. The four commissions
33. specifically involved are the Data Information Services Commission,

1. for thirty-seven thousand, the Illinois Recreation Council for
2. ten thousand five hundred, the Law of Revision Commission
3. for twenty-three five, and the Chain of Lakes-Fox River
4. Commission for ninety-four thousand. My involvement is with the
5. Chain of Lakes Commission and my concern in that this money which
6. was unfortunately not appropriated, this is not related to a veto
7. override in the confusing days of the last Regular Session, the
8. Chairman of this commission is not a legislative member and I'm
9. afraid that none of the legislative members took it upon themselves
10. to see that this was covered and I, for one, thought it was in the
11. omnibus bill and discovered to my shagrin that it was not and
12. I think it's important that the work of this commission, which
13. is vital to the Fox River-Chain of Lakes area continue. The
14. particular emphasis that I'm worried about is that a one or
15. two month delay could make a...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just...just...just a minute, Senator. There is an awful lot
18. of noise. We're trying to hear.

19. SENATOR SCHAFFER:

20. I assume...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Would the members...would the members please be in their
23. seats and would the Sergeant-at-Arms clear the aisles.

24. SENATOR SCHAFFER:

25. I assume the members who are talking are...have already
26. understood this amendment and are with me, Mr. President, so it
27. doesn't...it doesn't offend me.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. I...I wouldn't assume that. You may proceed.

30. SENATOR SCHAFFER:

31. Well, I'm concerned that on the Chain of Lakes Commission that
32. the two or three month delay in getting an appropriation might
33. cost us the entire dredging season this year and that's my

1. reason for bringing it up at this point. I believe the
2. other commissions are meritorious and would appreciate a favorable
3. roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there...Senator Netsch.

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12. End of reel.

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1. SENATOR NETSCH:

2. Thank you. A question to Senator Schaffer the sponsor
3. of the amendment. My objection is not so much to what
4. you are attempting to do in funding these particular commissions.
5. That is a separate issue. My problem is, whether or not it
6. is possible legally or in any other way to do it in the form
7. of an amendment to this bill. This bill is an appropriation
8. to the Court of Claims. I assume that the appropriation to
9. the commissions will not go to the Court of Claims and be
10. conduited back. Can you do what you are attempting to do?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. I believe the appropriation bill is to the Comptroller
15. to pay to the Court of Claims. Consequently these are additional
16. appropriations to the Comptroller. The staff informs me that
17. this is a legitimate procedure. The leadership that I discussed
18. this with suggested that it was a more desirable way to go
19. than individual bills, particularly in our time frame. And
20. I believe what we're doing is efficient and proper.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Netsch.

23. SENATOR NETSCH:

24. Well, I understand why you're doing it, Senator Schaffer,
25. and I'm sympathetic with your reason for doing it this way.
26. I have grave doubts about whether or not it is a proper and
27. valid way to do it, but I will obviously defer to staff.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. I'm surrounded by high-priced talent to tell me I'm
32. in the right.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Buzbee,

2. SENATOR BUZBEE:

3. Well, Mr. President, I certainly have no opposition
4. whatsoever to the Chain of Lakes, Having been there last
5. Summer, I find it a beautiful area and I know it's certainly
6. an area that the residents there enjoy and appreciate, and
7. ...and it pulls in a lot of tourist dollars and so forth.
8. But, this is extremely extraordinary, the procedure that
9. the Chain of Lakes Commission does. You know, they go out
10. and they hire people. This legislative commission hires
11. people to perform an act of dredging. Now, I just don't
12. think in the first place that's even constitutional, In the
13. second place it's ninety-four thousand dollars...isn't that
14. the correct amount, Senator?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. We don't do any dredging, Senator. I'd like to correct
19. that. This is for environmental ecological studies and for
20. staff on the commission and a very limited amount for actual
21. staff for the commission and for expenses of the commission.
22. The problem we always get hung up on in our area is, they say
23. we'd sure like to do that dredging, but you've got to have
24. your 404 permit or 605 permit. You've got to get that cleared
25. with this and you got to hire a consultant to study this and
26. you better dredge out samples every one hundred feet and better
27. consult the phase of the moon and all these other things, and
28. we get this beauracracic rigmarole and the purpose of this
29. commission is to serve as a spearhead to cut through all the
30. Federal and State paper work to comply with these regulations
31. and to move forward. There is, in fact, currently a five hun-
32. dred thousand dollar appropriation that the Governor did not
33. veto that is going to be utilized this Spring and early Summer

1. for dredging. The studies involved here relate to the ex-
2. penditure of that money and future money. There isn't a
3. ...Corps of Engineers 404 permit, an eighteen month lead
4. time that we need, and if we don't continue to move in this
5. area, we will find ourselves, even if we are successful in
6. appropriating money, unable to spend it. And that's why
7. this commission has to keep moving without interruption, and
8. that's why I'm here today on the Floor with this plea.

9. SENATOR BUZBEE:

10. Well, it's about a three and a half minute answer and
11. I still didn't find out how much money we're talking about,
12. and that was my question.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Well, the appropriation for the Chain is for ninety-
17. four thousand.

18. SENATOR BUZBEE:

19. Okay. I would like to point out, ninety-four thousand
20. dollars for the operation of the Chain of Lakes Commission,
21. I happen to be a member of the Water Resources and Water
22. Pollution Commission. We have fifty thousand dollars to operate
23. on and that's probably too much, and here this one commission
24. which deals with one Chain of Lakes, one series of lakes, they
25. want to spend ninety-four thousand dollars. We have the Division
26. of Waterways which is a part of the Executive Branch of this
27. Government or the Department of Transportation. Why is it that
28. they don't perform those kinds of tasks and duties of the en-
29. vironmental studies and so forth that are necessary and why
30. don't we appropriate the money to them to do those kinds of
31. studies instead of to a legislative commission. I still main-
32. tain that what you're doing here is unconstitutional, because
33. you are giving a task that rightfully belongs to the Executive,

1. you're taking that task away from the Executive and putting
2. it into the legislative. And ninety-four thousand dollars,
3. it just seems to me it's...it's a case of...it's not the
4. money so much as the principle of the thing, and I think
5. that you are all wrong in...in your approach. If there's a
6. legislative study that needs to be done, give it to the Water
7. Resources and Water Pollution Commission. It's a very active
8. commission. They have a lot of expert...that's the most
9. effective way of controlling the membership's time limitations,
10. Mr. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. It's been given a lot of thought lately.

13. SENATOR BUZBEE:

14. Right. The...the Water Pollution and Water Resources
15. Commission has a lot of expertise at their fingertips and
16. they've been in business a long time and if that kind of
17. study needs to be done, it ought to be done by the Division
18. of Waterways, or if it needs to be a legislative study, then,
19. fine, let the Water Pollution and Water Resources Commission
20. do it, but I cannot understand why we've got to appropriate
21. ninety-four thousand dollars to the Division of...rather to
22. the Chain of Lakes Commission, and I just think it's a
23. bad, bad precedent and I'm strongly opposed to it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Merritt.

26. SENATOR MERRITT:

27. Yes, Mr. President and members of the Senate. I very
28. much dislike being in the posture of opposing my good colleague,
29. Senator Schaffer, on this issue and I can't...I couldn't agree
30. more with what Senator Buzbee said. Those of us who have com-
31. missions, those of us who are chairmen and officers of com-
32. missions certainly knew when the Omnibus Bill was going through
33. here. I believe it was sponsored by Senator Egan. If this had

1. been this important to Senator Schaffer, I think he would
2. have observed what was in that Omnibus Bill. I certainly
3. did. Our commission which is a permanent commission that
4. I'm chairman of has been in existence in this State twelve
5. years. I sponsored...cosponsored the bill that created it.
6. We were cutback on it. As a further protection I put in
7. a separate bill and I still took exactly what was offered
8. us after it had been cutback, and we lived within it. Now,
9. I think this is a backdoor way of coming at something that
10. should have been caught by Senator Schaffer a long, long
11. time ago, and ninety-four thousand dollars is just unbelievable
12. and inconceivable to me for an Interim Commission that isn't
13. even permanent. And many permanent commissions are getting
14. by with full staff at fifty and sixty thousand dollars per
15. year. I don't like the method under which it's being done,

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. Well, Mr. President and members of the Senate. First of
20. all, and I...I rather hesitate to rise up in opposition to
21. something that my good colleague, Jack Schaffer, is doing here,
22. but first of all these bills came over from the House that
23. were introduced and they were in the Rules Committee, they
24. were refused, and now we're attempting to circumvent the
25. Rules Committee by putting an amendment on for Omnibus Com-
26. mission Bills on to a Court of Claims Bill, in these final
27. days. Now, it all smells just about like some part of the
28. Chain of Lakes. Now, let me tell you about the Chain of Lakes,
29. Senator. We have just received a very comprehensive report
30. from Bill Ackerman from the Water...Survey section over at
31. the University of Illinois. Going into very minute detail
32. on the whole concept of the Chain of Lakes. What should be
33. done, making recommendations. The Water Resources Commission

1. has been working on this for many, many years, Now, along
2. comes, and I remember when you got through this bill, now,
3. you want ninety-four thousand dollars, and in your closing
4. remarks you tell us who are on the payroll and what salaries
5. they're getting and what percentage of this is going to go
6. for contractual services and for people up in the area.
7. Now, when you get down to it we've got Director Leo Isol
8. and I'm very proud of the work that Director Isol does and
9. I hope he stays on because I think he's a very competent
10. director in the Division of Water Resources and DOT, and
11. he can work out, there's needs to be dredging. There's problems
12. up there. The lock at McHenry there needs to be widened. A
13. type of flood control programs, and this is a ongoing thing,
14. but I think to set this up and try to slip an amendment on
15. here in the final days of this Session to get ninety-four
16. thousand dollars for something for a commission to do up there
17. that is being done by the Water Resources Commission working
18. with the most expert people not only in the State of Illinois,
19. but the United States and the entire world. People like Bill
20. Ackerman from over at the University of Illinois. Now, I...
21. I'll put him against any of these people you've got on your
22. high priced payroll up there, Contractual Services and special
23. consideration, so let's take a good look at this and let's
24. defeat this amendment.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. Let me just remind every
29. member of this Body that we all have been guilty of over-
30. sights at times. I don't know of a member in this Chamber
31. who has not forgotten something at some time or another. The
32. Chairman of this Chain of Lakes Study Commission is a public
33. member. Obviously, those of us down here in the Legislature

1. who are members, yes, should have caught the fact that this
2. commission was overlooked in the Omnibus Bill, but let me
3. point out also that this Chain of Lakes Study Commission,
4. now the Chain of Lakes Commission, which has been in existence
5. for two years, contrary or compared to the Water Resources
6. Commission by Senator Mitchler's own statement, has been
7. working on this for years and years and years and years.
8. Within two years our commission was able to get a program of
9. dredging underway. Ladies and Gentlemen, this commission is
10. an advisory commission of the State Legislature to the Division
11. of Water Resources. We are engaged now in the formulation
12. and finalization of additional dredging. This commission is
13. totally defensible and is a need by the Chain of Lakes area,
14. and let me remind you, it is a major economic area for the
15. entire State of Illinois as well as recreational. It's good
16. work should continue.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Bloom. No. Any further discussion? Senator
19. Schaffer to close the debate.

20. SENATOR SCHAFFER:

21. Well, to answer Senator Mitchler's expression of un-
22. happiness, the major portion of this budget, sixty-three
23. thousand, is engineering services and the firm involved after
24. competitive bidding was the firm that, and I don't know all
25. the names, was basically John Glews firm. I might add
26. Director Isol was in the galleries. I don't think he is now,
27. but I think if he had the ability to speak on this bill, he
28. would sing the praises of this commission, I would suggest
29. to you that the Chain of Lakes Commission or the Chain of
30. Lakes area has had twenty years of neglect. This committee
31. was formed do to the tremendous protest of the local people.
32. The commissions mentioned had twenty years while they held
33. meetings and the lakes silted up. This is a popular base

1. commission in the north eastern part of the State that
2. serves a vital waterway. A waterway that serves thirty to
3. sixty thousand boats a week, and people from all over the
4. State. People from the Chicago area, people from the out-
5. lying counties. This is vital. Without this the progress
6. that has been made will halt and if it does halt, Senator
7. Mitchler, you and your commission will be looked at as being
8. part of the problem, not part of the solution. I would
9. appreciate your support those of you who are concerned with
10. this waterway. The two month delay before we can get back
11. here could lose us a building season or a dredging season,
12. and I would hate to see that happen. Thank you.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. The question is, the adoption of Amendment
15. No. 3 to House Bill 4016? All those in favor signify by
16. saying Aye. All those opposed. The Ayes have it. The...
17. there's been a request for a roll call. The question is, the
18. adoption of Amendment No. 3 to House Bill 4016. All those
19. in favor will vote Aye, Those opposed will vote Nay. The
20. voting is open. Have all voted who wish? Have all voted who
21. wish? Take the record. On that question the Ayes are 19,
22. the Nays are 14, 2 Voting Present. The amendment is adopted.
23. Any further amendments? Senator Philip, for what purpose do
24. you arise?

25. SENATOR PHILIP:

26. Yes, Mr. President. I made a mistake and pressed the
27. wrong button. I'd like to be recorded as voting Aye.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. The record will so reflect. Any further amendments?
30. 3rd reading. Senator Carroll, do you wish to come right back
31. to that after intervening business? Okay, On the order of
32. House Bills 3rd reading. House Bill 4017, Senator Philip.
33. Do you wish to proceed?

1. SENATOR PHILIP:
2. Yes, I do, Mr. President, but I...I'd like to ask leave
3. to consider 4017 and 4018 together, because they're companion
4. bills.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Well, for the purpose of discussion that's fine. We'll
7. have to have separate roll calls, of course. All right, read
8. the bill, Mr. Secretary.
9. SECRETARY:
10. House Bill 4017.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Philip. Senator Partee, for what purpose do
15. you arise?
16. SENATOR PARTEE:
17. I'd like to ask Senator Philip if he may...would hold
18. that for a moment. I wanted to talk to him about that and 18.
19. Could you hold that a moment?
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Philip.
22. SENATOR PHILIP:
23. I'd be happy to extend that courtesy to the President
24. of the Senate.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. All right. Take it out of the record, Mr. Secretary.
27. 4020, Senator Partee. Do you wish that held momentarily?
28. We can get back to that. 4025, Senator Clewis, are you ready?
29. All right, read the bill, Mr. Secretary. On the order of
30. House Bills 3rd reading is House Bill 4025. Mr. Secretary,
31. read the bill.
32. SECRETARY:
33. House Bill 4025.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Clewis.
5. SENATOR CLEWIS:
6. Mr. President and members of the Senate, House Bill
7. 4025 provides the authority for a transfer of funds in the
8. State Treasury as follows: Four million four hundred and
9. ninety-six thousand nine hundred dollars would be taken
10. from the General Revenue Fund, two hundred and fifty thousand
11. dollars from the Road Fund would be transferred to in...in
12. the amount of one million seven hundred and nineteen thousand
13. five hundred dollars to the local Governmental Law Enforce-
14. ment Officers Fund, one million twenty-seven thousand four
15. hundred dollars to the Fire Protection Personnel Fund and
16. two hundred thousand to the Court of Claims Fund. It's my
17. personal understanding that without this authority for transfer
18. of funds that the operations will cease. I ask for a favorable
19. roll call.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Any discussion? Senator Mitchler.
22. SENATOR MITCHLER:
23. Mr. President, I have a question to ask the sponsor.
24. PRESIDING OFFICER (SENATOR ROCK)
25. The sponsor indicates he will yield. Senator Mitchler.
26. SENATOR MITCHLER:
27. The transfer here, you referred in your remarks, I believe,
28. to the local Fire Protection District. Could you explain...
29. that's the Fire Commission...Local Fire Commission, is it?
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Clewis.
32. SENATOR CLEWIS:
33. It is the Fire Protection Personnel Fund, a special fund.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. What do they use this fund for?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Clewis.
7. SENATOR CLEWIS:
8. Fire Protection Personnel is my understanding.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Mitchler.
11. SENATOR MITCHLER:
12. Well, are these...are these located in any certain area
13. or is this state-wide?
14. SENATOR CLEWIS:
15. It's a state-wide fund, Senator.
16. SENATOR MITCHLER:
17. State-wide. Thank you, Senator.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any further discussion? The question is, shall House
20. Bill 4025 pass? Those in favor will vote Aye. Those opposed
21. will vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Take the record. On...on that
23. question the Ayes are 45, the Nays are 2, none Voting Present.
24. House Bill 4025 having received the constitutional majority
25. is declared passed. Senator Clewis, I hope they're all that
26. easy. Senator Egan, for what purpose do you arise? Senator
27. Partee, for what purpose do you arise, Sir?
28. SENATOR PARTEE:
29. I had asked Senator Philip to hold 4017 and 18. The
30. problem has been resolved and he may go ahead if he desires
31. it. I'd like to get back to it for him.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. All right. On...on the order of House Bills 3rd reading

1. is House Bill 4017. Mr. Secretary, read the bill.

2. SECRETARY:

3. House Bill 4017.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Philip.

8. SENATOR PHILIP:

9. I thank you, Mr. President. May I once again ask leave
10. to consider both bills together, at least for a matter of
11. debate since they are companion bills?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is leave granted? Leave is granted. So ordered. Senator
14. Philip.

15. SENATOR PHILIP:

16. Thank you, Mr. President. House Bill 4017 restores some
17. 11.9 million dollars to the Capital Development Board for
18. specialized living centers in Illinois. A six in total located
19. Springfield, Rockford, Addison, Chicago, East Moline and St.
20. Clair. House Bill 4018 restores some one million thirty-five
21. thousand for durable moveable equipment which would bring
22. the total to...for these specialized living centers, to 13.9
23. million dollars. As you're...as you're probably aware these
24. will be operated by non-for-profit mental organizations. In
25. my district, Ray Graham. Under the State plan a profiling
26. mentally retarded person cost the State an average of nineteen
27. thousand dollars per year. In our specialized living centers
28. it cost the State of Illinois between eleven to thirteen
29. thousand dollars a year, which reduces the cost per patient
30. some six thousand dollars a year saving to the State of Illinois.
31. So, if it comes out of the Capital Development Bond Act, and
32. I would ask your favorable consideration.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any discussion? The question is, shall House Bill
2. 4017 pass? Those in favor will vote Aye. Those opposed
3. will vote Nay. The voting is open. Have all voted who
4. wish? Have all voted who wish? Take the record. On that
5. question the Ayes are 38, the Nays are 13, none Voting
6. Present. House Bill 4017 having received the constitutional
7. majority is declared passed. On the order of House Bills
8. 3rd reading is House Bill 4018. Read the bill, Mr. Secretary.
9. SECRETARY:

10. House Bill 4018.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Philip.

15. SENATOR PHILIP:

16. Thank you, Mr. President and Ladies and Gentlemen of
17. the Senate. House Bill 4018 which is a companion bill once
18. again restores some 1.35 million dollars for durable moveable
19. equipment for specialized living centers. I ask for your
20. favorable consideration.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Is there any discussion? The question is, shall House
23. Bill 4018 pass? Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Take the record. On that question
26. the Ayes are 39, the Nays are 10, none Voting Present. House
27. Bill 4018 having received the constitutional majority is de-
28. clared passed. On the order of House Bills 3rd reading is
29. House Bill 4016. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 4016.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President. This was a very simple bill
5. when it came over from the House and has now become a vehicle
6. for several commissions, but this is the annual appropriation
7. for the Court of claims to pay the awards granted by that
8. court and to provide sustenance for four commissions. I
9. would ask for a favorable roll call.

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(Continued on next page)

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? All right. The question is,
3. shall House Bill 4016 pass? Those in favor will vote Aye.
4. Those opposed will vote Nay. The voting is open. (Machine
5. cutoff)...voted who wish? Have all voted who wish? Take
6. the record. On that question the Ayes are 37, the Nays are
7. 6, 4 Voting Present. House Bill 4016 having received the
8. constitutional majority is declared passed. 4020. Senator
9. Egan, for what purpose do you arise?

10. SENATOR EGAN:

11. Thank you, Mr. President and members of the Senate. As
12. you may recall of yesterday, I filed a motion to discharge
13. the Committee on Rules from deliberation of House Bill 3204,
14. and because we have finished House Bills on 3rd reading, I
15. would ask leave of the Body, at this time, to hear my motion.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is leave granted? Leave is granted. Read the motion,
18. Mr. Secretary.

19. SECRETARY:

20. I move to discharge House Bill 3204 from further...I'd
21. move to discharge the Committee on Rules from further con-
22. sideration of House Bill 3204 and ask that it be placed on
23. 2nd reading.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President and members of the Senate. I
28. respectfully have filed this motion understandably because
29. the deliberation of the Rules Committee have been, indeed,
30. close to my heart as it has been, as they have been to yours.
31. I do this respectfully, Mr. President and all the members of
32. that committee, because I think that we just must attend to
33. this as an emergency measure. Now, it's my understanding that

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Sen. Egan's Bill
12/15/76

1. the Rules Committee wished to make the odd number year of
2. each Session a fiscal year, with which I heartily agree.
3. There is an exception and that is for the function of State
4. Government with emergency matters to be heard during that
5. odd years of the two year Session. Now, it appeal...it...
6. it appears to me, in my best judgement, Mr. President and
7. members of the Senate, that that's precisely what House Bill
8. 3204 is. The history of this bill proves that because the
9. July 2nd opinion of the United States Supreme Court we could
10. not attend to this until this Session, because the House took
11. five months and several hearings and many hours of testimony
12. to be heard. It also appears to me, Mr. President and members
13. of the Senate, that if we did have time it would, indeed, be
14. my best wish that the...that the Senate schedule hearings
15. and hear the same testimony that the House has heard. However,
16. we don't have that time. The only advantage that the Senate
17. would have as a result of hearings is that which we might
18. learn in regard to the death sentence as a penalty for the
19. enumerated crimes. And I submit that there isn't a person in
20. the Senate today that doesn't know how their mind is going to
21. run when it comes time to vote on this crucial issue. I do,
22. indeed, think that because since 1972 when the Supreme Court
23. issued its opinion, Illinois has thereby been without the punish-
24. ment of death for the enumerated crimes. I think it is critical,
25. I think it certainly is an emergency within the function of
26. State Government. I think crime control certainly is as important
27. to the function of State Government as flood control. We just
28. passed two bills out that came out of Rules at the same time
29. that Rules refused to let the death penalty out. I submit to
30. you that I do this respectfully, I do it with every deep sincere
31. wish that you'll support the concept as well as the motion to
32. discharge the committee, and I do think that it's time that we
33. act, I do think it's an emergency and I ask that you favorably

1. support my motion. Thank you.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President. Ladies and Gentlemen, I do

6. have one or two questions of the sponsor and then I would

7. like to make a statement regarding the motion.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. The sponsor indicates he will yield. Senator Glass.

10. SENATOR GLASS:

11. Senator Egan, as you mentioned, this is a motion to dis-

12. charge the Rules Committee and you've indicated that the bill

13. is...is, of course, not had committee hearings in the Senate.

14. Can you tell me whether the bill was amended over in the

15. House before it came over here?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan.

18. SENATOR EGAN:

19. Yes, it was amended in the House. The bill is not in

20. its original form.

21. SENATOR GLASS:

22. So that it...so that it is...was it a rather extensive

23. amendment?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Egan.

26. SENATOR EGAN:

27. Yes.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Glass.

30. SENATOR GLASS:

31. Senator Egan, specifically I...I don't know whether it's

32. appropriate to go into the...the individual paragraphs of the

33. bill before...before it is voted on, but I...I would like to

1. at least point out several problems that I can see with
2. the language and I would direct these to you and if you'd
3. like to respond I'd appreciate it. Under paragraph B-3
4. of the bill it's possible...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. All right, Hold it. Senator Knuppel, for what purpose
7. do you arise?

8. SENATOR KNUPPEL:

9. Well, I don't think it's germane on a motion to discharge
10. to debate the contents of the legislation. I appreciate the
11. concern. This is the very issue, is whether...whether this
12. bill ought to be discharged or ought to go through a committee,
13. and not what's in it now.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Well, I...the Chair, I think, respectfully would have to
16. disagree. I think the...the question of the fitness, if you
17. will, the legislative fitness of the bill in its present form,
18. it goes to the heart of the question as to whether or not
19. committee action is required. So, the Chair will rule that
20. you are in order, Senator Glass, Proceed.

21. SENATOR GLASS:

22. Thank you, Mr. President. Under...under paragraph B-4...
23. or rather B-3 of the bill, there is a reference to the fact
24. ...well, first of all let...let me just point out to the member-
25. ship that there is an enumeration of crimes for which an in-
26. dividual may be sentenced to the death penalty. One of those...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Knuppel, for what purpose do you arise?

29. SENATOR KNUPPEL:

30. Has...has a copy of this bill been distributed? I...I
31. don't seem to have one.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Copies have not been distributed.

1. SENATOR KNUPPEL:

2. Well, the discussion is certainly not enlightening
3. without the help when you say section so and so and section
4. so and so. Hell, I don't know what's going on and I'd like
5. to.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Glass may proceed.

8. SENATOR GLASS:

9. Thank you, Mr. President. To continue, this particular
10. section that I mentioned enumerates a number of grounds where-
11. by the death penalty can be imposed under the given conditions
12. in the bill. One of them is for a person who murders two in-
13. dividuals. Now, there is, far as I can tell, Senator Egan,
14. there's no time limit between the two murders. In other words,
15. you could have a murder that, perhaps, was an emotional murder
16. for which the death penalty normally wouldn't be imposed this
17. year, and then...in a year later possibly another one. The
18. individual could be convicted of both of them and as I read the
19. bill there's a possibility that because of the second murder
20. he would be subject to the death penalty. And I ask you if...
21. if that is a correct interpretation?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Egan.

24. SENATOR EGAN:

25. The commission of the second murder is...is at one of the
26. enumerated categories for the imposition of the sentence. How-
27. ever, there are mitigating circumstances later in the bill which
28. cover that...that...that condition, that circumstance.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Glass.

31. SENATOR GLASS:

32. Thank you, Senator Egan. Under...I'm just going to point
33. out a couple of other ones. Under paragraph B-4 I think the

1. language is rather ineptly drawn. It provides for the death
2. penalty in the event that an individual was killed as a re-
3. sult of the hijacking of an airplane or other...other types
4. of vehicles and it certainly raises the question of how an
5. individual could be killed as a result of such an act, and
6. I...I certainly have trouble with that language. Paragraph
7. B-7 of the bill is extremely broad in that, as I see it, almost
8. any murder in a public place of a person could reasonably
9. be said to create a risk of death to more than one person
10. and therefore become grounds for capital punishment. Paragraph
11. B-8 again opens a broad range of death penalty possibilities,
12. because it allows the death penalty for a murderer who murders
13. a state's attorney or judge, and now I'm quoting..."because
14. of the exercise of his official duty." Now, that, as far as
15. I can tell, presumes that a jury can determine what the motiva-
16. tion was for a person who has murdered a judge or state's
17. attorney or a former judge or state's attorney. I think what
18. I'm trying to illustrate is...is the difficulty that this
19. Body will have acting reasonably and rationally on a subject
20. which is of momentous importance to all of us in the State.
21. Now, I have always opposed capital punishment because I think
22. that...I think that it's wrong. If it's wrong for an individual
23. to commit murder it...there isn't anything that makes it right
24. when the State does the killing and I...I don't think, Senator
25. Egan, that there's been sufficient evidence of the effective-
26. ness of the death penalty as...as a deterrent for other crimes.
27. But, now that the United States Supreme Court has held that
28. under certain conditions the death penalty is proper, I know
29. this Legislature will and...and ought to seriously consider
30. under what conditions it ought to be imposed, if at all, but
31. I...I certainly would urge the membership that it's wrong in
32. the waning hours of this Session to try to consider a bill of
33. as great importance to all of us as this one and I, therefore,

1. would urge the defeat of this motion.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Egan, there are a number who have wished to

4. speak. Do you wish...what...what...did he ask a question

5. or...do you wish to respond immediately to Senator Glass'

6. questions? Senator Egan.

7. SENATOR EGAN:

8. Thank you. Yes, I would like to respond because I

9. think that categorically Senator Glass' position is one

10. that will be taken by all of the opponents of capital punish-

11. ment itself. And just to reiterate and bring up the point

12. that the...the opponents of this legislation, of this con-

13. cept will talk about it and talk about it and talk about it.

14. It is my firm wish that we do something about it and that's

15. why I make my motion.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Senator Knuppel, for what purpose do you

18. arise?

19. SENATOR KNUPPEL:

20. On a point of order. I'm a proponent but I don't want

21. to hear the damn bill debated four and five times. Now,

22. we're on...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right, all right.

25. SENATOR KNUPPEL:

26. ...we're on a rule to discharge.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. That's correct. You...

29. SENATOR KNUPPEL:

30. He's not answering any question and...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. That's correct.

33. SENATOR KNUPPEL:

1. ...I am a proponent.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. That's correct, Your point is well taken, Senator
4. Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr...thank you, Mr, President. I understand
7. that the merits are not to be debated right now and I will
8. not, and in addition to that, Senator Egan, I recognize that
9. at some point a death penalty bill is going to pass the Illinois
10. General Assembly. I say that, as you know, with great re-
11. luctance because I am strongly and deeply opposed to it, but
12. I accept the fact that it is going to happen at some point. I
13. think what some of us are suggesting is for two reasons that
14. it not happen today. The first is really, in the long-run,
15. for your benefit and not for our benefit, that is those of us
16. who are opposed to it as a matter of principal. This bill was
17. entirely rewritten by amendment in the House. There...a...
18. several House members went over it very carefully, prepared
19. a list of some forty-four questions involving interpretation
20. and ambiguities in the bill itself. They were never permitted
21. to ask...ask those questions so that those points could be
22. clarified or if necessary even subsequently amended. The de-
23. bate was cut off after a few speakers in the House and the sub-
24. stance of the bill was, in fact, never really debated. The
25. bill, as we know, is not even available to members of the
26. Senate and yet we are being asked to vote on what is probably
27. one of the most serious and important issues that could face
28. us at any time ever in history, because we are being asked to
29. vote on a bill what...by which we will be taking human life.
30. It seems to me that you could benefit, you as a strong proponent
31. of the...the death penalty, could benefit from both time and
32. hearings. In addition to some of the questions that Senator
33. Glass started to raise, for example it talks about executing

1. someone of the age of eighteen or over. It does not make
2. clear whether that age of eighteen has to be at the time
3. of the commission of the crime, at the time of the trial,
4. at the time of sentence, or at the time of execution. Now,
5. that's a fairly critical point for someone who is around the
6. seventeen to eighteen age category and a very substantial
7. number of those who are charged with murder are. It seems
8. to me it makes some difference to those people. That could
9. be clarified undoubtedly by an amendment that would tighten
10. up the language of the bill. It talks about murdering a
11. ...a peace officer and a fireman as two of the crimes for
12. which the death penalty is to be imposed. A very important
13. question which I think you, as a lawyer, will also appreciate,
14. does the person who commits the murder have to have known of
15. ...that the person was a fireman or a policeman at that time?
16. What if it was a plainclothes officer and unknown to be in
17. that category? Is it...does it cover members of a volunteer
18. fire department? Again, I think it is quite possible, because
19. there is no definition of peace officer in your bill or a
20. fireman that those points could be clarified. There are many,
21. many others and these are not just frivolous questions. What
22. we are talking about is a bill under which human life is going
23. to be taken. It seems to me that those people as well as all
24. of us who are purportedly being protected by this bill have a
25. right to know what it is for which human life is going to be
26. taken, and there are many points in this bill which could be
27. made much clearer. I would also like to say that it seems to
28. me that there are a huge number of very important issues that
29. this Session of the Illinois General Assembly declined to con-
30. sider, because it is our view that, not mine incidentally but
31. the view of a majority of the members, that it should be a
32. restricted Session. I would even go so far as to say that many
33. of those issues were at least as important as the question of

1. reimposing a death penalty and yet this, and almost this
2. alone, is the bill on which we are being act...asked to act
3. not just this Session when we are not supposed to be consider-
4. ing general legislation, but in what I think is almost obscene
5. haste. We are so anxious to reimpose a death sentence, so
6. that what, so that we can execute six people between now
7. and January? Is that really what we are about that we have
8. got to do it today, this week before the members of the Senate
9. have even seen or read the bill by which the death penalty
10. is to be reimposed. It seems to me that that demeans us as
11. Legislators, as deliberative members of a...an important in-
12. stitution by which public policy decisions are to be made. I
13. would beseech you, I know you are going to have a death penalty
14. eventually. Do not do it today, this week.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. All right. There are a number of others who have indicated
17. they wish to speak and they will all be heard. I would just...
18. for the record I hope the Chair would point out that when a
19. bill is lodged in the Rules Committee it is not at that point
20. printed. To say it is unavailable, however, is not quite accurate.
21. The Secretary's Office does, in fact, provide copies upon re-
22. quest of all bills in the Rules Committee, Senator Soper.

23. SENATOR SOPER:

24. Thank you, Mr. President, I have the same position as
25. Senator Knuppel on this bill. You know, we heard parts of it
26. and...but, to rush into this thing at this time and say that
27. the House had it for five or six months and that the House went
28. through the bill and all that sort of thing. We had a bill
29. come to a committee one day that with...with a commission that
30. asked for ten thousand million dollars for a commission. That's
31. how close the House looked at the bill. They reported it out
32. with a hundred and fifty-four votes and no Nay votes. Now,
33. when you tell me that the House looked at something usually they

1. say - oh, get the devil out...out of here with this thing
2. and let the Senate take care of it and they throw it at us
3. with all these inaccuracies and...and all these dilemmas,
4. and if we do the same thing they do, you know, the Supreme
5. Court is going to say this is a lot of mishmash and we're
6. going to be right where we were and I...I...I have to agree
7. with...with Senator Netsch and Senator Bradley. That's bad
8. company you keep when you do that on this death penalty,
9. but I think we ought...I think we ought to look at this
10. thing and...and thrash it out and really get it in good form
11. so it stands up, and then we'll take our time, we'll execute
12. them, but I don't see any reason why a fellow shouldn't be
13. executed only...if he killed only one guy and now you got to
14. kill two, so you might as well kill two or three. Might as
15. well make it three or four if you're...if you've got two get
16. four. Now, we've got to do more with this.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Wooten. Senator Graham, did you wish to speak?

19. All right. Okay. Senator Ozinga.

20. SENATOR OZINGA:

21. Mr. President, as...as one of the proponents of the con-
22. cept of this bill, and the only motion is to take it from the
23. Rules Committee, I would now move the previous question.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Well, under our kind of custom there are others on the
26. list who have indicated they wish to speak.

27. SENATOR OZINGA:

28. I thought I was the last one. I'll hold...

29. PRESIDING OFFICER: (SENATOR ROCK)

.. No, you were not the last one. I...I would appreciate
.. it if you'd hold that motion. Senator Chew.

.. SENATOR CHEW:

Thank you, Mr. President. I must first announce that only

1. God can make a tree and some us here are in some ways hung
2. up on getting a bill on this Floor, getting it passed and
3. possibly become the darling of some people that's living in
4. certain sections or that are desirous of playing or being
5. God. I want to congratulate the Rules Committee for having
6. held the bill within its mitts, and if the bill has any merits
7. worthy of discussion I think we're going to be here for an
8. eightieth General Assembly and the many frills, people that
9. are desirous of testifying both pro and con ought to be given
10. a clear opportunity. This isn't something that we can approach
11. in the same manner in which we reappropriate thirty-five
12. dollars to a commission. We're talking about something the
13. Supreme Court of the United States is not clear on yet. They
14. have gone to both extremes. The question that I have seriously
15. asked myself and others, who are we to sit in judgement of one's
16. life regardless of what has happened, and I believe history will
17. so indicate that the most hideous crimes committed in this State
18. and many other states, the death penalty has never been carried
19. out. Oh, I suppose it's not difficult to understand the ego-
20. tistical attitudes of some of us here but, fellows, the election
21. was just over and suddenly to rush this is not going to give
22. you any additional votes. Even the votes have been counted and
23. reported, and if this is going to be a heyday for some of us
24. why don't we deliberate on this serious question like men and
25. women of stature and then let the cards fall where they should.
26. I hope within that time period that the highest tribunal in this
27. land will have "made up its mind that only God can make a tree."
28. And I would be opposed to taking this from the Rules Committee,
29. Mr. President.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. The question is merely one of urgency at this time. The

1. State of Wisconsin has been without capital punishment for
2. more than fifty years and it seems to get along all right.
3. I think this bill can wait until the new Session. I personally
4. am a proponent of capital punishment. There are some things
5. in here that are not included. One such situation I can
6. think of, Senator Egan, is...exists right up here at Lincoln
7. where a man allegedly has taken the lives of four material
8. witnesses who were going to supposedly appear against him
9. in a misdemeanor case. I think it's the most hideous type of
10. crime and I don't see this in here. You've got state's
11. attorneys and judges, but what about a material witness. So,
12. if that is true. If that man, over two pieces of beef took
13. four peoples lives and some tape records, that kind of a...
14. that kind of a crime ought to be included herein, and that has
15. not even been considered. This bill requires greater considera-
16. tion for those of us who would be tougher than you are,
17. PRESIDING OFFICER: (SENATOR ROCK)

18. All right. Any further discussion? Senator Ozgina's
19. motion will now be put. He moves the previous question. All
20. those in favor signify by saying Aye. All those opposed. The
21. Ayes have it. Senator Egan to close the debate on the motion.
22. SENATOR EGAN:

23. Thank you, Mr. President. I appreciate very much the re-
24. marks that you made relative to the availability of the bill.
25. Not only is the bill available, it's been discussed at three
26. House hearings, one in Wheaton, one in Chicago, one in Joliet.
27. The one in wheaton took three hours, the one in Chicago took
28. five hours, the one in Joliet took four hours, and I would
29. suggest that all be it, we have individual arguments against
30. the reason to discharge. I say it's time, the time is ripe
31. and I ask for your support.

32. PRESIDING OFFICER: (SENATOR ROCK)

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

1. SENATOR SOPER:
2. A parliamentary inquiry so everybody knows what they're
3. doing. This takes thirty votes to take it away?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. That is correct.
6. SENATOR SOPER:
7. Thank you very much.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. A motion to discharge requires thirty affirmative votes.
10. SENATOR SOPER:
11. Thank you.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Egan has moved to discharge the Committee on
14. Rules from further consideration of House Bill 3204. All
15. those in favor signify by saying Aye. All those opposed.
16. All right. A roll call has been requested. The question is,
17. the discharge of House Bill 3204 from further consideration
18. by the Committee on Rules. All those in favor will vote Aye.
19. Those opposed will vote Nay. The voting is open. Have all
20. voted who wish? Take the record. On that question the Ayes
21. are 19 and the Nays are 26, 7 Voting Present. The motion fails.
22. Now, my understanding is, Gentlemen and Ladies of the Senate,
23. that we will attempt, at least, to go right through the Calendar
24. in its totality so that hopefully we can discharge most of the
25. business at hand today. Senator Partee, do you wish to return
26. to the order of...all right, on the order of House Bills 3rd
27. reading. All right. Senator Partee.
28. SENATOR PARTEE:
29. In just a moment. The Speaker is here and I'd like to
30. talk to him. Just one moment, Sir,
31. PRESIDING OFFICER: (SENATOR ROCK)
32. All right. All right, let's go to page 5 on the Calendar.
33. With leave of the Body we'll go to the order of Total Vetoes.

1. Is leave granted? Leave is granted. House Bill 1914,
2. Senator Newhouse. House Bill 3138, Senator D'Arco.
3. All right. Read the motion, Mr. Secretary.

4. SECRETARY:

5. I move that House Bill No. 3138 Do Pass the Veto of
6. the Governor to the contrary notwithstanding. Signed,
7. Senator D'Arco.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator D'Arco.

10. SENATOR D'ARCO:

11. As the law presently exist a person who has a firearm
12. owners identification card is subject to a condition that
13. he not be a mental patient in a State or private mental
14. institution within the last five years. The problem with
15. the law is, that there is no way to enforce it, because
16. the part...the Department of Law Enforcement has no way to
17. check with the Department of Mental Health to determine if
18. a person has, in fact, been within a mental institution within
19. the last five years. What House Bill 3138 does do, is provide
20. a computerized checkout system whereby the Depart...the Depart-
21. ment of Law Enforcement will submit a list of people who have
22. submitted their names for firearm owners identification cards
23. to the Department of Mental Health and they will come forth
24. with a computer checkout list indicating which people have,
25. in fact, been within mental health institutions within the
26. last five years. There has been some objection to the bill,
27. people indicating that this is an invasion of privacy. I
28. don't see how it is an invasion of privacy, because simply
29. indicating whether a person, through a check...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator D'Arco got cut off. Proceed, Senator.

32. SENATOR D'ARCO:

33. ...by simply indicating whether a person has, in fact,

1. been within a mental institution through a checklist is
2. not an invasion of one's privacy. There was a recent article
3. in the Chicago Sun Times written by a gentleman who was the
4. brother-in-law of a person who had purchased a gun in a
5. Joliet gun shop. He purchased the gun and he indicated on
6. his Firearm owners identification card that he was not a
7. mental patient within the last five years in any mental in-
8. stitution. There was no way for the Department of Law
9. Enforcement to determine if that man was telling the truth
10. or not. In fact, he had been a patient in a private hospital
11. within the last five years from the time that he applied for
12. the gun. He went home that night that he purchased the gun
13. and with that gun he shot himself in the head and he did
14. die subsequently. That's an unfortunate occurrence, and the
15. brother-in-law who wrote the article in the Chicago Sun Times
16. indicated that there was a flaw in the law because of its
17. unenforceability and we should, in fact, have a mechanism
18. in the law to enforce this provision so that we can keep guns
19. away from unstable personalities who will inflict harm on
20. themselves and others. I would appreciate a favorable vote
21. on this override.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Senator Knuppel.

24. SENATOR KNUPPEL:

25. Mr. President and members of this Body. A few years
26. ago down near Beardstown and Chandlerville a man who had
27. just been shortly theretofore released from a mental hospital
28. killed several...several members of his family. We're observing
29. a trial in Lincoln which is taking several days which this bill
30. may not have corrected, because I don't think the man was con-
31. fined, but he did have mental problems that were legion and
32. they were recognized by people who dealt with him. In the
33. crime that he committed he carried a gun with him. True, the

1. atrocities that he performed were with the knife. I say
2. that anything that may have saved those six or seven people's
3. lives by a checkout of this nature or the lives of any other
4. person, because anyone who's dealt with this in court knows
5. that schizophrenia and mental illness is sometimes a re-
6. curring situation. You, if you have known people who have
7. suffered from this, you know that they have had periods of
8. depression when they have been confined, released, confined
9. and released again. I've had clients who have suffered this,
10. and in any event, any action, the sacrifice...the sacrifice
11. of privacy in this instance for the protection of that...
12. the members of that man's family and those around him so far
13. overshadows the inconvenience that it must be enacted.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Netsch.

16. SENATOR NETSCH:

17. Thank you, Mr. President. There is a very substantial
18. privacy question involved in this bill, and I think it needs
19. to put...be put into some perspective and if I might I can
20. do it just as easily by reading several key passages from the
21. Governor's veto message. One of the important points, I think,
22. is that the bill is not as effective in terms of doing what
23. it purports to do, and I think that point is very much worth
24. making. Reading from the Governor's veto message - at most, this
25. procedure might be of some marginal benefit in the enforcement
26. of the firearm owners registration law, but the bill does not
27. guarantee effective enforcement. If a person were hospitalized
28. in another state or if he falsifies his identity as well as his
29. mental history, he can obtain a card. Nor is the bill essential
30. to enforcement. Ordinarily the criminal penalty for making a
31. false application would be a deterrent. The Governor goes on
32. to point out some of the opposition to the bill. On the other
33. hand the procedure constitutes a fundamental invasion of the

1. patient's right to privacy. The Department of Mental
2. Health and Developmental Disabilities and the Illinois
3. Hospital Association vehemently opposed the bill. One of
4. those groups says - the purpose of a hospital is to treat
5. illness. Mixing that function with that of law enforcement
6. is inappropriate and ultimately harmful to the treatment
7. procedure. In order for treatment of the mentally ill to
8. be effective there can be no doubt that confidentiality
9. of the patient-physician relationship is of the utmost im-
10. portance. Preserving the confidentiality of patient records
11. is an essential part of the hypocratic oath. The relationship
12. between doctor and patient must be confidential if there is
13. to be candor necessary for effective diagnosis and treatment.
14. I think the point is, not that there is not a concern about
15. effective enforcement of this law, but that in balancing the
16. interest of privacy, and I repeat they are...there are very
17. substantial privacy interest involved in this matter, against
18. a highly marginal enforcement mechanism which is provided by
19. this bill. It seems to me as it did seem to the Governor,
20. that the privacy interests far outweigh in importance the
21. marginal enforcement device that this bill would provide, and
22. it's on that basis that I would hope that we would sustain
23. the Governor's veto.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President and Senators. I was, frankly,
28. prepared to support Senator D'Arco's motion up until a couple
29. of days ago, but I'd like to give you some of the reasoning
30. why I now oppose it. Let me say first that in talking to
31. people in the mental health field, they do emphasize that
32. there is enough stigma attached to having been a patient in
33. a mental home, so that the further publicity of that fact makes

1. it more difficult. Now, I...I responded by saying that if
2. the only thing that would happen was what Senator D'Arco
3. said and that is, that the Department of Law Enforcement
4. would send all of the hospitals a list of names of people
5. who were applying for a firearms identification cards and
6. then the hospital went through and checked off those who had
7. been former patients, that the only people hurt would be
8. those who were attempting to break the law anyway, but as I
9. read the bill, that is not what can happen. Under the language
10. of the bill private hospitals and the Department of Law Enforce-
11. ment are required to furnish the department with information
12. it requests for the sole purpose of determining whether the
13. individual is qualified to receive a firearm owners ID card.
14. So, I think that the Department of Law Enforcement can, in
15. fact, obtain hospital records, if it wishes, under this bill.
16. Also, I think there's a real question as to how many as to
17. the need for the bill and that is how many former patients in
18. mental hospitals or mental institutions have committed crimes
19. with firearms. Senator Knuppel spoke on this point but wasn't
20. able to give any specifics and Senator D'Arco gave an example
21. of what was a suicide. I've tried to get from the Department
22. of Law Enforcement some statistics on this question and they...
23. they haven't provided any and I seriously question myself how
24. strongly they favor the bill. So, in balance I'm going to
25. agree with the Governor and oppose this motion, and would urge
26. the Body to do likewise.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further discussion? Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President. Just a couple of brief comments.
31. It seems paradoxical to me that those very institutions which
32. are dedicated to the preservation of life and the enhancement
33. of the well-being of the individual, namely the hospital and

1. the care...health care institutions, should take a position
2. in opposition to a measure like this, which is...has as its
3. objective the protection of people. Admit, at least, some-
4. body, the patient, is going to have a bit of an infringement on
5. his prerogative, but the life of one innocent citizen is
6. well worth anything that we might impose in the way of a
7. ...an incursion in the privacy of a patient. I think this
8. bill deserves support, Mr. President.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Nimrod.

11. SENATOR NIMROD:

12. Mr. President, can I get a question of the sponsor?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. The sponsor indicates he will yield. Senator Nimrod,

15. SENATOR NIMROD:

16. Yeah. Senator, can you tell me how this fits in with
17. the new proposals of the Mental Health...revision of the Mental
18. Health Code that's been proposed and being studied for which
19. there is going to be public hearings within the month of
20. January?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. Apparently, Senator, there's a conflict in the law right
25. now concerning the confidentiality of mental health records
26. and this provision in the law concerning...determining whether
27. or not a person has, in fact, been in a mental institution.
28. That question hasn't been resolved as yet,

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yeah, Senator, that's my very point. I think the point
33. you're bring up is a point that is certainly one that needs

1. some further consideration, but the mental code...the revision
2. of the Mental Health Code which is going to be distributed
3. on the twenty...on the 17th of this month which is within
4. the next day or two and be available by the 29th of this
5. month with hearings to be held on the 17th and 24th of January,
6. are going to cover this very subject, and I would think that
7. we ought to have the input of three years of work by some
8. experts in the whole area and we have joined forces with the
9. ...with the Commission on the revision of the Mental Health Code
10. to have these joint hearings to determine these problems.
11. And one of them is this very problem and I would hate for us
12. to be taking action on it now when this is going to be addressed
13. by two major commissions in the whole revision of the Mental
14. Health Code, and I would think that it ought to be decided,
15. at least the recommendation with that input, before we take
16. such a step at this time

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Fawell. Senator Fawell.

19. SENATOR FAWELL:

20. Well, I rise also in support of the Governor's veto
21. here. Now, for several reasons, some of which have been
22. alluded to. As I recall the Judiciary Committee when we
23. reviewed this bill we were negative on it. Somehow it came
24. out of committee. I don't recall. I think on some motion
25. subsequent, evidently. I didn't even realize the bill had
26. passed, but in my opinion we ought to be thinking in terms
27. of not allowing people to buy revolvers at all, but we're not
28. about to take that real step. But, if you look at this
29. bill, and I would ask that you look at it very carefully,
30. in my opinion it is a bill which just isn't enforceable at
31. all. You've got the Law Enforcement...the Department of
32. Law Enforcement asking for "information and request" for
33. the sole purpose of determining whether an individual is qualified

1. to receive or retain a firearm owners certificate. What
2. in the world does this mean? And people can be voluntarily
3. or involuntarily admitted to treatment at public or private
4. hospitals. They can be in need of mental treatment. They
5. can be in need of treatment because of mental retardation,
6. other problems. Where in the world can you possibly draw
7. the line. What are the private hospitals and public hospitals
8. suppose to do in...in an effort to try to comply with legislation
9. like this? This certainly has got some understandable laudatory
10. motivation behind it, but it would be another beautiful example
11. of the Legislature passing something and using language which
12. really I cannot see, I repeat, how anybody can figure out just
13. what in the world the private hospitals and the public hospitals
14. are supposed to do in order to be able to give information
15. that's going to allow some private nonprofessionalism in terms
16. of mental illness determine whether or not the person should
17. or should not have a firearm when probably you'll find that
18. all of the people that come and go in mental hospitals, public
19. or private, the experts who diagnosis and prognosticate each
20. day and that wouldn't be able to really tell you. It...it's
21. just one of those things that the law, at it's best, is darned
22. imperfect and this is making it pretty terrible.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any further discussion? Senator Daley,

25. SENATOR DALEY:

26. Mr. President and fellow Senators, in response to Senator
27. Fawell's statement in regards to the Judiciary Committee has
28. been recommended Do Not Pass. Then, later on he made a motion
29. to take from the Table. He moved the bill out.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? Senator D'Arco may close the
32. debate.

33. SENATOR D'ARCO:

1. When...when the bill was initially presented Senator
2. Fawell's objections were...were heated at that time and
3. there was some question about what facilities would be sub-
4. ject to the bill. That...that is why the bill was subsequently
5. amended, to provide that hospital would mean only that type
6. of institution which is providing fulltime residential facilities
7. and treatments for inpatients and excluding institutions such
8. as community clinics at which only provide treatment to out-
9. patients. So, it would be a facility that would provide full-
10. time residential treatment for inpatients only. Also, we de-
11. fine...define the word patient to mean only a person who is
12. an inpatient or resident of any hospital. Not an outpatient
13. or clinic seen solely for periodic consultation. Ladies and
14. Gentlemen, I feel that this is...this is needed by the Depart-
15. ment of Law Enforcement in order to help certain people who
16. should not have guns in their hands and this is simply a
17. mechanism whereby the department can determine who is in an
18. institution within the previous five years, so that he will not
19. have access to a gun, and that is what the bill is about, and
20. I seek your favorable vote. Thank you.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. The question is, shall House Bill 3138 pass
23. the veto of the Governor to the contrary notwithstanding?
24. Those in favor will vote Aye. Those opposed will vote Nay.
25. The voting is open. Have all voted who wish? Have all voted
26. who wish? Take the record. On that question the Ayes are
27. 37, the Nays are 16, 1 Voting Present. House Bill 3138
28. having received the required three-fifths vote is declared
29. passed, the veto of the Governor to the contrary notwithstanding.
30. Senator Partee.

31. SENATOR PARTEE:

32. Mr. President, I was off the Floor a few minutes ago in
33. the phone booth when a vote was taken...(Machine cutoff)...when

1. a vote was taken on a motion proffered by Senator Egan.
2. I don't know if I'm recorded, but I'd like to make an
3. inquiry if I am recorded on that motion.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. We will have to check. I think that...Mr. President,
6. the Secretary informs me that you are recorded as voting
7. negatively.
8. SENATOR PARTEE:
9. Well, the record...I would like the record to show that
10. had I been in my seat I would not have voted on the question
11. at all. I just want the record to show that...
12. PRESIDING OFFICER: (SENATOR ROCK)
13. All right,
14. SENATOR PARTEE:
15. ...that was my intention.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. The Journal will...or the record will so reflect. All
18. right. On the order of total vetoes, 3189...you're going
19. to hold that. Okay. 3420, Senator...all right...is there
20. a motion filed, Mr. Secretary, on House Bill 3420?
21. SECRETARY:
22. Yes.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. All right, read the motion, Mr. Secretary.
25. SECRETARY:
26. I move that House Bill 3420 Do Pass the veto of the
27. Governor to the contrary notwithstanding. Signed, Senator
28. Don A. Moore.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Don Moore.
31. SENATOR MOORE:
32. Thank you, Mr. President and members of the Senate.
33. House Bill 3420 came to us as a result of a Supreme Court

1. decision in the case of the people versus Howell, wherein
2. the Supreme Court stated that a remedy was required for
3. the failure of the court to give a speedy preliminary hearing.
4. Instead of the court fashioning one they left it up to the
5. General Assembly to come up with a solution to this problem.
6. Also, in their report to the Judicial Advisory Council, they
7. also recommended that we take this matter up. They thought
8. it was within the providence of the General Assembly to act
9. upon this matter to provide for a speedy preliminary hearing
10. as provided for in our Constitution of Article 1, Section 7.
11. What the bill does, it provides that in order to implement
12. the constitutional guarantee of the right of a prompt pre-
13. liminary hearing by providing one; a person in custody who
14. requests such a hearing must have one within thirty days or
15. be released on his own recognizance or two; any person whether
16. he is in custody or not requesting such a hearing must have
17. one within sixty days. Failure to meet the sixty day deadline
18. would require a dismissal of...of the charge, but it would
19. not bar the renewal of the charge. The bill requires a re-
20. quest for preliminary hearings be in writing, a copy addressed
21. to the State's Attorney. In the Governor's veto message he
22. thought there was a little ambiguity as to when the thirty or
23. sixty day period runs and it's my impression and in talking
24. to the sponsor of the bill, the date would start upon the date
25. that the demand was received by the defendant for his preliminary
26. hearing. The second objection to the Governor...that the
27. Governor made was that he thinks that because of the relatively
28. long periods of time and the ineffective sanctions to have the
29. charge dismissed without prejudice so that it can be immediately
30. refiled might actually delay the...the having of the preliminary
31. hearing. I do not think this is correct. I think that the
32. State's Attorneys of this State within thirty days would be in
33. a position to proceed with the preliminary hearing to find a

1. probable cause or no probable cause basis. Thirdly, he said
2. the bill is to rigid in-so-far as to finding a cause for de-
3. lay. Again, I take issue with the Governor. I think that
4. the exceptions that are set forth are the delays made by
5. the defendant himself. Other than that there are...there are
6. none. I think that this is a good bill and that it does
7. implement our Constitution and I think it is the proper
8. providence of the General Assembly to act on this matter rather
9. than relying upon the Supreme Court to do it by rules. I'd
10. be happy to answer any questions. If not I'd ask for a roll
11. call, Mr. President.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. Is there any discussion? The question is,
14. shall House Bill 3420 pass the veto of the Governor to the
15. contrary notwithstanding? Those in favor will vote Aye.
16. Those opposed will vote Nay. The voting is open. Senator
17. Partee, please. Have all voted who wish? Have all voted who
18. wish? Take the record. On that question the Ayes are 26,
19. the Nays are 21, none Voting Present. The motion fails. Yes,
20. Senator Moore.

21. SENATOR MOORE:

22. Mr. President, could I have leave of the Body to place
23. this matter on Postpone Consideration?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Well, I'm not sure it's necessary, frankly. The bill
26. will remain on the Calendar and another motion can be filed.
27. That motion failed is all.

28. SENATOR MOORE:

29. Fine. Thank you, Mr. President.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Daley, do you wish to...okay. On the order of
32. Total Vetoes is House Bill 3637. Read the motion, Mr. Secretary.

33. SECRETARY:

1. I move that House Bill No. 3637 Do Pass the veto of
2. the Governor to the contrary notwithstanding. Signed by
3. Senator Richard M, Daley,

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Daley.

6. SENATOR DALEY:

7. Mr. President and fellow Senators, House Bill 3637
8. allows a private...private academic institutions to use
9. tax-exempt revenue for related academic uses such as libraries,
10. research and other facilities adjacent to a campus. We heard
11. ...the bill was heard in committee, It came out overwhelmingly
12. as well as passed on the Senate Floor in the House, This
13. bill is...is needed for a number of private universities,
14. especially, the University of Chicago in regards to the American
15. Bar Association, and I would ask for a favorable roll call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? All right. The question is,
18. shall House Bill 3637 pass the veto of the Governor to the
19. contrary notwithstanding? Those in favor will vote Aye.
20. Those opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record.

22. SENATOR DALEY:

23. Postpone Consideration.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. All right. There's been a request to place that motion
26. on the order of Consideration Postponed. So ordered. 3858.
27. Senator Knuppel, do you wish to proceed? All right. On the
28. order of Total Vetoes is House Bill 3858. Read the motion,
29. Mr. Secretary.

30. SECRETARY:

31. I move that House Bill 3858 Do Pass the Veto of the Governor
32. to the contrary notwithstanding. Signed by Senator John L.
33. Knuppel.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President and members of the Body, this is the
5. bill designed to reorganize the Illinois State Fair Agency.
6. As you will recall we passed a bill, the bill was...the
7. Governor's veto on that was overridden and the Supreme Court
8. held that bill unconstitutional a year ago. A new bill,
9. House Bill 3858 was introduced and passed by both the House
10. and Senate. A serious attempt was made to meet the objections
11. raised both by the Governor's Office and by the State Supreme
12. Court in the drafting of House Bill 3858. The bill calls
13. for a State Fair Agency Board of fifteen members which
14. ultimately will be chosen ten from different county fair
15. districts in the State are nominated from those districts and
16. appointed by the Governor with five members to be appointed
17. by the Governor. This bill has had the editorial endorsement
18. of most newspapers as well as the support of this Body by a
19. fifty-three to nothing vote here...when it passed out of here
20. last Summer. As most of you know the Illinois State Fair has
21. been a source of embarrassment to every Governor in the last decade.
22. The...the...any attempt to correct it has totally failed. It's
23. been a political grab bag and the Illinois State Fair again
24. and again has strongly established its claim as the biggest
25. single headache for any Governor...that any Governor must endure.
26. The Illinois State Fair has regularly lost money, prestige
27. and attendance and too many political patronage employees are
28. part of the trouble with too little work to do, freebies for
29. the politicians, phony attendance figures and absurd administrative
30. ghosts. Now, there's only one way, whether this bill...there's
31. an argument by the Governor in...in his veto message that this
32. bill still has not met his objections. I'm not the Supreme
33. Court and I personally do not know what the Supreme Court will

1. do with this legislation. I personally felt that the other
2. bill was constitutional in that the appointments and the
3. manner by legislative leaders were only temporary and tran-
4. sitional. I think this bill is constitutional. I know that
5. it expresses the wish beyond...duress wish of all legislators
6. here last Summer by a fifty-three to nothing vote. I think
7. it's one way, at least, to try. I...I hate to see this bill
8. postponed and the veto not overridden because we have a very
9. political Governor who feels that it should remain where he
10. can play patsy with it. As I've said before Governor Walker
11. would have made a great collision derby driver. He's always
12. headed in the wrong direction, reverse, and that's the way
13. collision derby drivers drive, and I think he's wrong on this.
14. It's been a headache to him. Nobody has been more embarrassed
15. than he has by the fiscal fiascos that have occurred there at
16. the State Fair. In his closing words of his veto he says -
17. if there must be a State Fair Board, the Board should be es-
18. tablished on a basis that will provide for firm management
19. control and accountability. This bill does not achieve this
20. objective. I disagree entirely and I would say that if there
21. had been a loosely run agency in the State of Illinois over
22. the last decade it's been the Illinois State Fair. I say that
23. we should affirmatively support the override on this bill to
24. back up our...our earlier commitments that the Illinois State
25. Fair if it's going to succeed at all and the Capital Develop-
26. ment Board is starting people out there now to review the needs
27. of the buildings out there I was told the other night. Well,
28. first of all we ought to have a stable State Fair Agency, and
29. this seems to me to be the only way to get it. I believe that
30. this bill meets the objections notwithstanding what the Governor
31. has to say that we're rated the Illinois Supreme Court. I've
32. read those decisions. I can't guarantee it. No one can because
33. I'll tell you this, that a court can be extremely fickle as

1. I've found out with my turtleneck case. I would solicit
2. your active support of this bill. It's a bipartisan effort.
3. It has been a bipartisan effort since its inception. Thank
4. you very much.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any discussion? Senator Davidson.

7. SENATOR DAVIDSON:

8. I think that Senator Knuppel has said it all that needs
9. to be said. I'm getting a few comments from the side...aisle
10. over here, so I'd just appreciate a favorable vote.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. All right. Any further discussion? Senator Mitchler.

13. SENATOR MITCHLER:

14. First of all, Mr. President, I'd like to ask how many
15. votes are required to pass the motion of Senator Knuppel.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. 36.

18. SENATOR MITCHLER:

19. 36. And what would the effective date of the Act be?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. I would say that it would be immediate and there's
24. periods in there like sixty days and so forth for appointments
25. that...but, I would think that the...that if it gets that
26. vote, it would be immediate.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Then, I take it the new appointees would have to be
31. made and confirmed and put through in order to operate the
32. Fair for 1977. Times change and since the passages...since
33. the passage of this bill which did pass 53 to nothing with

1. I Voting Present. I don't know who that person was, but
2. I believe we have a different outlook on many aspects of
3. State Government, and at least we will have starting on the
4. 10th of January. I want to bring to the attention of the
5. Senate, a position that I would convey to you as a member
6. of the State Fair Advisory Board and in having been in con-
7. sultation with the Governor elect. There's a great desire
8. of the Governor elect to continue the responsibility, and
9. I emphasize the responsibility of the operation of the State
10. Fair. I believe that all of us agree and I would hope so,
11. that the responsibility really is with the Governor, but an
12. irresponsible Governor or Governors, and I've served under
13. several of them as a member of the State Fair Advisory Board,
14. causes many of the problems that we were trying to correct by
15. taking it away from the Executive Branch of Governor...of
16. the Governor and putting it into the hands of appointed people
17. nominated to the Governor for his selection. I believe that
18. even this bill would be subject to a court test and I believe
19. that precedent cases would bring out that there is a likelihood
20. of having the bill rejected because of the usurpation of the
21. powers of the Executive Branch of Government by the General
22. Assembly. Now, I'm going to suggest that we withhold our
23. affirmative vote to Senator Knuppel's motion and allow the
24. responsibility for the operation of the State Fair to be with
25. the new Governor in 1977-78, and if he fails he probably won't
26. even be Governor. I would urge a negative vote on Senator
27. Knuppel's motion.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Regner.

30. SENATOR REGNER:

31. Yes, Mr. President and members of the Senate. In the
32. ten years that I've served in the General Assembly, the State
33. Fair operation has been a crummy bipartisan affair under every

1. Governor we've had and they've been on both sides of the
2. aisle during that period. Last Spring I voted Yes for this
3. bill. I felt it was a good bill. It should be enacted and
4. I intend to be of my convictions from last Spring and again
5. support the override motion right now and I urge the other
6. fifty-two people that voted Yes last Spring to vote Yes today,
7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further discussion? Senator Knuppel may close the
9. debate,

10. SENATOR KNUPPEL:

11. Mr. President, Senator Mitchler's argument is the best
12. argument I can think of for voting Yes,

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. The question is, shall House Bill 3858 pass
15. the veto of the Governor to the contrary notwithstanding?
16. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Take the record. The Senator has requested that
19. motion be placed on the order of Postponed Consideration.
20. So ordered. Senator Shapiro. On the order of total vetoes
21. is House Bill 3924, Read the motion, Mr. Secretary.

22. SECRETARY:

23. House Bill...I move that House Bill 3924 Do Pass the
24. veto of the Governor to the contrary notwithstanding. Signed,
25. Senator David Shapiro.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Shapiro.

28. SENATOR SHAPIRO:

29. Mr. President and Ladies and Gentlemen of the Senate.
30. House Bill 3924 would allow DeKalb County to form a civic
31. center authority. It would be done by lowering the assessed
32. valuation necessary for a county or a combination of counties
33. to qualify for a metropolitan exposition building authority.

1. And it's done by lowering the assessed valuation from six
2. hundred million to three hundred million. It would also
3. allow DeKalb County in a consortium of the DeKalb County
4. Farm Bureau, the City of DeKalb and the university area,
5. to build a exposition hall that would be used basically by
6. those three organizations predominantly as an agricultural
7. exposition hall. However, the university would be interested
8. in this from the viewpoint of athletic advents, so on and so
9. forth. It does not require any money from the State of
10. Illinois as...as such. The County Board of DeKalb County,
11. by resolution or ordinance, would have to authorize it and
12. it would be done through the sale of revenue bonds or by
13. referendum with the authorization and the issuance of General
14. Obligation bonds. The bill passed out of this Senate by an
15. overwhelming majority last Spring. I would appreciate a
16. favorable roll call on this override motion. It is a total
17. veto and I would appreciate a thirty-six votes.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any discussion? Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, I don't know. This sounds like trying to move
22. the State Fair. Maybe that's why the people over there voted
23. No. This sounds like it's trying to move the State Fair for
24. an agricultural exhibition hall up to DuPage County or some-
25. place. I...I just don't know. It...it just doesn't look
26. good to me.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. Any further discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Just a point of curiosity. Since this lowers the rate,
31. about how many counties would this enable to qualify to
32. build a metropolitan civic center?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Shapiro.
2. SENATOR SHAPIRO:
3. Senator Wooten, including DeKalb County the total
4. would be nine other counties.
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1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any further discussion? All right, the question is, shall
3. House Bill 3924 pass, the veto of the Governor to the contrary
4. notwithstanding? Those in favor will vote Aye. Those opposed
5. will vote Nay. The voting is open. Have all voted who wish?
6. My unofficial parliamentarian in the back row. Have all voted
7. who wish? Have all voted who wish? Take the record. Senator
8. has requested that that motion be placed on the order of Postponed
9. Consideration. Senator Partee, are you...do you wish to return
10. to that order of business that...

11. SENATOR PARTEE:
12. Yes...

13. PRESIDING OFFICER: (SENATOR ROCK)
14. ...we left a little earlier. All right, is there leave to
15. go back to the order of House Bills 3rd reading? On that order is
16. House Bill 4020.

17. SENATOR PARTEE:
18. Would you read the bill?

19. PRESIDING OFFICER: (SENATOR ROCK)
20. Yes, Sir. Mr. Secretary, read the bill.

21. SECRETARY:
22. House Bill 4020
23. (Secretary reads title of bill)
24. 3rd reading of the bill.

25. SENATOR PARTEE:
26. Well, Mr. President and members...

27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Partee. May we have some order, please. Will the
29. members please be in their seats and will those not entitled to
30. the Floor, please vacate. Senator Partee.

31. SENATOR PARTEE:
32. Mr. President and members of the Senate, there are likely
33. to be some questions about this bill. It involves a substantial

1. sum of money, and I shall take a little time to try to explain
2. it, and perhaps I can obviate some of the questions by the
3. explanation. It's a very short bill, five or six lines, which
4. appropriates fourteen million dollars to the Department of Public
5. Health for a grant to the Provident Hospital and Training School
6. Association for a hospital construction project which has...
7. which is authorized under the provisions of the Illinois Hospital
8. Construction Act. Now, we passed out yesterday or this morning
9. some facts about the Provident Hospital. It's eighty-five years
10. old, having been founded in 1891. It is the oldest and largest
11. black hospital in the State of Illinois. It's the first private
12. not-for-profit hospital in this State which provided opportunities
13. for internships for black doctors and white female positions on
14. an unlimited basis. It was the first School of Nursing established
15. for black students in the United States. It was the site of
16. the first successful open heart surgery ever performed in the
17. United States by a Dr. Daniel Hill Williams, a black physician
18. who performed the first open heart surgery in this country in
19. 1893. It was the first hospital, black hospital, to provide
20. post-graduate courses for black physicians and has treated almost
21. twenty-two thousand people in its emergency room in 1972, about
22. fifty percent of whom were unable to pay for their own treat-
23. ment. There were forty-eight hundred and five in-patients in
24. 1975. They employed approximately four hundred people,
25. with a hundred and forty-nine positions on its medical staff and
26. paid almost five million dollars in salaries and benefits to his...
27. its employees, most of whom live in the area in and around the
28. hospital which is a area of nonaffluence. It is an area where
29. about twenty-nine percent of the people are unemployed. Now,
30. how this all came about is that the State Department of Public
31. Health ordered this hospital closed. They ordered it closed because
32. of the lack of fire and safety regulations, and the hospital was
33. then at the point of about to be closed, given one year's leave

1. with the specific understanding that the hospital would be
2. torn down and a new facility built. Now, to serve this area,
3. which has a population density radius of service of almost a
4. million people and is in a grand boulevard community which
5. contains eighty thousand people, with twenty-two thousand
6. emergency patients last year, to do this the State through the
7. Department of Health has been working very laboriously to make
8. certain that dollars would be available for the building of
9. this much needed new hospital. The hospital is now at its
10. maximum debt limit. There is no possibility under the State law
11. or any law for them to borrow any money, so there is an in-
12. capability for them to borrow funds. Now, the matter was arrived
13. at by and through those two branches of State government, the
14. Department of Public Health, the Health Facility Planning Board,
15. with input from the Illinois Health Facility Authority to create
16. a viable situation where the money could be put together to build
17. this hospital. Hill-Burton funds are committed. It is estimated
18. that the cost of this new hospital was... incidentally will be
19. connected with the teaching both of nursing and of medicine, and
20. they will of course extend the courses that are now in effect on
21. radiologist technicians. The cost would be approximately fifty
22. million dollars. Hill-Burton has pledge of Federal funds thirty-five
23. million dollars. In order to acquire that thirty-five million
24. dollars from the Federal government, it is necessary that there
25. be pledged fifteen of fourteen odd million dollars from some
26. other source. As I say, they cannot borrow it. The neighborhood,
27. the area in which it is located has done as best it could to
28. raise some funds, approximately a quarter of a million of dollars.
29. And the request is, not that the State of Illinois take fourteen
30. million dollars from the General Revenue Fund. That would be a
31. foolhardy request. We are very cognizant and aware of the paucity
32. of dollars in our State Revenue... General Revenue Fund, and this
33. is not a request to appropriate money from the General Revenue

1. Fund. It is indeed a request to have the State of Illinois in
2. an effort to provide medical services for sorely needed residents,
3. to pledge, if you will, that there will be a grant to that
4. hospital in this hospital. It is reliably related to me that
5. the possibility before there will be any call on any money from
6. the State of Illinois, would perhaps be in the second or third
7. year of the construction, which would make it either '78 or '79
8. before the State would have any obligation to honor this commitment.
9. It is but a commitment, and I would certainly urge your support.
10. This is one of the oldest hospitals in our State, and this is the
11. only hope that there is to save it. Now, if it is not saved,
12. what happens? This large number of people, and I spoke today
13. with the...the Director of the Department of Public Health...it
14. would cost the State a great deal more money than is involved
15. in this commitment to have these patients serviced at other
16. places on Medicare or Medicaid and other kinds of medical provider
17. services. So, actually what we would be doing is saving money
18. by making this commitment. If there are any questions, Mr.
19. President, I'd be pleased to try to answer them.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Regner.

22. SENATOR REGNER:

23. Mr. President, members of the Senate, just a couple of short
24. statements on this. You know, it's sort of amusing to look at the
25. inconsistency of the House. When they last Spring passed House
26. Resolution 944 requiring the Department of Public Health and the
27. Board of Higher Education to conduct a feasibility study concerning
28. the establishment of a new medical school or hospital on the south-
29. side of Chicago. This report is...is due next March. I do think
30. that we should wait for that report before we go ahead; however,
31. I would like to point out a couple of facts, and those are that
32. there are no plans for this hospital, there are cost estimates,
33. and the appropriation is an appropriation bill in 4020 from the

1. House in that it appropriates a sum of fourteen million eight
2. hundred and twenty-eight thousand dollars from General Revenue. And
3. I think it'd be a horrible precedent that we would be setting
4. here if we were to take General Revenue Funds that are in direst
5. conditions right now and appropriate them to a private hospital.
6. I think we would be opening the doors for many requests of other
7. hospitals that may be in...in trouble or in need for various
8. reasons, such as low pay by the State of Medicaid and...
9. Medicare costs, and in light of the study that is being conducted
10. and is due before this General Assembly next March, I would urge
11. the defeat of this bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Harris.

14. SENATOR HARRIS:

15. Thank you, Mr. President. I've been agonizing over this
16. bill for two weeks. And I...I want to communicate to you at
17. the outset of my remarks that I am going to support its passage,
18. but I want to importune those of you who may have misgivings
19. about it, about how I have come to the conclusion. I was not
20. aware of the bill's introduction this Fall by Senator elect,
21. Representative Washington, until it had come to the Senate Rules
22. Committee two weeks ago. And I asked several questions at that
23. Rules Committee meeting about it and at that step in its progress
24. voted to recommend that the bill be reported favorably so that
25. the full Senate could deliberate on it. In the meantime I've
26. been studying the State's fiscal prospects. Today history was
27. made I believe here in Springfield when a Governor elect was
28. afforded the courtesy of a meeting by the joint leadership, not
29. of the Governor elect's party, of the two Houses, but the joint
30. leadership was the leadership of both parties of both Houses, and
31. a very impressive communication of Illinois' fiscal prospects were
32. laid before the joint leadership. Subsequent to that meeting
33. by Governor elect Thompson, subsequent to that meeting, further

1. history and precedent was established by there occurring a joint
2. meeting of the House and Senate Republicans with the Governor
3. elect. I don't think that has ever occurred before. And the
4. membership of the House and Senate from the minority went over
5. with the Governor elect the very serious prospect facing Illinois
6. in the remainder of fiscal '77 and the prospects facing us for
7. fiscal '78. And the prospect is somber. I have discussed not
8. directly but with Governor elect Thompson's research director
9. and one quite knowledgeable in the needs of Illinois. This bill
10. subsequent to those two meetings to which I have just referred,
11. the personal wish of Governor elect Thompson is that he would
12. prefer that action to contribute from the State's resources to the
13. needs of Provident Hospital could more responsibly be performed
14. by him at a point in January or February when he could have
15. available to him more comprehension of the total needs of Illinois
16. and a more careful ordering of our priorities through the remainder
17. of fiscal '77 and the prospect of fiscal '78. But that he, of
18. course, shares the same sense of urgency with respect to the needs
19. of Provident Hospital which must be saved. And so, I have had the
20. benefit of that communication from the Governor elect, and I've
21. been...I've been deeply concerned about the record of the
22. Legislature thus far in this Veto Session with respect to our
23. contribution to the impending prospect of bankruptcy or serious
24. incapacity to meet our basic responsibilities during fiscal '77
25. and fiscal '78. The fact is, my colleagues in the Senate, there
26. come from time to time certain decisions for us that go so completely
27. to the conclusion of need that we must take action, that even if it
28. complicates our future, we must be prepared to accept those
29. complications. The cash flow requirement has been explained by
30. the President. There will be no cash flow with respect to this
31. commitment of the State's resources to this undeniable need either
32. during fiscal '77 or fiscal '78. The need to save Provident
33. Hospital is unmistakable and the difference between acting now and

1. acting in January, I believe, cannot be adequately substantiated.
2. I think this Senate must go ahead and meet this crisis now,
3. even at the risk of eventual complication of the fiscal picture
4. facing Illinois, and this is a tough decision for me to make,
5. but it's one that I think we have to take. And I would urge those
6. of you who may be undecided to join me in saving Provident
7. Hospital by the commitment of these State funds that will not
8. be drawn on but will be committed to an institution that is unique
9. and outstanding, not only in the United States but in the World.
10. Thank you, Mr. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Chew.

13. SENATOR CHEW:

14. Thank you, Mr. President and thank you, Senator Harris.
15. President Partee has given you a partial history of what Provident
16. is all about. I have worked here with many of my colleagues for
17. a number of years. I have been available to cast votes for
18. legislation that was vital to many of you, maybe as projects
19. only to you and your constituents. I have worked to secure some
20. votes on this bill. I have succeeded in some measure in getting
21. additional support. For that I'm grateful. Some of you don't
22. know where Provident Hospital is. You don't know what it's all
23. about. It is located in the heart of the southside of Chicago.
24. There is a fact sheet, but Provident to me is pure American.
25. It is frequently referred to as a black institution. I want to
26. hastily to inform you that at no time in the history of the operation
27. of Provident has it ever refused the treatment of anyone in need, be he,
28. black or otherwise. It is an institution that is outstanding in its
29. accomplishments, but there have been problems that we can attempt
30. to alleviate. I could tell you many, many things about that in-
31. stitution that are not included on the fact sheet. But I want
32. to give you a little story, and I hope it has a bearing. The
33. world thought of General Dwight D. Eisenhower as the General of

1. of the Army. We thought so much of him until we bestowed the
2. highest office in the world on his shoulders, but one day he
3. passed away, and I recall as if it were five minutes ago. That
4. there was a printout in one of our leading newspapers and the
5. caption was and I quote - tell the boys this time...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Just...just a moment.

8. SENATOR CHEW:

9. ...the caption on the story of his death was and I quote -
10. tell the boys this time it is Ike himself. So, if I have been
11. in anyway meaningful to my friends here in the Senate in my way
12. of cooperating, I would like you today even if you weren't
13. committed to this vast project. Today, my friends this is
14. Charlie Chew and I would ask your support on the passage of this
15. bill. It is meaningful to me, it is meaningful to us, and I beg
16. your support with the deepest humility that I could ever have. Thank you

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. We...the Chair would call the attention of the members that
19. there are approximately seven more at this time that wish to
20. speak on this issue and we do have the limit on time, so at this
21. time, Senator Netsch.

22. SENATOR NETSCH:

23. Thank you for making the point right before I rose to speak.
24. This time I will observe it. It will be very brief. Mostly I have
25. a question to ask, but first I wanted to make just one very brief
26. point. I think perhaps for a number of people in this Chamber
27. and especially those who are not from the Chicago area, it may be
28. difficult to understand and to underscore how terribly important the
29. Provident Hospital is, not just to the southside or the westside
30. of Chicago, but to the entire City of Chicago, and I think really
31. quite directly and quite really to the...the entire State of
32. Illinois. It plays an absolutely vital function in holding our
33. city together. It serves people who would not otherwise be served

1. in any kind of adequate way and it simply cannot be allowed to
2. expire. Now, having said that, I realize that it poses a very
3. difficult question for a number of people, primarily this question.
4. How can I appropriate funds to help construct a new or expanded
5. Provident Hospital in Chicago and not make the same gesture with
6. respect to every other hospital in the State that needs expansion
7. or reconstruction? I think that is a legitimate question, and I
8. think it's a very important one. I believe Senator Partee touched
9. very briefly on it, but I think it's important enough that it
10. ought to be restated now, and I would like to ask Senator Partee
11. if he would yield for a question.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. He indicates he will.

14. SENATOR NETSCH:

15. And the question, Senator Partee, is this, what is there
16. that is different or unique or distinguishing about Provident
17. Hospital that we should appropriate the funds to help reconstruct
18. it and not perhaps every other hospital in the State?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Partee.

21. SENATOR PARTEE:

22. It is indeed a unique situation based on several factors.
23. One, to qualify under this kind of a push by the Department of
24. Health, you would have to have first a hospital that was to be closed
25. by the Department for noncompliance with either fire safety or
26. other regulations. It would have to be a situation which had
27. as this one does, the approval of the plan by the Public Health
28. Health Facility Planning Board and also, it would have to be in-
29. eligible for funds under the Illinois Health Facility Authority
30. which this one is. The hospital will also have to be at its
31. maximum debt limit which this hospital is. It would have to
32. possess the incapability of borrowing funds as this one is under the
33. Health Facility Authorities Act. There would have to be a show of

1. maximum community effort which has been shown in this instance,
2. and although it is not listed as one of the components, I am
3. certain that the density factor has some impact on the decision
4. as made by those three divisions of State government together
5. with that division of Federal government which administers the
6. Hill-Burton Act. That many circumstances of that nature in tandem
7. are not likely to happen in many other places. It is as a result
8. of those proliferated circumstances. A unique, a decidedly unique
9. situation.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Netsch, you have concluded, I presume. Senator Glass.
12. SENATOR GLASS:

13. Thank you, Mr. President and Ladies and Gentlemen, after the
14. speeches that have preceded me, it is difficult to rise in
15. opposition to...to this bill, and in fact, I don't really intend
16. to oppose it even though I am not going to vote for it. I think
17. the uniqueness of Provident Hospital has been well explained.
18. Senator Partee in particular, and I certainly feel strongly
19. that the State of Illinois should make a commitment to the ex-
20. pansion that is...is to be provided by the appropriation involved
21. here. But I...I think, Ladies and Gentlemen, that there is
22. absolutely no need to act on this now. I have in front of me the
23. article by Vernon Jarrett that was distributed to us and he points
24. out that the cost of Provident's proposed hospital is fifty million
25. of which thirty-five million eight would come from the Federal
26. government, so I take it that this appropriation would be the
27. balance from the State. It is...it is indeed an appropriation
28. even though presumably the money will not be needed till 1978 or 9 and
29. may be obtained apparently from other funds. Jarrett also
30. states that a commitment from the State would release Federal
31. funds and new construction should get under way. But I don't...
32. from the information I have, there are no architectural plans
33. for this expansion at the present time. We also have a...a report

1. due in March from the Board of Higher Ed. I can't see how con-
2. struction can begin when there are no plans and when we are in
3. the middle of winter, so why not do what the Governor elect has
4. asked us to do, give him an opportunity to review the entire
5. State budget, revenue picture, allow him...and he has said publicly
6. that he would do this, allow him to get into this project as well
7. as any others that are of an emergency nature in January, but
8. not hasten to pass an appropriation of this magnitude now. I don't
9. question the...the need for it. I do very seriously question
10. taking this action on a bill that was introduced as late in the
11. Session as this one, and in view of that, I would urge those who
12. feel as I do, to vote Present on the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Smith.

15. SENATOR SMITH:

16. Mr. President and Ladies and Gentlemen of the Senate, first
17. may I say to the Presiding Officer that I am cognizant of the
18. fact, Sir, that we are operating under the three minute rule. Now,
19. don't stop me until I will have used exactly three minutes, please.
20. That's a please.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. I'm setting the watch now, Senator.

23. SENATOR SMITH:

24. Now, don't...don't...don't say that my time has expired as
25. so often you do. Now, Mr. President and members of the Senate,
26. I am grateful to my leader...what it is now. Oh, him. I'm grateful
27. to my leader, Senator Partee. I think they all can hear me. If
28. they can't, I'll get louder.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator, raise your microphone...

31. SENATOR SMITH:

32. Now, you're taking some of my time...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. I'll give you that time.

2. SENATOR SMITH:

3. ...I know how you'll do when I get up here. You say the
4. time is up, and I...I...I just want not to...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. I'm going to start you over, Senator.

7. SENATOR SMITH:

8. ...All right, you sit down and keep perfectly quiet, and I
9. will consume exactly three minutes, and not do as I so often do
10. when you're kind enough to recognize me. I was about to thank
11. my leader, Senator Partee, for assuming the leadership with
12. reference to House Bill 4020, which was sponsored in the House
13. by Representative Washington and Representative Cantania. Now,
14. I rise, Mr. President, not principally because of the fact that
15. Provident Hospital is located in my immediate district out on the
16. southside of the City of Chicago, and as has been said by my
17. leader, it has rendered service to the many, many people in their
18. ...adjacent area for lo these many years. I open the Statutes
19. to Section 23 of the Illinois Revised Statutes, and there I find
20. the bill that establishes the Illinois Hospital Construction. I
21. don't know whether the word is Association or what, and so forth.
22. This law was passed four years after I became a member of the
23. Senate. I came to the Senate in nineteen hundred forty-three.
24. Some might say I've been here too long I think so too. And I
25. won't be here after two years longer. I must serve my time,
26. however. We established the law at the time. I don't know whether
27. I should have discussed with the Senator before I say it or not,
28. and I don't want to say anything that will in anyway confuse or
29. deter anyone. I've read the bill now. I had not read it when
30. we caucused yesterday. The law here provides and I'll read it if
31. you wish it. No, I won't read it because that takes seven minutes
32. to read and I wouldn't have any time then at all, so I won't read.
33. It's Chapter 23 and in the Illinois Revised Statutes, it's here on

1. page 820. Now, servicing the many people and I was not appalled
2. when the good Senator said that last year, and we don't know
3. about this year, they serviced over twenty-two thousand emergency
4. cases or causes, and less than perhaps one-third or more were those were
5. paid for the services then and there rendered. May I digress
6. and say that I have in my pocket the day the wife of my bosom was
7. admitted to Provident Hospital I know it was 31st of March,
8. and that's all I know. It was March the 3rd, 1955, and I went
9. to the hospital daily, but I went there to pick her up on the 15th
10. day of May, 1955 and from then until this day when I talk with
11. her today as I do each day when I'm here, she had not been ill
12. since. They have rendered service to the people of their entire City of
13. Chicago, not alone the entire southside of the City of Chicago and the
14. leader made mention of the density of the population out there and I
15. hope he's bearing in mind and I'm sure he was that that dense
16. area has perhaps more unemployed people than the entire overall
17. outlook of the rest of the City of Chicago. The rate of unemployment
18. is higher out there. Now, they've used a word I don't want to
19. use and I don't know how to say it without saying...using the
20. word they've used of the many that live in that area, and this
21. hospital is less than three and a half blocks from where I own property
22. and where I live, and I don't want to say anything that will in anyways
23. mislead you. Under the...I won't say what I started. Under the
24. provisions of the Statute, we are following the right procedure.
25. Now, this hospital construction, and bear this in mind, and I was
26. a little nervous when Senator...the Minority Leader, Senator Harris
27. came back and starting speaking because I know what he has in store
28. for a bill that I probably will call later, the destruction of that
29. bill, but he says he knows of no reason...it's possible that he
30. doesn't, but there is a sufficient reason. That hospital out there,
31. Provident, is operating under a mandate from the Department of
32. Public Health. That mandate expired last few days of the past
33. year. However, arrangements were had under which the mandate was extended.

1. We are operating under that mandate. The original mandate was
2. that you begin construction. This is not for salaries or any-
3. thing of that sort, and if you gentlemen take seven minutes and
4. read this Statute, you'll find that the monies that we are asking for
5. can be used for but one purpose, construction purposes. That
6. mandate provided that you'll begin construction because even the
7. beds out there are not such as they should be in a regular
8. licensed hospital. Now, I...I...might I...I...I have one minute,
9. don't I? I can tell that from the fact that you got up. No, no,
10. he's just getting up now, and he usually stops me, you know,
11. earlier. I'm not going to say that the hospital is used ex-
12. clusively for members of any ethnic group. I've seen them of all
13. colors. I speak nine languages as some of you know, and I've heard
14. them speak languages out there that I don't know what on earth
15. they're saying, and they ask me to interpret and tell them what
16. he's talking about, and I couldn't for the life of me. And I
17. can speak the difficult Russian language as well as I can the
18. English language and other languages, but it's a conglomeration
19. of ethnic groups. You would have...and I'm so glad you didn't
20. get up, and I hope you...I hope you don't, and I voted for your
21. measures and I'm going to watch how you vote and Senator Philips
22. over there who never votes with us on anything. I voted with
23. him today, trying to soften him up and see if he would probably
24. give us a vote. Oh, yeah. He doesn't vote for anything we have
25. and ordinarily I don't vote for anything that he has, and I think
26. it...you scratch my back and I'll scratch yours is good philosophy
27. even in politics. I don't want when the roll call will have ended
28. to find that Senator Harris alone is the sole one over there who
29. voted. If he does, I'll never again respect him. And I...I see another
30. hand raised over there. My very good friend who helps me with the
31. prayer services that we hold for Senators here, Senator Davidson,
32. and I know two or three others over there, who in spite of what
33. Senator Harris said, are going to vote for this measure. I can't

1. say that we will secure enough votes, but the...there's no
2. Nimrod is not even there, I don't see him, but I can imagine where
3. they are. Why I can imagine what was said privately. I know
4. what he said publicly, that he is going to vote for this measure.
5. Now, he has a sale for some twenty or twenty-four people over there
6. and I shooed him away yesterday, you will recall, when he talked
7. so nice as always he does, I knew he was waiting to kill
8. my bill, and I postponed it until today, and I propose to call it
9. if you give the good Senator, our leader, sufficient number of
10. votes to appropriate the monies, not to Provident Hospital, but it
11. will go to the Department of Public Health as the law provides, and so
12. the bill reads. And it may be, there will not be a occasion to use any
13. of the monies until 1978 or 9, but we are operating under a mandate, and
14. if the Governor, whom you think so highly of and whom I frankly
15. didn't vote for but I respect him and his ability in the position
16. I hope that he will once this bill is passed, recognize the law
17. of the land, and hold the monies and the additional amount necessary
18. is available, and whenever and if we can get the monies provided
19. for...cut me off and that's all right, and you should have, but
20. I think it a little discourteous each time a member on this side
21. of the aisle gets up...you did that to Chew...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. That...that is mechanical, Senator. It isn't...

24. SENATOR SMITH:

25. I understand and it...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. ...with intent.

28. SENATOR SMITH:

29. ...it can be operated manually. Let us agree on it, and I'll
30. sit down.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Newhouse.

33. SENATOR NEWHOUSE:

1. Thank you, Mr. President. Mr. President, am I the last
2. speaker?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. No, there are three more that I know of.

5. SENATOR NEWHOUSE:

6. Mr. President, I shall be mercifully brief. Let me...let me
7. just point out one aspect of this that I'd like to drive home,
8. and that is, the potential crisis in health care that faces our
9. community in the absence of this institution. Some of you on
10. the other side of the aisle can recall when we put together some-
11. thing called the Cook County Hospital's Governing Commission,
12. and I was...I voted for the inception of that. Since its inception
13. one of my colleagues says it was a mistake and I sometimes think
14. it was. Since its inception, several things have happened. The
15. Cook County Hospital which is the hospital of last resort and has
16. been in Chicago for some time, is a hospital where people go who cannot
17. get medical care elsewhere. Let me give you an illustration. I'm
18. not talking specifically of perhaps Public Aid or Public Welfare.
19. Let's say that there is a truck driver who makes twelve thousand
20. dollars a year but who is out of work temporarily and does not
21. have a bank account. This person would normally be referred to
22. the Cook County Hospital. Since the inception of the Governing
23. Commission, the Cook County Hospital has decreased its number of
24. beds and its attrition has such that it is down to a point where
25. there are very few beds available for that purpose. One of the
26. hospitals that it...refers its patients to is Provident Hospital.
27. Many of you might have heard of the kinds of problems that the
28. Cook County Hospital has had over a period of years. It has been
29. beset by strikes and labor problems, one of which was only recently
30. resolved. Some of us have a fear that in the near future we won't
31. have Cook County Hospital any longer. If that becomes an actuality
32. and if we lose Provident Hospital, it means that a substantial
33. population of the City of Chicago and of the County of Cook, of

1. the County of Cook, will be without basic hospitalization,
2. without basic medical care. That's the crisis situation that
3. we face. Given such a crisis situation, the only thing that
4. this Body can responsibly do is to respond to that crisis as the
5. only Body that can respond to a crisis of this magnitude.
6. I would suggest to you, Ladies and Gentlemen, that that might
7. be an additional reason for placing an Aye vote on this matter,
8. making available to Cook...to Provident Hospital the kind of
9. credit, not money, immediately, the kind of credit that will
10. permit it to go about the construction that is badly needed on
11. the southside of the City of Chicago. The hospital was at one
12. time in my district. It is now in Senator Smith's district. I
13. share his concerns. I share his concerns not only because it was
14. formerly in my district, but because most of those in my district
15. will use that as the nearest hospital and the best hospital for
16. their primary health care. I would urge you to vote Aye on the
17. passage of this bill. Thank you.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Berning. Senator Fawell.

20. SENATOR FAWELL:

21. This, I think, is one of the toughest bills that one can be
22. called upon to vote upon, and one of the very last for me, and I
23. know that everything that Senator Partee has said and the others
24. I...I can agree with, but one tremendously important point, and
25. that is, that we're talking about no matter what we do say here
26. with an additional fourteen million dollars to be added onto
27. apparently what we have now appropriated by overriding gubernatorial
28. vetoes in the amount of something like sixty-two million. And as
29. I understand it, the leeway is only seventy-five million. I don't
30. think there's any question about the need and anyone's empathy, and
31. sympathy has to be one hundred percent in favor of saving Provident
32. Hospital. And I think that as far as I am personally concerned,
33. I know that I have fought with Senator Smith on many valiant efforts

1. We have been together on a number of occasions, so I trust that
2. what I'm saying here is not in anyway to be construed as an in-
3. sensitive soul who is not aware. I have seen us say no to the
4. retarded, and to the poor, to all kinds of tremendously needy
5. projects. I see the State of Illinois presenting the new governor
6. with almost an unconscionable and certainly insensitive on our
7. part fiscal situation. And it's...it's so easy I think under these
8. circumstances to embrace wholeheartedly the tremendously poignant
9. story which undoubtedly is so and yet one has to be objective
10. at least to a degree and point out that this bill was introduced
11. just a few days ago really, that in a very short period of time,
12. the man who must really tussle with this, the new governor of the
13. State of Illinois, will be in office. We have had really no
14. opportunities of other professionals to give us their reactions.
15. We are not really told about the possibility of expressing this
16. legislation in terms of commitment to be honored not later than,
17. let us, say, July 1st, 1978 to July 1st, 1979. It's...it's a bill where
18. in all objectivity which is the lousiest of all politics that one
19. can ever be involved in, we ought to say with tremendous empathy
20. and understanding as we should have been and have been into some
21. degree at least been forced to say to projects of tremendous
22. need that I am sorry, how can we possibly do it. And that is the
23. way I am leaning. If I...I think probably nobody is going to
24. vote against this bill, but there are going to be an awful lot
25. of people who feel absolutely sincerely and with a complete compre-
26. hension and understanding of the tremendous need that how can we
27. possibly vote for it. I think the people of the State of Illinois
28. would have every right in the world...well, ninety-nine percent would
29. agree with the need to throw up their hands and say, what in the
30. world are we doing down here? Don't we ever stop just once and
31. begin to add up these figures and comprehend what we're doing to
32. a...a very fine man who is coming in attempting to be the chief
33. executive of this State of Illinois, so I don't want to...I don't

1. like to...to end a career here in the Legislature with a vote
2. that I know can be misconstrued by many to mean that I am not
3. sympathetic, understanding, comprehensive of what to a great
4. degree, the black community has every right to expect ultimately
5. from the State of Illinois, but I...I...I'm constrained to say
6. how in the world can I do it.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Well, Mr. President and colleagues, I think when one sets out
11. to do high and noble deeds, is a very good time to see clearly
12. what it is that you are about to do. And I think we ought not
13. shrink from the full implications of this vote. What Senator
14. Partee is asking us to do, what Senator Harris is supporting,
15. and I think what many of us will support is to have the State of
16. Illinois is to have the State of Illinois supply money that is
17. normally supplied by a local community. In this case, it could
18. be the board of the hospital, the City of Chicago, but the State
19. of Illinois is going to supply that money if this bill passes,
20. fourteen million dollars. The second point to be made is, that
21. all hospitals in the State of Illinois in the future seeking Hill-
22. Burton funds will meet every one of the criteria that we set down
23. in this unique situation. And so, we're not merely considering
24. fourteen million dollars from the State, we're considering a lot
25. more in years to come. Third, unless Hill-Burton has gotten awfully
26. merciful, they want that money up front and in the bank. And I think
27. that will be the case here. I do not say these things to oppose
28. the bill or to support it, but I think we ought to be very clear
29. about what it is we propose to do, whichever side we take. We
30. should not shrink from the truth, and the truth is there is a great
31. deal implicit in this bill and we have not yet stated it in those
32. clear terms, and I simply wanted it for the record.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President. I suppose no one can dispute what
4. apparently is a need, and I am certainly not opposed to attempting
5. to provide facilities for those who do need specialized care.
6. That's one of the reasons that I have stood here at this microphone
7. and pleaded with this Body to do something about providing adequate
8. funding for our mentally retarded and developmentally disabled
9. young people so that the State would be paying its actual per diem
10. cost. And I say to you, Mr. President, that I have been unable to
11. make any inroads anywhere and one of the outstanding schools in
12. the State of Illinois will be closing on the last day of this
13. month. Now, that should not be the case with Provident Hospital
14. if what I understand is correct, and that is simply that the
15. Department of Public Health says the hospital does not comply with
16. State's standards on room...size and life safety. Now, if we are
17. to believe the history of this institution as related by many of
18. the speakers, it has been doing an admirable job for many, many,
19. many, many years. If the State then through its Department of
20. Public Health suddenly says, you have to spread the...walls a
21. little bit here and there and enlarge the corridors here and there
22. simply to comply with an arbitrary set of standards, I submit, Mr.
23. President, members of the Senate, that all we need do is ask, yes,
24. order, the State Department of Public Health to recant on its
25. orders and this hospital would then be in no immediate emergency.
26. It could continue to function. That may be necessary ultimately
27. but we are in a serious situation right as of now dollar wise as
28. has been so eloquently established by so many of our speakers.
29. We are called on, Mr. President, to establish here, if this is
30. passed, a precedent from which there will be no returning. We will
31. have unwittingly obligated the State and all future General
32. Assemblies with demands equally as defensible and necessary as this
33. one. I think we have no choice, Mr. President, but to turn this down.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator ParTEE may close the
3. debate.

4. SENATOR PARTEE:

5. Mr. President and members of the Senate, it was mentioned
6. here by one of the speakers, I think, Senator Regner, that we
7. should wait for a commission that relates to a medical school
8. out at Chicago State University. And it has no bearing on this,
9. except obtrusively it might mean that once this hospital is built,
10. it could serve as a training school, if in fact, there ever is a
11. medical school. I would only stress that this is not an appropri-
12. ation. Senator Glass was concerned about plans, but Senator Glass,
13. the plans have been drawn, that's why they have a cost estimate
14. of 50.6 million dollars. So plans is not a problem. There's no
15. immediate money here. We're not talking about next year, and
16. we're not talking about perhaps the year before. This is a commitment,
17. a commitment to be made so that the money can be forthcoming from
18. the Federal government. Now, someone suggested that this can wait.
19. I've talked today to the President of the Board of Trustees of
20. that hospital and they suggest to me that...it cannot wait. No,
21. I will not say to you that there is any date definite as to when
22. the funds are going to withdrawn by the Federal government, but the
23. fact of the matter is they have said, if something doesn't happen
24. almost immediately, the money may or may not be available from the
25. Federal government. Now, lurking somewhere in the recesses of
26. your minds although it has not been expressed except in a rather
27. adroit fashion is a question of what are...what are the politics
28. of this situation. I had hoped that there would be no politics in
29. this situation. This is a dollar situation, a chance for the
30. State of Illinois to save an institution and by saving that in-
31. stitution save millions of dollars that future generations would
32. be obligated to pay from the large number of patients that would
33. have to serviced elsewhere at an increased cost, including

1. transportation and a lot of other inponderables. Now, it was said
2. that Governor Thompson-Elect would prefer that this matter be
3. evaluated after he comes on board. The fact of the matter is,
4. Governor Thompson has been very active and has been very con-
5. cerned as is was stated in this situation. He's been to this
6. hospital. He's talked to the Board of Trustees and the Directors.
7. He made an attempt and I praise him for it to move into the realm
8. of the Federal government to bring about a situation which would
9. have ameliorated the situation which we now find ourselves in, so
10. he's been active in this area, and he understands it, and as I
11. judgmentalize his conduct, he is for it. Now, it doesn't mean
12. that in the next fiscal year he has any responsibility in terms
13. of dollars. The money would have to be reappropriated. The kinds
14. of considerations and nuances of reappropriation at that time are
15. things over which he will have full and complete control. This
16. is not a personality contest between an outgoing governor and in-
17. going governor. This is a chance and opportunity for a state to
18. fulfill its obligation in terms of healthcare for people. I was
19. very surprised to hear Senator Berning say that perhaps the solution
20. to this problem would be to have the Department of Health recant
21. on its position, and I was surprised only because Senator Berning
22. normally thinks a little more intricately into problems than that, and
23. I am sure he heard me say that one of the reasons for the hospital
24. being on the verge of closing was because of its lack of...because
25. it...it's lack of compliance with fire and safety regulations.
26. Now, what would happen if the Department of Health recanted?
27. Those fire and safety regulations or lack of them may well result
28. in the destruction of life after life after life, the building
29. could fall down, or a fire could take place under circumstances
30. where they are not in compliance with safety regulations and many
31. thousands hundreds of people could lose their lives. I am
32. sure you do not want the Department of Health to recant its position on
33. that. Now, some of them have said this is a meaningful thing, it is a

1. situation that we can sympathize and empathize with. I would
2. suggest to you that a failure to vote has the same impact as a
3. negative vote. A Present vote has the identical impact of a No
4. vote. This is a situation where the next governor will have ample time
5. at least two years to repair our ties or to study this picture in
6. many, many ways, perhaps have alterations made at another level,
7. or have participation from some other levels. There are many ways
8. that this can be accomplished, and there is ample time for the
9. governor to do it, but if we don't vote this commitment now, we
10. may well lose that entire commitment from the Federal government
11. and the only way they will proceed is for this hospital to have
12. a commitment. I'd appreciate a affirmative vote.

13. PRESIDING OFFICER: (SENATOR DONNEALD)

14. The question is, shall House Bill 4020 pass? Those in favor
15. vote Aye. Those opposed Nay. The voting is open. Have all those
16. voted who wish? Take the record. On that question, the Ayes are
17. 40, the Nays are 3, 3 Voting Present. House Bill 4020 having
18. received the constitutional majority is declared passed. Senator Chew
19. moves that the vote by which the House Bill 4020 passed be reconsidered.
20. Senator Rock moves that lie upon the Table. We will now...we will
21. now proceed to the page 5 on the matter of item reductions.
22. House Bill 3377, Senator Joyce. Secretary will read the motion.

23. SECRETARY:

24. I move that the item on page 1, line 16 of House Bill 3377
25. be restored, the item reduction of the Governor to the contrary
26. notwithstanding. Signed, Senator Joyce.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Joyce.

29. SENATOR JOYCE:

30. Mr. President and members...and members of the Senate, this
31. is the Mental Health bill. There are three items that have been
32. reduced by the Governor. They total...let's see...eleven million
33. eight hundred and eleven thousand nine hundred dollars. The first

1. item is a nine hundred...is a veto of a nine hundred and fifty
2. thousand dollars for experimental projects for the...the develop-
3. mentally disabled persons in private facilities. Now, do we
4. want to take these one at a time? All right, so that...that's
5. the first one.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Page 1, line 16. Is there further discussion? The question
8. is, shall item on page 1, line 16 of House Bill 3377 be restored,
9. the item reduction of the Governor to the contrary notwithstanding?
10. Those in favor vote Aye. Those opposed Nay. The voting is open.
11. Have all those voted who wish? Have all those voted who wish?
12. Take the record. On that question, the Ayes are 30, the Nays
13. are 22, 1 Voting Present. The item on page 1, line 16 of House
14. Bill 3377 having received the required majority vote of the
15. Senators elected is declared restored, the item reduction of
16. the Governor to the contrary notwithstanding. Read the motion.

17. SECRETARY:

18. I move that the item on page 1, line 29 of House Bill 3377
19. be restored, the item reduction of the Governor to the contrary
20. notwithstanding. Signed, Senator Joyce.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Joyce.

23. SENATOR JOYCE:

24. Yes, this is a reduction of a million dollars in the psychiatric
25. treatment and licensed private facilities.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Question is, shall the item
28. on page 1, line 29 of House Bill 3377 be restored, the item
29. reduction of the Governor to the contrary notwithstanding? Those
30. in favor vote Aye. Those opposed Nay. The voting is open. Have
31. all those voted who wish? Have all those voted who wish? Take
32. the record. On that question, the Ayes are 28, the Nays are 22,
33. 1 Voting Present. The item on page 1, line 29, not having received

1. the majority vote of the Senators elected is declared lost.
2. Read the motion.
3. SECRETARY:
4. I move that the item on page 1, line 33 of House Bill 3373
5. be restored, the item reduction of the Governor to the contrary
6. notwithstanding. Signed, Senator Joyce.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Joyce.
9. SENATOR JOYCE:
10. Yes, this is a reduction of four million nine hundred sixty-one
11. thousand nine hundred dollars of the twenty-one million four
12. hundred and fifty-two thousand nine hundred dollars appropriated
13. for the community based programs and for the developmentally
14. disabled. And four million...and four million nine hundred
15. thousand of the twenty-one million twenty-six thousand two hundred
16. dollars appropriated for the community based programs for the
17. mentally ill.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there further discussion? Senator Netsch.
20. SENATOR NETSCH:
21. If the sponsor would yield for a couple of questions on
22. this? One, the...the total amount that you are restoring is some-
23. thing close to ten million dollars. Is that correct?
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Joyce.
26. SENATOR JOYCE:
27. (machine cutoff) million dollars, but we have restored five
28. million three hundred thousand. It...it has been transferred
29. from the Mental Health Fund.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Netsch.
32. SENATOR NETSCH:
33. That was my next question to try to pin down exactly what is the

1. impact of this motion on General Revenue Funds as opposed to
2. the use of the Mental Health Fund which I understand is also
3. involved in other bills. Could you explain that just...
4. SENATOR JOYCE:
5. Well...
6. SENATOR NETSCH:
7. ...a little more clearly, please.
8. SENATOR JOYCE:
9. ...the total package was eleven million dollars and we
10. ...approximately is ten million eight hundred thousand, and we
11. have already restored five million three hundred thousand in a
12. bill that transferred it from Mental Health Funds to...to the
13. community based programs, so it's actually coming from General
14. Revenue Funds. It's approximately six million dollars in the
15. total package.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Netsch.
18. SENATOR NETSCH:
19. And just one additional question about that. The...the
20. total General Revenue then is considerably less than the...the motion
21. itself would indicate. That is what you're saying? Is there
22. also a suggestion which I have seen in some of the memoranda that
23. not all the...all of that six million would necessarily be expended
24. this year because it is late in the year, and if so, have you any
25. estimate of what the actual expenditure would be likely to be?
26. I've seen several different figures that...which is one reason
27. why I'm asking.
28. SENATOR JOYCE:
29. No. I...I don't know, because this was not asked for by
30. the Department.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? The question is, shall the item
33. on page 1, line 33, of House Bill 3377 be restored, the item

1. of the Governor to the contrary notwithstanding? Those in favor
2. vote Aye. Those opposed Nay. The voting is open. Have all those
3. voted who wish? Take the record. On that question, the Ayes are
4. 32, the Nays are 18, 2 Voting Present. Lines 1...page 1, line 33
5. ...the item on page 1, line 33 having received the required majority
6. vote of the Senators elected is declared restored, the item reduction
7. of the Governor to the contrary notwithstanding. House Bill 3475,
8. Senator Smith.

9. SENATOR SMITH:

10. Mr. President and members of the Senate, I see the Minority
11. Leader is here. Senator Harris...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Harris.

14. SENATOR SMITH:

15. I'm calling that bill that you asked me to hold, and you'll
16. remember yesterday I chided you and said that I...do you wish to
17. kill this particular bill. This is a bill that appropriates some
18. ...something in excess of some three million dollars that was vetoed
19. by His Excellency on House Bill...what's the number? 3475. That
20. bill was passed in the House by a member of your party, Senator,
21. and I...I don't usually make reference to differentiation as between
22. partys in discussing a bill. I think a bill should stand or fall
23. upon its merits, and I think that this bill has merits. I was
24. willing to take a chance with it yesterday, and I realize and
25. appreciate the fact that the membership is tired now and I'm in
26. no better position now insofar as the members are concerned than
27. I was yesterday. I merely want...you know you...I want to say this
28. to Senator Harris personally. Senator, I...I...I want to read...
29. say this to the Senator, if I may.

30. PRESIDENT:

31. Which Senator, Senator?

32. SENATOR SMITH:

33. Senator Harris, the Minority Leader...

1. PRESIDENT:

2. Senator Harris.

3. SENATOR SMITH:

4. ...Senator, you...the fact that you wish that I continue the
5. bill yesterday gave me time to get one of the position papers of
6. the elected Governor who will be sworn in in January, and I will
7. bring this to you and let you read it. He says although the...
8. concerning this bill that I now have...although the 1977 budget
9. sought a twenty-four million increase for administrative funding
10. in IDPA, it cut funding for the adult basic education program from
11. 4.5 and that's approximately a part of that, at least, I'm seeking
12. to restore, to two million dollars. This is somewhat ironic in
13. light of the fact that the program serves approximately ten
14. thousand of the hard core unemployed, places twenty-five to
15. twenty-five...twenty to twenty-five percent of them and results in
16. a net savings to the government by a virtue of the people it removes
17. from the rolls which probably exceeds its budget. Thus, Senator, the...
18. your Governor-to-be wrote, thus the adult basic education program
19. should be a...should be a functioning, effective entity designed
20. to serve the needs of the IDPA community. Its programs should be
21. reasonably related to the ultimate goals of the placement and
22. training office, and its level of funding should reflect the vital
23. role which it plays in providing recipients with a realistic
24. opportunity to break the cycle. That's the end of my argument,
25. Mr. President.

26. PRESIDENT:

27. Any further discussion? Senator Weaver.

28. SENATOR WEAVER:

29. Senator Smith, is seventy-five percent of this government or
30. Federal reimbursable with twenty-five percent?

31. PRESIDENT:

32. Senator Smith.

33. SENATOR SMITH:

1. Yes, it's seventy-five percent reimbursable. If we pass
2. the bill as I have it here, three thousand some four hundred
3. million, the State's outlay would be then one-fourth, approximately
4. eight hundred thousand. One-fourth.

5. PRESIDENT:

6. Senator Weaver.

7. SENATOR WEAVER:

8. Less than a million dollars, you're...you're talking about
9. from General Revenue? You're talking about less than a million
10. dollars from General Revenue if you're talking about seventy-five
11. percent?

12. SENATOR SMITH:

13. It would come then to three million eight hundred or whatever
14. the figures are I just read...

15. PRESIDENT:

16. Now, the question, Senator, was what...is it less than one
17. million from General Revenue. That is the question.

18. SENATOR SMITH:

19. Yes, oh yes...less than one million.

20. PRESIDENT:

21. The answer is yes. Senator Don Moore.

22. SENATOR DON MOORE:

23. Thank you, Mr. President. I rise in support of Senator
24. Smith's motion. Over the past year, Mr. President, there were
25. over two thousand two hundred Public Aid recipients whose grants
26. were either removed or...or reduced, or they were removed from
27. the Public Aid rolls as a result of this program. As Senator Smith
28. has said, twenty-five percent of this money is State money, and for
29. the entire appropriation of 5.4 million, comes out a little bit
30. more than one million two hundred and fifty thousand dollars which
31. is State money. The other seventy-five percent, approximately
32. three million seven hundred and fifty thousand is Federal money.
33. But as a result, Mr. President, of removing these two thousand two

1. hundred individuals, either removing them from the rolls or
2. reducing their grants, the State of Illinois has saved over four
3. million dollars solely of State money. We're speaking a total of
4. about eight million, four million Federal, four million State.
5. This is a...a good program. We all want to see the Welfare rolls
6. reduced and the one way to do it is to educate our recipients and
7. get them all...get them a job and get them off the rolls. This
8. program is effective. It is doing the job, it is saving the
9. taxpayers of the State of Illinois money, and I think the Governor
10. errored which he has done in the past. We...he has really errored
11. in his reduction veto on House Bill 3475. And I hope that his
12. veto is overridden.

13. PRESIDENT:

14. Is there further discussion? The question is, shall the
15. item on page 4, lines 33 through 35 inclusive...question is, shall
16. the item on page 4, lines 32 through 35 inclusive of House Bill
17. 3475 be restored, the item reduction of the Governor to the contrary
18. notwithstanding. Those in favor will vote Aye. Opposed Nay. The
19. voting is open. Have all voted who wish? 30 votes are required.
20. Have all voted who wish? Take the record. On this question, the
21. Ayes are 33, the Nays are 15, with 3 Voting Present. The item on
22. page 4, lines 32 through 35 of House Bill 3475 having received the
23. required constitutional majority vote of Senators elected, is declared
24. restored, the item reduction of the Governor to the contrary not-
25. withstanding. House Bill 3816. Read the motion.

26. SECRETARY:

27. I move that the item on page 26, lines 18 through 22 of House
28. Bill 3816 be restored, the item reduction of the Governor to the
29. contrary notwithstanding. Signed, Senator Davidson.

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

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

1. hundred and thirty-eight thousand dollars back into this budget
2. for the downstate mass transit funding for...to pay for mass transit
3. in downstate Illinois. This will effect Bloomington, Normal,
4. Champaign-Urbana, Decatur, Galesburg, Loves Park, Pekin, Peoria,
5. East Peoria, Quincy, Rockford, Rock Island, and Springfield, and
6. the reduction amount that they did on this...this is not going
7. to have enough money for these districts downstate to receive their
8. amount of money of support, and this only pays for restoring of
9. costs. This is not expansion of service. This comes out of the
10. one thirty-second sales tax which went to the downstate mass
11. transit districts when you passed the Regional Transit money three
12. years ago. If there is any surplus money left, it will go back into
13. the General Fund at the end of the fourth quarter. DOT estimates
14. are four hundred and some odd thousand dollars short on meeting
15. their expense in this. I urge the restoring of this amount of
16. money.

17. PRESIDENT:

18. Any further discussion? Senator Fawell.

19. SENATOR FAWELL:

20. I'm...I'm sorry, but I...is that the correct number on the
21. board? It is?

22. PRESIDENT:

23. The number is 3816.

24. SENATOR FAWELL:

25. All right. That threw me off. I had trouble...how much...
26. how much money are we talking about this time, now? Not that it
27. matters much but...

28. SENATOR DAVIDSON:

29. Four...

30. PRESIDENT:

31. Senator Davidson...

32. SENATOR DAVIDSON:

33. ...four hundred and thirty-five thousand dollars out of the

1. earmarked one thirty-second sales tax that went to the downstate
2. mass transit districts.

3. SENATOR FAWELL:

4. Well, I think you're a piker, just four hundred thousand
5. dollars...

6. SENATOR DAVIDSON:

7. Vote Yes...

8. SENATOR FAWELL:

9. ...do shame to yourself...

10. SENATOR DAVIDSON:

11. ...vote Yes then, please.

12. PRESIDENT:

13. Any further discussion? Senator Morris.

14. SENATOR MORRIS:

15. Would...would you like Senator Davidson to just drop this
16. effort and take an amendment and be annexed to the RTA? They've
17. got lots of money.

18. SENATOR DAVIDSON:

19. I'm sorry, I did not hear the question.

20. PRESIDENT:

21. That's...that's...

22. SENATOR MORRIS:

23. Never mind.

24. PRESIDENT:

25. ...that's just as well. Any further discussion? The question
26. is, shall the item on page 26, lines 18 through 22 of House Bill
27. 3816 be restored, the item reduction of the Governor to the contrary
28. notwithstanding? Those in favor vote Aye. Opposed Nay. The
29. voting is open. Have all voted who wish? Have all voted who wish?
30. Take the record. Postponed consideration. On the order of specific
31. recommendations for change, page 6 of your Calendar. (machine cutoff)
32. Message. Clear the board, please. Read the message.

33. SECRETARY:

1. I move to...to accept the Governor's specific recommendation
2. for change for...to House Bill 3560 in the manner and form as
3. follows: On page 1, line 1 the word "natureal" be inserted before
4. the word "person" and on page 10, line 2, after "one thousand
5. dollars" add in quotes and such aggregate amount beneficially
6. owned by any person does not exceed five thousand dollars,
7. end of quote, and on page 14, line 13, quote, four million dollars
8. be changed to in quote, two million dollars, and on page 17, by
9. adding the following: Section 2 - This Act takes effect upon its
10. becoming a law. Signed, Senator Daley.

11. PRESIDENT:

12. Well, Senator Buzbee, did you seek recognition for something?
13. I'm sorry. Senator Daley.

14. SENATOR DALEY:

15. Take it out of the record.

16. PRESIDENT:

17. Take it out of the record. House bill 3629, Senator Sommer.

18. SECRETARY:

19. I move to accept the specific recommendations of the Governor
20. as to House Bill 3629 in the manner and form as follows: Amend
21. House Bill 3629 on page 1, line 1 by deleting, in quotes, directing
22. and inserting in lieu thereof authorizing, end quotes, and on page
23. 1, lines 2 and 3, by deleting Pekin Park District, in quotes, and
24. inserting in lieu thereof, in quotes, City of Pekin, and on page
25. 1, by deleting all of lines 10 through 13, and on page 1, line 20
26. by inserting in quote, on or before June the 30th, 1977, end of
27. quote, after the word...in quotes, convey, end of quote, and on
28. page 1, lines 22 and 33...and 23 by deleting, in quote, Pekin Park
29. District, end of quote, and inserting in lieu thereof, in quote,
30. City of Pekin, and on...end of quote, and on page 8, lines 19 and
31. 22, by deleting, in quote, Pekin Park District, end of quote, and
32. inserting in lieu thereof, in quote, City of Pekin, end of quote,
33. and on page 3, by inserting afyer line 33, the following : Section 3

1. this Act takes effect upon its becoming a law. Signed Senator
2. Sommer.

3. PRESIDENT:

4. Senator Sommer.

5. SENATOR SOMMER:

6. Ladies and Gentlemen, as the bill was initially drafted, the
7. State of Illinois was supposed to convey about a thousand acres
8. of swamp to the Pekin Park District. Pekin Park District decided
9. they didn't want the swamp, because they...they couldn't afford
10. to maintain it. The present time, the City of Pekin, since this
11. is in their city limits has decided that they'd like to take a
12. look at this. They...when the park district rejected it...Kind of in...
13. ...in a surprise move, the city then got into the picture, and
14. they want to talk to the Department of Conservation and determine
15. whether they would be interested in acquiring it. They may or may
16. not. The change also requires that they make a decision within a
17. ...by, I think, June 30th of next year. Those are the changes
18. that would convey to the City of Pekin if they can work out a deal.

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President. I'd like to ask the sponsor...I
23. know this is an emergency measure, and I'm wondering how fast
24. this quick claim deed, how quick it will go into effect, Senator
25. Sommer?

26. PRESIDENT:

27. Senator Sommer.

28. SENATOR SOMMER:

29. That's a good question, Senator Glass.

30. PRESIDENT:

31. Quickly, is that the end of this? Senator Glass.

32. SENATOR GLASS:

33. How...how quick will this quick claim deed go into effect?

1. PRESIDENT:
2. Senator Sommer.
3. SENATOR SOMMER:
4. Well, Senator Glass, we practice law in a different way up
5. there, and that's...
6. PRESIDENT:
7. Senator Latherow.
8. SENATOR LATHEROW:
9. Well, I just wonder if the sponsor would yield to a question.
10. PRESIDENT:
11. He indicates he'll yield.
12. SENATOR LATHEROW:
13. The memory is a little vague of course, but I was thinking at that
14. time that we had a park district record that...vote record that
15. said that they would accept this. Am I wrong on that?
16. PRESIDENT:
17. Senator Sommer.
18. SENATOR SOMMER:
19. I...I think your correct, Senator Latherow. They...they
20. changed their mind.
21. SENATOR LATHEROW:
22. Then the...then...
23. PRESIDENT:
24. Senator Latherow.
25. SENATOR LATHEROW:
26. ...then the State of Illinois doesn't want the land? That's
27. the big problem, isn't it? They paid several hundred thousand
28. dollars for it and now they don't want it, and they can't give it to
29. Pekin Park District so now we leave it in limbo here awhile and
30. let the City of Pekin...what if you and I decide we'd want that in
31. that time, Senator? Could we get a...a more or less release on
32. this to hold it a while?
33. PRESIDENT:

1. Senator Sommer.

2. SENATOR SOMMER:

3. Senator Latherow, it would take a special bill of the General

4. Assembly to...to convey it to you. If you want to introduce the

5. bill, you can.

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. My time is limited.

10. PRESIDENT:

11. Senator Morris.

12. SENATOR MORRIS:

13. Thank you, Mr. President. Would the sponsor yield to a question?

14. Mr...Senator Sommer, I'd like to know how the City of Pekin plans

15. to maintain the swamp?

16. PRESIDENT:

17. Senator Sommer.

18. SENATOR SOMMER:

19. I heard the proper answer back here, but we won't...

20. SENATOR MORRIS:

21. What was that answer?

22. SENATOR SOMMER:

23. I don't know, you'd have to ask the person who said it. They

24. would provide police protection and what have you for this area.

25. It is a large swamp, and the problem is somebody could go out there

26. and sink under, you know. They're concerned about liability and

27. this sort of thing, and that's their basic concern. They want to

28. know if they have resources to take it on.

29. PRESIDENT:

30. Senator Morris.

31. SENATOR MORRIS:

32. Senator Sommer, you also talked of a deal. That's a bad word

33. to use in the Legislature. Were you talking about an accomodation?

1. PRESIDENT:
2. Senator Sommer.
3. SENATOR SOMMER:
4. Well, the deal was to be made between the Department of
5. Conservation and the City of Pekin. Now, if they make deals,
6. that's fine. We don't here.
7. PRESIDENT:
8. Senator Knuppel. Senator Donnewald, can I see you a moment.
9. Senator Knuppel.
10. SENATOR KNUPPEL:
11. My mother always told me never to look a gift horse in the
12. mouth. The Pekin Park District must have. All I can say here
13. is, I've got friends that think it ought to go, and friends think
14. it ought not to go, but Senator Sommer is my friend, and I'll always
15. stand with my friend.
16. PRESIDENT:
17. What happened to the other ones? Further discussion?
18. Senator Sommer may close the debate.
19. SENATOR SOMMER:
20. Well, if Senator Knuppel recommends it, it's sure to pass.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. The question is, shall the Senate accept the specific recommenda-
23. tions of the Governor as to House Bill 3629 in the manner and form
24. just stated by...by the Secretary. Those in favor vote Aye. Those
25. opposed Nay. The voting is open. Have all those voted who wish?
26. Take the record. On that question, the Ayes are 46, the Nays are
27. none, none Voting Present, and the specific recommendations of the
28. Governor as the House Bill 3629 having received the required
29. majority vote of the Senators elected are declared accepted. House
30. Bill 3850, Senator Glass.
31. SENATOR GLASS:
32. Thank you, Mr. President. I am moving to accept the recommenda-
33. tions of the Governor. This bill provides for insurance when schools

H. B. 3455
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1. take educational tours. One of the types...of insurance provided
2. for is disability insurance. It was discovered that that cannot
3. be obtained, but the amendment that eliminated it also unfortunately
4. eliminated the requirements for other insurance, such as liability
5. insurance and this amendment by the Governor would restore the
6. requirement for liability insurance and for bodily injury, and I
7. again would move its approval.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is, shall the Senate
10. accept specific recommendations of the Governor as to House Bill
11. 3629 in the manner and...38...I'll start over, new number. Question
12. is, shall the Senate accept the specific recommendations of the
13. Governor as to House Bill 3850 in the manner and form just stated
14. by Senator Glass. Those in favor vote Aye. Those opposed Nay.
15. The voting is open. Have all those voted who wish? Take the
16. record. On that question, the Ayes are 47, the Nays are none,
17. 1 Voting Present. The...the specific recommendations of the
18. Governor as to House Bill 3850 having received the required majority
19. vote of Senators elected are declared accepted. House Bill 3485
20. under the title of specific recommendations for change, House
21. overrides amendatory veto. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. President, this bill involves...townships outside of
24. Cook County. It's permissive. What happened is the Governor tied
25. this piece of legislation to Senate Bill 3485 and attempted to
26. make changes in 3485 that would have put the training and so forth
27. of township assessors under the jurisdiction of the Department of
28. Governmental, Local Affairs. Now, really all this does is provide
29. that townships voluntarily can increase...outside of Cook County...
30. can increase their salaries for township assessors. Unless this bill
31. passes before March of 1977 which doesn't allow it to be reintroduced
32. next year in...with any hope of passing it, then assessors will
33. have to continue at their present levels for assessment until 1981,

1. because they'll be elected in March of 1977. It's...it's voluntary,
2. there's no requirement that the salaries be increased. All this
3. does is increase the maximum limit in those counties of less than
4. one million population.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Question of the sponsor, Mr. President.

9. PRESIDENT:

10. He indicates he will yield.

11. SENATOR BUZBEE:

12. Senator, is this...does this bill have anything to do with
13. the...with the testing and the licensing of...of assessors?

14. SENATOR KNUPPTEL:

15. The only connection is...

16. PRESIDENT:

17. Wait just a moment. So that the record will know who is...
18. who is speaking, Senator Knuppel.

19. SENATOR KNUPPTEL:

20. ...all right...all right. The only thing...the only...only
21. way it's connected with the other bill at all is, the Governor tied
22. the two together. It has no connection. That's why we're over-
23. ridding is so that it's not tied to the other bill. It has
24. training. All the training qualifications and so forth went down
25. in the House. The only thing this does is raise the maximum limits
26. that a...that township officials may provide for their assessors.
27. it has no longer any connection if this is passed with 3485.

28. PRESIDENT:

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. I rise in support of this bill. I think perhaps the only job...
32. local job that I'm publicly willing to admit that's tougher than
33. being in the Legislature in my area is assessor. Assessors find

1. themselves very much in the forefront of the public's rath, and
2. they have a job that truly is difficult to do because it involves
3. satisfying people that their taxes are fair. I think it's necessary,
4. and I think in the ensuing months we should do everything we can
5. do insure the highest caliber of person running for office, but
6. I'm convinced that the salary levels that exist for assessor
7. right now in downstate Illinois will not attract the best and most
8. qualified people, will not encourage the people who are there to
9. upgrade themselves, and in...in...certainly would not provide
10. for the best form of assessment. I can't honestly promise you
11. that good salaries will get you men and women in public office,
12. but I will certainly promise you that bad salaries will get you bad
13. men and women, and this is an area where I think the taxpayers
14. deserve to have the best qualified people, and I think this bill
15. certainly merits our support.

16. PRESIDENT:

17. Senator Graham.

18. SENATOR GRAHAM:

19. Mr. President and members of the Senate, and Senator Knuppel,
20. I am willing...I'm right in assuming...I don't think I'm assuming,
21. I think it's built in here, that the final judgement with regards
22. to these salaries is left within the confines and authority of
23. the town board. You're...you're...my goodness fellows, how much
24. more local can you get it. I stand in support of this.

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. Well, thank you, Mr. President. I...I only wanted a question.
29. Do we set a minimum salary for these people?

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. As I read the Statutes, there are no minimums. The...the

1. maximum for these are starting at less than nine thousand, is
2. seven thousand dollars, but I see no minimums. I think the
3. board can...can set the salary anywhere they want it, from nothing
4. up to seven thousand.

5. PRESIDENT:

6. Any further discussion? Senator Clarke.

7. SENATOR CLARKE:

8. Mr. President, I'd just like to say that I think it's very
9. unfortunate that the House and the Governor somehow got betwixt
10. and the other bill that went along with this and was sponsored
11. by the township officials went down the drain, because that did
12. set some qualifications in terms of training and expertise for
13. these people. I also think it's unfortunate that in light of
14. the upcoming election of assessors that we did not prevail on
15. allowing consolidation of assessing districts, which bill is on
16. Postponed Consideration, because by and large this bill, when
17. you look at the salary levels, you're talking about nine thousand
18. and below and otherwise. Most of the people who are not doing
19. the assessing that are in the positions are townships of a
20. thousand and lower. And in many of those cases, those people
21. are getting peanuts or practically nothing. Well, reluctantly
22. I think this is a good bill and I think many of the people that we've
23. seen over the State are qualified and are trying to do a
24. good job and I hope they're going to jack up themselves in
25. terms of trying to get better qualified,

26. PRESIDENT:

27. The question is, shall House Bill 3485 pass the specific
28. recommendations of the Governor to the contrary notwithstanding.
29. Those in favor vote Aye. Those opposed vote Nay. The voting
30. is open. Have all voted who wish? Take the record. On that
31. question the Ayes are 50, the Nays are none, with none Voting
32. Present. House Bill 3485 having received the required three-
33. fifths vote is declared passed, the specific recommendations

1. of the Governor to the contrary notwithstanding. Senator
2. Harber Hall, for what purpose do you arise?

3. SENATOR HARBER HALL:

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

5. PRESIDENT:

6. State your point, Senator.

7. SENATOR HARBER HALL:

8. Sitting in the visitors gallery directly in back of me
9. is a lady who has won acclaim as the former Mayor of the
10. Town of Normal. I'd like to have Mrs. Carol Rytan stand and
11. be recognized if she will.

12. PRESIDENT:

13. Chivalry is not dead. (Machine cutoff) Order of Con-
14. sideration postponed,

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(End of Reel)

(Continued next page)

7/15 3072
3rd Reading
12/15/46

1. PRESIDENT:
2. Are there members with bills on Consideration Postponed
3. either on or off the Calendar who desire to call them.
4. Senator Rock.
5. SENATOR ROCK:
6. Yes, thank you, Mr. President and Ladies and Gentlemen
7. of the Senate, on the order of Consideration Postponed is
8. House Bill 3072.
9. PRESIDENT:
10. House Bill 3072, Senator Rock.
11. SENATOR ROCK:
12. Might I ask that the bill be read and I'd wish to proceed.
13. PRESIDENT:
14. Read...read the bill.
15. SECRETARY:
16. House Bill 3072.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. SENATOR ROCK:
20. Thank you.
21. PRESIDENT:
22. Senator Rock.
23. SENATOR ROCK:
24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. House Bill 3072 is that bill, as I'm sure everyone
26. recalls, which we discussed earlier this month on the 2nd of
27. December as a matter-of-fact. It would provide for a merit
28. system of employment in the Office of the Secretary of State.
29. This is, as I have explained or did explain at that time, the
30. first step really in the fulfillment of a campaign pledge that
31. was made by both candidates for Secretary of State of our State.
32. The Secretary of State elect has asked for our support on this
33. legislation with the full realization that if it receives

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1. thirty votes it will not, in fact, become effective until
2. July 1. He does, in fact, have amendments ready for this
3. legislation once it's on the books, but he feels at this
4. time that it's absolutely imperative that the Office of the
5. Secretary of State be subject to this kind of legislation,
6. and I would solicit a favorable vote.

7. PRESIDENT:

8. Senator Glass.

9. SENATOR GLASS:

10. Thank you, Mr. President. I would like to ask the
11. sponsor if he would accept an amendment to provide for a
12. merit system of selecting members of the Judiciary for this
13. bill?

14. PRESIDENT:

15. Senator Rock will answer the rhetorical question.

16. SENATOR ROCK:

17. I will be happy to answer negatively as I have in the
18. past and will in the future with respect to merit selection
19. of judges. I...in addition I...as I explained last week when
20. Senator...or on the 2nd when Senator Berning raised the possi-
21. bility of some really well thought out amendments, that the
22. Secretary of State elect is...is not in any way adverse. As
23. a matter-of-fact is a proponent of those, but wishes at this
24. time, realistically, that to send the bill back to the House
25. with the Senate amendment, the merits of which are not in
26. dispute, would be sheer folly. I think that I am, as a matter-
27. of-fact asking for support on the basis of the request of the
28. Secretary of State elect and I would solicit a favorable vote.

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President and members of the Senate This
33. Body very wisely rejected this bill when it was under consideration

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1. two weeks ago. The amendments we offered would have made it
2. at least somewhat palatable but would in no way have made
3. it an ideal act. I submit that this legislation, even
4. with the admission of the sponsor, would not become effective
5. until July. Therefore, really does not deserve consideration
6. at this time even supposing there is any justification for
7. it. I can say to you, members of the Senate, that the Governor
8. does not look with favor on the decertification of the Secretary
9. of State's personnel. I don't know his reasoning, but I can
10. tell you that I have been in touch with the Governor's office
11. and this is the position. Probably one of the reasons, I
12. call to your attention is this, that those employees in the
13. Secretary of State's office are now or are being brought under
14. the present State of Illinois personnel code which is where
15. they belong. I agree with the Secretary elect and the sponsor
16. that there is undoubtedly justification for a department of
17. personnel in the Secretary's office, but there is no justifica-
18. tion for a separate...what am I trying to say, the...the...
19. no...no...no...no...what am I trying to say...the...these
20. merit commission itself. That is justifiably a...an example
21. of the State's preemption responsibility. That's where it
22. ought to remain. This bill is ill-advised, ill-timed, Ladies
23. and Gentlemen. The Secretary of State personnel ought to belong,
24. ought to remain where they are now, which is where they belong
25. under the State of Illinois Personnel Code.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. The Secretary elect's good faith in merit selection and
30. it would just illustrated two days ago and I think you people
31. should really support him.

32. PRESIDENT:

33. Any further discussion? The question is, shall House

HB3637
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PPC

1. Bill 302 pass? Those...3072 pass, Those in favor vote
2. Aye. Those opposed vote Nay, The voting is open. Have
3. all voted who wish? Have all voted who wish? Take the
4. record. On that question the Ayes are 28, the Nays are 13,
5. with 3 Voting Present, Senate Bill 30...House Bill 3072
6. having failed to receive the constitutional majority is
7. declared lost. Any further bills on the printed Calendar
8. on Consideration...Senator Daley.

9. SENATOR DALEY:

10. Mr...Mr. President and fellow Senators, I'd like to
11. go to House Bill 3637, It's on Postpone Consideration.

12. PRESIDENT:

13. All right, House Bill 3637 on Postpone Consideration.
14. The motion is on Postpone Consideration, yes, That's where
15. the bill is, What's your problem? Senate...all right, there
16. is a motion on 3637. Senator Daley is recognized.

17. SENATOR DALEY:

18. I...I move that House Bill 3637 Do Pass the veto of
19. the Governor to the contrary notwithstanding. This would
20. allow a private institution the same as a public institution
21. the right to use revenue bonds for...academic...nonacademic
22. facilities adjacent to a university, The public institutions
23. have the right and I'm asking for the same right of a private
24. institution.

25. PRESIDENT:

26. Any further discussion? Senator Wooten.

27. SENATOR WOOTEN:

28. A question of the sponsor.

29. PRESIDENT:

30. He indicates he will yield.

31. SENATOR WOOTEN:

32. Senator Daley, is that correct, that I thought that in
33. the Governor's Message it was pointed out that public institutions

1. do not have comparable rights. That...I think the institu-
2. tion in question is with the University of Chicago and they
3. want this...this organization to be able to use tax-exempt
4. bonds, and the way it's drafted, if you're next-door you
5. can do that, but I don't believe the same rights would obtain
6. ...say something across the street from the University of
7. Illinois.

8. PRESIDENT:

9. Senator Daley.

10. SENATOR DALEY:

11. I think presently under law...the law the University of
12. Illinois the Board of Trustees have the right to issue revenue
13. bonds for staff housing facilities, other revenue producing
14. buildings such as leasing the buildings to educational groups,
15. to any other group in and around the University whether it's
16. a...an association, whether it's a non-for-profit or for profit
17. corporation. They can do it now.

18. PRESIDENT:

19. Any further discussion? Senator Wooten.

20. SENATOR WOOTEN:

21. But, isn't this permitting such an organization to use
22. tax-exempt bonds? Isn't that a different matter?

23. PRESIDENT:

24. Senator Daley.

25. SENATOR DALEY:

26. The public institution has the right to do it presently.
27. They can use it.

28. PRESIDENT:

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Yeah. The...the...the institution, itself, can but now
32. we're extending this courtesy to...I can't recall the name of
33. the organization involved...we're extending it to really a

1. kind of a private not-for-profit organization. We're
2. extending a courtesy we've extended to private institutions,
3. but I don't believe, the way the bill is drafted, you could
4. extend...that a public university could extend the same
5. courtesy to a private institution that wanted to locate on
6. its grounds.

7. PRESIDENT:

8. Senator Daley.

9. SENATOR DALEY:

10. ...President, as I understand it, they do allow such
11. as...libraries or laboratories, research institutions or
12. other professional associations in and around a public univer-
13. sity presently do it.

14. PRESIDENT:

15. Any further discussion? Senator Harris.

16. SENATOR HARRIS:

17. Well, Mr. President, increasingly I have come to
18. agree with Governor Walker from time to time on his review
19. of our legislative work product, but on this one I think he
20. has taken a shortsighted point of view. And there is one element
21. of our fabric that is doing an outstanding job and that is
22. the private higher education institutions, and yes, the Governor's
23. objection was that public higher education institutions wouldn't
24. have the same option. But, there is something unique and different
25. about the private higher education institutions and they truly
26. in this one specific instance...the University of Chicago has
27. an opportunity to be the site of an outstanding national facility
28. and they need this specific amendment to the Act, that Governor
29. Walker has vetoed, and there may be other occasions down the
30. road where this kind of capability to the private higher educa-
31. tion institutions can be enhanced, and so I would urge my
32. colleagues to join Senator Daley in overriding this veto. Thank
33. you, Mr. President.

1. PRESIDENT:

2. Any further discussion? The question is, shall House
3. Bill 3637 pass, the veto of the Governor to the contrary
4. notwithstanding? Those in favor vote Aye. Those opposed
5. will vote Nay. The voting is open, Have all voted who wish?
6. Take the record. On that question the Ayes are 48, the Nays
7. are 5, with none Voting Present. Senate, House Bill 3637
8. having received the required three-fifths vote is declared
9. passed, the veto of the Governor to the contrary notwithstanding.
10. Senator Hynes.

11. SENATOR HYNES:

12. Mr. President, I also have a bill on Postpone Consideration
13. and if it is in order I would ask we go to it.

14. PRESIDENT:

15. What number?

16. SENATOR HYNES:

17. House Bill 3171.

18. PRESIDENT:

19. House Bill 3171 on the order of Postpone Consideration.
20. It's on page 3 on your Calendar. Senator Hynes.

21. SENATOR HYNES:

22. Mr. President and members of the Senate. This bill would
23. appropriate eight hundred thousand dollars in Federal funds
24. to the Office of Education. These monies were not known to
25. be available when we passed the budget for that office in June.
26. They have since been made available and if we are to take ad-
27. vantage of these funds this bill is necessary. Five hundred
28. thousand dollars would be used for adult education, one hundred
29. thousand dollars from the Federal Food Service Fund and two
30. hundred thousand dollars from the Federal Assistance to State
31. Equalization Fund for the purposes of a study of equalization
32. in the State of Illinois. I think that the bill has...any
33. questions that arose previously have been clarified and I would
34. seek your support.

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1. PRESIDENT:

2. Any further discussion? The question is, shall House
3. Bill 3171 pass? Those in favor will vote Aye. Opposed will
4. vote Nay. The voting is open. Have all voted who wish? Take
5. the record. On that question the Ayes are 42, the Nays are
6. 13, with none Voting Present. House Bill 3171 having re-
7. ceived the constitutional majority is declared passed. Senator
8. Nimrod.

9. SENATOR NIMROD:

10. Yes, Mr. President, on Consideration Postponed, House
11. Bill 3830.

12. PRESIDENT:

13. What is the number, Sir?

14. SENATOR NIMROD:

15. 3830.

16. PRESIDENT:

17. House Bill 3830. The top of page 4.

18. SENATOR NIMROD:

19. Mr. President, this bill...we just passed the assessors
20. pay raise bill for those downstate counties and we know that
21. the bill which Senator Clarke alluded to which was defeated in
22. the House. I think it's only appropriate that we do have some
23. qualifications and some standards set, and certainly this
24. bill addresses itself to those undersized townships
25. in those assessing districts, that certainly will go a long
26. way to improve the quality of the kind of assessment that
27. would take place within our State and certainly the...specific
28. requirements and establishing standards for minimum sized
29. townships would certainly be one that's necessary. I would
30. certainly be happy to answer any questions upon this bill.
31. This did come out as a result of a Committee on Revenue and..
32. and as a result of extensive study on the Tax Study Commission.

33. PRESIDENT:

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1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President. I rise in opposition to
4. House Bill 3830, and would suggest that this is the bill that
5. was called by the sponsor some weeks ago. Senator Carroll
6. said he...at that time he was prepared to go into quite a
7. long dissertation about the demerits of this legislation.
8. Some of the members of the Senate from the sponsor's side
9. of the aisle suggested to him that there were persons absent,
10. or at least not present in the room, in the Chamber, so he
11. took it out of the record at that point. I, frankly, see
12. no need to get involved in this kind of legislation at this
13. point in time. It was made eminently clear, both by the
14. Minority Leader and by certain statements on the Floor that
15. there was, in fact, no connection between that other bill
16. and this kind of legislation. That the township assessors
17. would be locked in for four more years at...at a minuscule
18. salary and that we did, in fact, the right thing by supporting
19. optional pay raises for those persons. To say now that be-
20. cause we took that action we should also do this, seems to
21. me to turn the...the whole argument around. I think it's a
22. mistake and I would vehemently oppose House Bill 3830 and re-
23. quest of the Chair that I have an opportunity to speak a second
24. time if this madness persists, because I have a number
25. of substantive issues that I can bring up with respect to
26. this legislation.

27. PRESIDENT:

28. Senator Carroll. Senator Sommer.

29. SENATOR SOMMER:

30. I would like to ask a question of the sponsor and that
31. question would be, are there mandatory pay raises in this
32. bill? It seems to me when it was in here six months ago or
33. whatever, that there were substantial mandatory pay raises, and

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1. are there? I can't find the bill right off.

2. PRESIDENT:

3. Senator...Senator Nimrod.

4. SENATOR NIMROD:

5. Yeah. Senator Sommer, there are no mandatory pay
6. raises. There are...it mandates that there be an assessing
7. district, and that those townships which are under a thousand
8. population, that they be included into a multi-district and
9. this involves the consolidation of some four hundred or four
10. hundred and fifty townships. But, there are no mandatory
11. pay raises.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Sommer.

14. SENATOR SOMMER:

15. Well, there is no pay schedule in there, then? Is...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nimrod.

18. SENATOR SOMMER:

19. ...there a pay schedule in the bill for...

20. PRESIDENT:

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Yeah. To the best of my knowledge there is not a pay
24. schedule within this bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Sommer.

27. SENATOR SOMMER:

28. Well, I've just been handed the bill and there's a
29. pay schedule in here.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Nimrod.

32. SENATOR NIMROD:

33. There is a minimum salary that is set at this for the

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1. assessing districts, for the multi-assessing districts of
2. fifteen thousand dollars,
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Sommer.
5. SENATOR SOMMER:
6. Then the result of that is to have a township of eleven
7. hundred people paying its assessor fifteen thousand dollars
8. a year, no doubt.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Nimrod.
11. SENATOR NIMROD:
12. No. What would happen in those townships which are
13. under a thousand population, they would become a part of a
14. multi-district and, in fact, that salary would be pro-rated
15. across all of the townships which would be involved, and it
16. could be as large as the townships would agree to have, but
17. that...so, they...what it does, it provides for certainly no
18. more than a pro-rated share of the fifteen thousand plus the
19. ...set at the five dollars per parcel which they would be
20. paying for. So, it depends on the number of parcels that they
21. would have as far as their cost would be concerned.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Sommer.
24. SENATOR SOMMER:
25. Well, I live in a township of slightly over a thousand
26. people. Would the assessor be paid fifteen thousand dollars
27. a year under this bill?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Nimrod,
30. SENATOR NIMROD:
31. If you are over a thousand population your township would
32. not be included in this particular bill.
33. PRESIDING OFFICER: (SENATOR ROCK)

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- 1. Further discussion? Senator Schaffer.
- 2. SENATOR SCHAFFER:
- 3. If the sponsor would yield.
- 4. PRESIDING OFFICER: (SENATOR ROCK)
- 5. Indicates he will yield.
- 6. SENATOR SCHAFFER:
- 7. Senator Nimrod, if this bill is unsuccessful will we be
- 8. precluded from consolidating the small assessment units for
- 9. a period of four or five years?
- 10. PRESIDING OFFICER: (SENATOR ROCK)
- 11. Senator Nimrod.
- 12. SENATOR NIMROD:
- 13. Senator Schaffer, if...if this bill or one which would
- 14. do substantially the same idea of taking care of the under-
- 15. sized...the townships for consolidation, we then by the vote
- 16. in this April in the township election, we would preclude any
- 17. consolidation being able to take place. The present law calls
- 18. for a voluntary referendum...a referendum to be taken within
- 19. each of these townships in order to consolidation. This has
- 20. not proved to be effective and as a result of a great number
- 21. of studies that have gone throughout this State with the...
- 22. both the support of both the House and Senate Revenue Committees
- 23. and the work in the Tax Study Commission, it make it
- 24. very urgent that we address ourselves to this consolidation
- 25. subject which is supported and endorsed by the township officials
- 26. of Illinois that it will not take place for at least another
- 27. four years.
- 28. PRESIDING OFFICER: (SENATOR ROCK)
- 29. Senator Schaffer.
- 30. SENATOR SCHAFFER:
- 31. Actually when you figure that the assessors, while they're
- 32. elected in April aren't sworn in till the following January, it
- 33. actually would take longer. I have found in my district that

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1. the small townships here involved, those under a thousand,
2. actually have a very difficult time finding an assessor
3. and it in many cases ends up being the road commissioner's
4. wife or the supervisor's wife or someone who really takes
5. the attitude, if you don't like the job I'm doing here,
6. you do the job. And one can hardly blame them. The salary
7. is infinitesimal, the problems are monumental, you irritate
8. your friends and we find in many of these townships that we
9. find people who really haven't got the time or the compensation
10. or the interest to do the job. And we find that many of these
11. townships consequently are dramatically underassessed, we
12. find inequities, and I think we should move. I...I share
13. some of the concerns with some of the people who have spoken
14. here about the ramifications of this bill, but the important
15. thing is, that if this bill passes we get action now, we can
16. come back in January and...and clear up some of the problems
17. that undoubtedly could be enumerated, but if this bill dies,
18. in all likelihood, in fact, in...in certainty we are precluded
19. for five years to address this major problem area in the
20. assessment in the State of Illinois, and I would suggest to
21. you that these problem areas, these areas of underassessment,
22. if you will, have very direct ramifications on the School Aid
23. Formula and on the equity involved and the distribution of
24. State school funds. I think the assessors have, at this point,
25. come to a reasonable compromise. I think the bill, while not
26. being perfect, is a major step forward, and I for one would
27. like to see it passed and would like to see us in the early
28. stages of next year, correct some of the deficiencies that
29. Senator Carroll and Senator Rock, perhaps, could enumerate on.
30. But, I do think that to defeat this now is to close the door
31. on assessment reform in downstate Illinois for five years.
32. Of course, that might not be a totally bad thing, because it
33. means we have five years to concentrate on assessment reform

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1. in Cook County, but I think we ought to address both areas
2. of the State simultaneously,

3. PRESIDENT:

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Mr. President and members of the Senate, this House
7. Bill 3830 has more lives than a cat has, because it's been
8. drafted and redrafted and again redrafted in order to comply
9. with all the constitutional requirements of the State and
10. to satisfy all the taxing officials of the various townships
11. and counties throughout the State. Unfortunately, even though
12. it did pass the House Revenue Committee which I had the privilege
13. of Chairing at the time, and unfortunately that it had passed
14. the House, throughout the whole debate and throughout the whole
15. consideration of this bill, there was always misgivings. I
16. still have those misgivings at this moment, because it tries
17. to do too much with one fell swoop and thereby not giving the
18. full attention to the particular items that it's trying to
19. correct. I'll probably vote in favor of this bill or at least
20. Present. I haven't decided, because I see since I came to
21. the House that most...has been given. It has appeared
22. that it is going to open up more problems than it is going
23. to try to cure. There's many, many ramifications and I would
24. like to state while I'm here that the Chairman of the Joint
25. Study Committee for the past four years was one of the out-
26. standing officials, Ted Clark, and I'd like to say to him that
27. even if this does not pass today that we are going to work
28. very diligently to come out with a package this coming Spring
29. that will be more palatable to the officials that is trying
30. to correct and at the same time become more constitutional in
31. approach. I want...I wish to commend him because I think this
32. Body and this whole Legislature of the State of Illinois is
33. going to miss an outstanding member who knows his revenue

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1. and who knows especially taxing on the local level. So,
2. I say to you, even though it does have ramifications and
3. I have some qualms about it, I would give it a vote, but
4. I still say with misgivings.

5. PRESIDENT:

6. Further discussion? Senator Carroll.

7. SENATOR CARROLL:

8. I rise again and again and again on this bill to oppose
9. its passage at this time. I would not belabor the Chamber
10. today to go through all of the deficiencies in the bill in
11. the version it is before us. Merely to say at this point in
12. time, the department most closely affected who would still,
13. under this bill, be the appropriate regulatory authority has
14. indicated that there are not sufficient safeguards to affect
15. the quality of the assessor to be chosen under this type of
16. proposal, because the standard we set by this bill cannot
17. meet a court challenge by an assessor who is removed from
18. office. This provides for the elimination of the voter's right
19. to choose and in doing so does not really set the type of
20. quality that is necessary to allow a county board or anyone
21. else to remove that assessor. I'd be more than happy to spend
22. several hours going into the details of this bill, but suffice
23. it to say for now, that I think this bill deserves to be de-
24. feated at this point in time, and then properly redrafted,
25. properly studied by this Chamber and the other Chamber and
26. properly put into a position that the concepts that are very
27. worthwhile can be passed.

28. PRESIDENT:

29. Senator...Senator Clarke. Senator Clarke.

30. SENATOR CLARKE:

31. Mr. President, I want to thank Senator Maragos for those
32. kind words and actually this bill in its entirety was a product
33. of his committee and a very diligent subcommittee of the House

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1. Revenue Committee that worked on this in conjunction with
2. our Joint Committee. We have a unique opportunity here
3. today in terms of this particular situation, and I'm interested
4. that some of the people that are speaking in opposition, suggesting
5. there are defects, are people from Cook County. This doesn't
6. affect Cook County at all, but a very remarkable thing happened
7. over the last three years in that...and working on this proposi-
8. tion we came to the point after a great deal of travail where
9. the assessors themselves and the Assessing Association accepted
10. this concept which is a very limited concept because a thousand
11. population and below as we found out are people who are not
12. doing the job and you can't find people to do that job, and
13. it's in most cases being done by the next higher level the
14. Supervisor of Assessment. We do have an opportunity only now
15. because even now time is running out and the filing period is
16. coming and we're going to have new assessors elected next
17. April for a four year term. Unless we act now you're not going
18. to be able to act for another four to five years on this kind
19. of a situation which is key we found to adequate and affective
20. assessing in the State of Illinois. I spoke for higher salaries
21. for assessors because they need them in order to keep qualified
22. people and to get qualified people, but they themselves agree
23. that this type of step needs to be taken and if there are de-
24. fects here you can come back next Spring, next January, February,
25. March and correct those defects, but you won't be able to take
26. this action unless you do it now, and this is a big step forward
27. in the downstate assessing in the State of Illinois. I think
28. you should think very seriously about the fact that this is
29. the only opportunity you'll have to take this kind of a forward
30. step.

31. PRESIDENT:

32. Senator Latherow.

33. SENATOR LATHEROW:

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1. Well, thank you, Mr. President. I wonder if the sponsor
2. would yield to a question?

3. PRESIDENT:

4. He indicates he'll yield.

5. SENATOR LATHEROW:

6. Senator Nimrod, this legislation calls for multicounty
7. assessors. Does he...he's going to have a rather large, well
8. salaried job...is...will he have an office with this?

9. PRESIDENT:

10. Senator Nimrod. Oh, I'm sorry. Senator Nimrod.

11. SENATOR NIMROD:

12. Senator Latherow, the expenses for operating the assessor's
13. office will come as a result of the pro-rated expenses to the
14. various townships who are participating in the multidistrict.
15. It gives what the minimums are and not the maximums, so any
16. efficiencies that want to be obtained by the local townships
17. can be done so by having large ... more townships that con-
18. solidate together, or there's nothing wrong with a township
19. of only...of under one thousand going with a township that's
20. next to it that might be fifteen, twenty or thirty thousand.
21. So, the expenses certainly would be less per individual if...if
22. they're consolidated with more...with a bigger workload.

23. PRESIDENT:

24. Senator Latherow.

25. SENATOR LATHEROW:

26. I...I think you missed my question. My question was, will
27. they have an office?

28. PRESIDENT:

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Yes, I would think that the assessor would certainly have
32. a facility as some assessors now have their homes open, others
33. have officcs. I would think each assessor for each area would

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1. have to provide a availability to the taxpayer and I'm sure
2. in many cases it would be an office. There's no mandate
3. on that.

4. PRESIDENT:

5. Senator Latherow.

6. SENATOR LATHEROW:

7. Well, Senator, as I read this and read the word "shall"
8. I would assume that was somewhat of a mandate. It says here
9. they shall prepare and present an office budget for the ensuing
10. year and the budget shall be...shall be from three to six dollars
11. on each parcel. Now, here's a parcel that they spend a day or
12. two weeks in...with these professional people and professional
13. assessors arriving at a proper assessment and you charge them
14. two dollars or three dollars or six dollars for that and then the
15. parcel which they appraise that's worth two hundred and fifty
16. dollars, you add that same initial charge for that, and I...
17. I would assume from that in reading the word shall in there in
18. several cases, that there would be a township...or not a town-
19. ship but a multitownship assessors office with a very unique and
20. well financed expense account. Now, am I wrong on that when I
21. read that?

22. PRESIDENT:

23. Senator Nimrod.

24. SENATOR NIMROD:

25. Yes, I think the fact that you have a elected assessor
26. there...there is an office created. It does not mean he has
27. to have a physical office. This refers to the position or to
28. the office of...of his, and it does...it does require him to present a
29. budget and there is money being presented to it. Now, I'm sure
30. that we are all of the assumption and fact that elected officials
31. have an accountability to the taxpayers. If, in fact, they
32. mismanage or do not use their funds properly they will not be
33. re-elected to office. We present budgets now for the different

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1. offices and it's the township board that approves the budget
2. of the assessor. In this case he's getting a certain amount
3. of money per parcel and it's been deemed that that is the
4. initial way to start this off and he would only have to
5. spend that money which certainly is needed to operate his
6. office. Whether or not he has a physical office or not that
7. I think he must determine as to what the needs are within that
8. particular assessing district which he is providing. I
9. would assume that he'd have to have a physical place to go
10. to, yes.

11. PRESIDENT:

12. Senator Latherow,

13. SENATOR LATHEROW:

14. Well, one of the things that's bothering me when you
15. say that they shall assess so much on each parcel and that
16. particular township would build up, we'll say in a period
17. of five years maybe a budget of twelve...or not a budget but
18. a balance of twelve or fifteen thousand dollars and they say
19. - well, we can't cease to levy this because it says we shall
20. levy it. Now, that's...that's something I want...wanted to
21. mention to you on that. Do you think there's any chance at
22. all that these townships will go together with a multitownship
23. assessor situation?

24. PRESIDENT:

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Yes. Senator Latherow, the bill provides for those
28. townships which are under a hundred thousand population that
29. they shall, they must then become a part of a multitownship
30. district, and what this does, is provide for at least some
31. efficient and certainly trained personnel in providing the
32. assessments which is totally missing now. We have, in those
33. townships which are under a thousand population, we just do not

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1. provide enough money for the assessor, either, to provide
2. any kind of adequate assessment. This came over in testimony
3. and township after township throughout the State, and it's
4. just imperative that if we are to have equitable assessment
5. that we must have this form of consolidation.

6. PRESIDENT:

7. Any further discussion? Oh, Senator Latherow.

8. SENATOR LATHEROW:

9. Yes, I didn't want to prolong it, Mr. President, but
10. I did think that someplace in this multipage bill, that I
11. read where they elected to form this multitownship assessing
12. body. Is that right?

13. PRESIDENT:

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, they do. They have a choice to go into one and if
17. they don't go into one then they are put into one.

18. PRESIDENT:

19. Senator Berning. Oh, Senator Nimrod, oh, I'm sorry.

20. SENATOR LATHEROW:

21. No, no, I'll...I'll close...

22. PRESIDENT:

23. Senator Latherow.

24. SENATOR LATHEROW:

25. I'll close, Mr. President. I repeat what I did sometime
26. ago. This is a problem that we solved with the Supervisor
27. of Assessment with his two or three clerks and secretaries
28. in the office in the county, and now we go about it in the town-
29. ships...in my particular county we have thirty-three of them,
30. I think it is now, and we'll have at least twenty multitownship
31. or single township assessors with their offices and so on
32. spending more than what they're going to justify in this assess-
33. ment, so I...I just close with that, Mr. President.

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1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. I would just like to inquire
5. of the sponsor if there has been any amendment to this bill
6. which would eliminate what appear to be conflicts as
7. far as dates are concerned. If...if I under...if I understand
8. the front page correctly, in the middle of it it...it delineates
9. where certain action must be taken by December 15th, 1976,
10. and on page 5 there is again a statement on line 10 - no
11. later than January 1st the Illinois State Property Tax Commission
12. or the Department of Local Government Affairs if the commission
13. is not then functioning, shall furnish each township assessor,
14. supervisor of assessments and so on certain material and...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Berning.

17. SENATOR BERNING:

18. And again on page 6, line 11 - prior to September 1st,
19. 1976 the supervisor of assessment shall, and it goes on to
20. set forth things that must be done. My...my point is that...
21. and again on page 7 there is prior to the October 15th...
22. the respective boards of town auditors shall notify. It seems
23. that the...the bill, and I have supported it in the past, is
24. now at a stage in time where it is impossible for it to be
25. implemented without considerable amendment as to the time
26. stages that are set out in it, and I wonder if there has been
27. any amendment offered.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. No. Senator Berning, there's been no amendment offered,
32. and you do refer to some dates that do call for some reports
33. and critical returns which were intended to alleviate the
34. problem of the township elections that take place this Spring.

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1. However, even with those dates that are there, there is
2. still adequate time to provide if this bill would become
3. law, there's still adequate time to provide all the necessary
4. information. A great deal of this information that was...is
5. being requested has already been done, and certainly has
6. been done by the Department of Local Government Affairs in
7. order to provide us with the information when we drafted this
8. bill, and I see no problem, even though I think there are
9. some deadlines there that appear that they...that have passed.
10. There's no...no problem in having enough time to pass or
11. disseminate that information in time prior to the election.
12. This is why it's being brought up at this time because it is
13. a critical issue, and the filing for these do not take place
14. until December 27th through January 31st is the filing dates
15. for townships and it...there is adequate time to take care
16. of that if we can pass this bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Further discussion? Senator Carroll, do you wish to...

19. SENATOR CARROLL:

20. No.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. The question is, shall House Bill 3830 pass?
23. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Vote me No, please. Have all voted who
25. wish? Have all voted who wish? Take the record. On that
26. question the Ayes are 24, the Nays are 18, 1 Voting Present.
27. House Bill 3830 having failed to receive a constitutional
28. majority is declared lost. Any other member have...Senator
29. Davidson.

30. SENATOR DAVIDSON:

31. Yes, Mr. President, on Postponed Consideration on item
32. reduction, 3816.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. All right, There is a motion on Postpone Consideration
2. with respect to House Bill 3816, which you'll find on your
3. Calendar on page 5 under the order of Business Item Reductions.
4. Read the motion, Mr. Secretary. We don't have the motion?
5. SENATOR DAVIDSON:

6. You need another motion?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right. Why don't...why don't you just read the motion,
9. so we know where we are, please, Senator.

10. SENATOR DAVIDSON:

11. I move that the item on page 26, line 18 through 22
12. of House Bill 3816 be restored, the item reduction of the
13. Governor to the contrary notwithstanding.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any discussion? Senator Davidson.

16. SENATOR DAVIDSON:

17. This is funding for the Downstate Mass Transit. It's
18. earmarked fund. I'd appreciate your support. This is money
19. that we need to help pay the Mass Transit.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Is there any further discussion? All right,
22. then, the question is, shall the item on page 26, lines 18
23. through 22 of House Bill 3816 be restored, the item reduction
24. of the Governor to the contrary notwithstanding. Those in
25. favor vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Take the record. On that question
27. the Ayes are 43, the Nays are 7, 1 Voting Present. The item
28. on page 26, lines 18 through 22 of House Bill 3816 having
29. received the required majority vote of Senators elected is
30. declared restored, the item reduction of the Governor to the
31. contrary notwithstanding. Senator Bruce.

32. SENATOR BRUCE:

33. Yes, Mr. President, on the order of Postpone Consideration

1. is House Bill 4012, I would like to have considered at this
2. time.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right.

5. SENATOR BRUCE:

6. House Bill 4012 is identical in nature to Senate Bill
7. 2030 which was passed out of this Body 54 to nothing. Senator
8. Graham raised objections to the bill today and perhaps we
9. should explain it in more detail. First of all, we must
10. emphasize that all the money involved is Federal money that
11. we have in many instances already appropriated. There was
12. seven changes. One changes...number one was to change a
13. line item grant to the Sangamon State University to a contract
14. which Sangamon State University is entered into, so we changed
15. it from Personal Services to Contractural. On a juvenile
16. detention monitoring system, a one hundred thousand dollar
17. discretionary grant was changed by the Federal Government to
18. a block grant, so it's the same one hundred thousand dollars,
19. but it comes in a different portion of the bill. On an organized
20. crime project they now have received a discretionary grant of
21. a hundred and fifteen thousand dollars, one hundred and four
22. from the Federal Government. We must transfer from the presently
23. existing Department of Corrections budget eleven thousand dollars
24. which is already there. And our fourth change was, we have as
25. a reappropriation of Federal funds, a hundred and ninety thou-
26. sand dollars. The Department of Children and Family Services
27. is implementing a statewide program on...on children and the
28. project was just approved October the 1st, and we would have to
29. appropriate the money or it would be lost. For Corrections
30. Industries, since we left here on September the 30th, 1976,
31. the Federal Government gave us an additional four hundred and
32. fifty thousand dollars commencing October the 1st, and so we
33. will have to appropriate that money. The sixth change was on

1. leases, the fifty percent change, and that has been passed
2. uniformly in all legislation, and the seventh change was a
3. shift of funds for the Management Information System, a
4. transfer of Federal funds from Contractural to Personal
5. Services. All this money is presently existing except for
6. the four hundred and fifty thousand dollars in the bill. It's
7. a matter of changing from Contractural Services to Personal
8. Services in one instance and from Personal Services to Con-
9. tractural in another. And I would hope that the members
10. would support this, and I think Senator Graham has now been
11. satisfied. He had some questions about the bill which have
12. been answered.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any discussion? Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President and members of the Senate, I don't think
17. it's a complete secret around here that I've had my problems
18. with the Illinois Law Enforcement Commission. I had my problems
19. ever existing and up until a little time ago. I have felt
20. many times that many things they did was not in the best
21. interest of all of us. They disagreed with me on that. I
22. think their priorities have been a little loused up, but I
23. have some assurances from this group and I'm willing to take
24. their word for it. That some of their priorities that they've
25. had a little mixed up are going to be rearranged. I think some
26. of the, what I call blackjacking, of some municipalities is
27. not going any longer exist with regard to their actions. I
28. am satisfied, I'm going to take them on good faith. I warned
29. them I'd be back in January and maybe they wouldn't, but I'm
30. willing to go along with the proposition now. I think perhaps
31. we got their attention and may be for the betterment of all
32. of us, and I do support the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any further discussion? All right. The question is,
2. shall House Bill 4012 pass? Those in favor will vote Aye.
3. Those opposed will vote Nay. The voting is open. Have all
4. voted who wish? Take the record. On that question the Ayes
5. are 45, the Nays are 5, none Voting Present. House Bill
6. 4012 having received the constitutional majority is declared
7. passed. Senator Knuppel has a matter...or motion on Con-
8. sideration Postponed with respect to House Bill 3858.
9. SENATOR KNUPPEL:

10. Mr. President and members of the Body, we voted earlier
11. this afternoon, but apparently some of the people were off
12. the Floor and I've been asked to recall it here this afternoon.
13. This is a bill creating a different State Fair Agency than
14. what we now have...asking for an override of the Governor's
15. veto. I'd appreciate a favorable roll call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Is there any discussion? Senator Joyce.

18. SENATOR JOYCE:

19. Mr. President and members of the Senate. I would urge
20. an override on this bill. The Illinois State Fair is a dis-
21. grace I think to the farmers and the State of Illinois. I've
22. exhibited there for about twenty years and other state fairs,
23. and it is by far the worst, has been year after year after
24. year, and it is the show window of American agriculture and
25. I just don't believe that...I'm not sure that this is the right
26. way to correct it, but at least it's a start, so I would urge
27. a favorable vote on this.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? All right. The question...
30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Well, I was going to speak anymore on it, Mr. President,
33. but if you're not thoroughly convinced, Senator Joyce, that

1. this is the right way to go, and you're just going to
2. gamble on having all these appointments I think that's
3. rather taking the wrong attitude. The Governor elect has
4. expressed his interest in the State Fair. He knows state
5. fairs, he knows county fairs and I'm confident that he
6. will do a good job. Give him a chance.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right. Any further discussion? Senator Partee.
9. Senator Partee.

10. SENATOR PARTEE:

11. Well, I rise in support of Senator Knuppel and Senator
12. Joyce. It happens that this morning I had breakfast with
13. the Governor elect. He's a man that I've known for quite
14. a long time and I have a very high respect for his ability
15. and for his capability, and let me suggest to you that in
16. the few months that he has been involved at the State level
17. in government, he has a great deal of conception about State
18. Government and I sort of felt for him this morning, because
19. his big problem is economics and the financing of this State's
20. government and he is very concerned about it and has addressed
21. himself very seriously to it. On one particular subject, for
22. example, he said he had received three hundred letters and
23. that he had read every single one of them. So, he conscientious,
24. so it occurs to me that what we should do is to override this
25. veto and then he would be bereft of one less onerous task.
26. He doesn't need to have to work with the State Fair when it
27. can be structured along lines which are more palatable...palatable
28. to the citizens and to the farmers. So, why don't we give
29. him a break by overriding this veto so that he doesn't have
30. to worry about the State Fair. Now, he has certainly enough
31. ...problems making certain that the books are balanced, that
32. there are enough dollars to fund the Government as it's now
33. structured and you...you'll do him a favor. If you really love

1. him you'll vote Aye on this override.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? Senator...all right. The
4. question is, shall...Senator Latherow, did you wish to
5. address yourself? Senator Latherow.

6. SENATOR LATHEROW:

7. Well, I only wish to mention it, and maybe this
8. Governor didn't want the State Fair for the privilege of
9. having a jeep that he could ride out there and show himself
10. every day of the Fair and so on, that he wants the Fair for
11. the purpose of operating a fair profitably, if possible,
12. in Illinois.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. The question is, shall House Bill 3858 pass
15. the veto of the Governor to the contrary notwithstanding.
16. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Take the record.
18. On that question the Ayes are 37, the Nays are 13, none Voting
19. Present. House Bill 3858 having received the required three-
20. fifths vote is declared passed, the veto of the Governor to
21. the contrary notwithstanding. All right, wait just a minute
22. now. There's been a request for a verification. Will the
23. members please be in their seats? Senator Mitchler has re-
24. quested a verification along with Senator Ozinga. Will all the
25. Senators please be in their seats. The Secretary will read
26. the affirmative votes.

27. SECRETARY:

28. The following voted in the affirmative: Bloom, Brady,
29. Bruce, Buzbee, Carroll, Chew, Clewis, D'Arco, Daley, Davidson,
30. Demuzio, Donnewald, Maragos, Egan, Harber Hall, Kenneth Hall,
31. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,
32. McCarthy, Morris, Netsch, Palmer, Regner, Rock, Roe, Savickas,
33. Smith, Sommer, Welsh, Wooten and Mr. President.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is Senator Chew on the Floor? Is Senator Chew on the
3. Floor? Strike him from the roll, Mr. Secretary. Is Senator
4. Welsh on the Floor? Strike him from the roll, Mr. Secretary.
5. All right. Any...the roll has been verified. The Ayes are
6. 35, the Nays are 13. Well, I think that...it has once been
7. on Postpone Consideration. I would suggest, in my interpre-
8. tation of the Constitution, at least, that these bills, in
9. fact, remain with the House or the Senate for a fifteen day
10. period and are subject to more than one motion. So, I think
11. a motion could properly be put by either yourself or another
12. member of the Senate at some future date, but this cannot be
13. postponed. The motion fails. You want to try it, Senator
14. Shapiro? Okay. All right, on the order of Consideration
15. Postponed is a motion placed with the Secretary by Senator
16. Shapiro on House Bill 3924 on the order of total vetoes.
17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President and Ladies and Gentlemen of the Senate,
20. I move that House Bill 3924 Do Pass the veto of the Governor
21. to the contrary notwithstanding. This bill is the bill that
22. would authorize the County Board of DeKalb County to, by
23. resolution all ordinance, provide for the formation of a
24. metropolitan exposition center. The thrust of the bill re-
25. duces the assessed valuation from six hundred million to
26. three hundred million. They have their...approximately most
27. of the money necessary to build this exposition hall do to
28. a consortium of the DeKalb County Farm Bureau, the City of
29. DeKalb and the University, and they have several parcels of
30. land that is going to be donated and more than likely in the
31. future they would never have to rely on State funds to build
32. this exposition hall. I think you've all heard the history
33. of it many times over. I would appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? All right. The question is, shall
3. House Bill 3924 pass the veto of the Governor to the con-
4. trary notwithstanding? Those in favor vote Aye. Those
5. opposed will vote Nay. The voting is open. Have all voted
6. who wish? Take the record. On that question the Ayes are
7. 34, the Nays are 8, none Voting Present. The motion fails.
8. Any further business? Does any member have any further
9. business to come before the Senate? All right. No further
10. ...there being no further business Senator Donnewald moves
11. the Senate stand adjourned until 10:30 a.m. tomorrow morning.
12. The Senate stands adjourned.
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