

80TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 3, 1978

1. PRESIDENT:

2. The hour of 12:00 having arrived the Senate will please
3. come to order. Prayer will be by Reverend Robert Peterson
4. of Bethlehem Lutheran Church of Joliet. Our guests in the
5. galleries please rise.

6. REVEREND PETERSON:

7. (Prayer by Reverend Peterson)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. Thursday, April the 27th, 1978, Friday, April the 28th,
12. 1978.

13. PRESIDENT:

14. Senator Johns.

15. SENATOR JOHNS:

16. Thank you, Mr. President. I move that the Journals just
17. read by the Secretary be approved unless some Senator has
18. additions or corrections to offer.

19. PRESIDENT:

20. You've heard the motion. Is there any discussion? If
21. not, all of those in favor signify by saying Aye. Opposed. The
22. Ayes have it. So ordered. Senator Johns.

23. SENATOR JOHNS:

24. Again, Mr. President, I move that reading and approval
25. of the Journal of Tuesday, May the 2nd, 1978 be postponed
26. pending arrival of the printed Journal.

27. PRESIDENT:

28. You've heard the motion. Is there any discussion? If
29. not, all those in favor signify by saying Aye. Opposed. The
30. Ayes have it. So ordered. Committee Reports.

31. SECRETARY:

32. Senator Carroll, Chairman of Appropriations I Committee
33. reports out the following bills: Senate Bills 1415, 16...1510,

1. 1569, 1624, 1645, 1672, 1833 and 2344 with the recommendation
2. Do Pass.
3. Senate Bill 1416 with the recommendation Do Pass as
4. Amended.
5. Senator Lemke, Chairman of the Elections Commission...
6. Committee reports out Senate Bill 1419 with the recommendation
7. Do Pass.
8. Senate Bill 1680 and House Bill 1264 with the recommendation
9. Do Pass as Amended.
10. Senator Hickey, Chairman of Higher Education Committee
11. reports out Senate Bills 1555 and 1704 with the recommendation
12. Do Pass.
13. Senate Bills 237, 1534 and 1769 with the recommendation
14. Do Pass as Amended.
15. Senator Berman, Chairman of Elementary and Secondary
16. Education Committee reports out Senate Bills 1454, 1455, 1775
17. and 1780 with the recommendation Do Pass.
18. Senate Bills 238, 430, 1794 and 1802 with the recommendation
19. Do Pass as Amended.
20. Senator Demuzio, Chairman of Finance and Credit Regulations
21. Committee reports out Senate Bill 1786 with the recommendation
22. Do Pass.
23. Senator Daley, Chairman of Judiciary I Committee reports
24. out Senate Bills 1436, 1616, 1630, 1676 and 1777 with the
25. recommendation Do Pass.
26. House Bill 1436 with the recommendation Do Pass.
27. Senate Bills 257, 258 and 260 with the recommendation
28. Do Not Pass.
29. Senate Bills 250, 253, 255, 262, 1753, 1811 and 1847
30. with the recommendation Do Pass as Amended.
31. Senator Smith, Chairman of Public Health, Welfare and
32. Corrections Committee reports out Senate Bills 1562 and 1857
33. with the recommendation Do Pass.

1. Senate Bills 995, 1800 and 1827 with the recommendation
2. Do Pass as Amended.
3. House Bill 39...396 with the recommendation Do Not Pass.
4. PRESIDENT:
5. A Message from the House.
6. SECRETARY:
7. A Message from the House by Mr. O'Brien, Clerk.
8. Mr. President - I am directed to inform the
9. Senate that the House of Representatives has passed a bill...
10. has passed House Joint Resolution Constitutional Amendment
11. with the following title in the passage of which I am instructed
12. to ask concurrence of the Senate to-wit: House Joint Resolution
13. 3 Constitutional Amendment.
14. PRESIDENT:
15. Executive. Resolutions.
16. SECRETARY:
17. Senate Resolution 353 offered by Senator Harber Hall.
18. It's congratulatory.
19. Senate Resolution 354 offered by Senator Maragos, Hynes
20. and all Senators and it's congratulatory.
21. PRESIDENT:
22. Resolutions Consent Calendar. Constitutional Amendments,
23. 2nd reading. House Joint Resolution Constitutional Amendment
24. 15. Senator Harber Hall. Senator Hall wishes to have it read
25. a second time. Take it out of the record...Joint Resolution
26. Constitutional Amendment 21. Senator Maragos. Read the
27. resolution.
28. SECRETARY:
29. House Joint Resolution Constitutional Amendment 21.
30. (Secretary reads HJRCA No. 21)
31. PRESIDENT:
32. Are there any amendments from the Floor? No amendments.
33. 3rd reading.

APR 47
5/3/78

1. House Joint Resolution Constitutional Amendment 47. Senator
2. Maragos. Read the resolution.

3. SECRETARY:

4. House Joint Resolution Constitutional Amendment No. 47.

5. (Secretary reads HJRCÀ No. 47)

6. 2nd reading of House Resolution Constitutional Amendment 47.

7. 2nd reading of House Joint Resolution Constitutional Amendment
8. 47.

9. PRESIDENT:

10. Any amendments? If there are no amendments, 3rd reading.

11. PRESIDENT:

12. May I have your attention please? We have a special
13. guest with us today and I'd like to ask Senator Rock to
14. introduce our guest.

15. SENATOR ROCK:

16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. We are privileged today to have with us a young,
18. vivacious lady from the great Village of Oak Park who was
19. recently named as Illinois' Teacher of the Year and I would
20. defer and yield to Senator Walsh.

21. SENATOR WALSH:

22. Senator, thank you. I am fortunate enough to have
23. Laura Gruber as my constituent and Senator Rock is fortunate
24. enough to have Laura Gruber teach in...in his district. She
25. is a sixth grade teacher at the Hatch School in District 97
26. in Oak Park. It's a school that my children recently attended
27. and I'm sure if they were still there Laura probably would not
28. have achieved this great honor. But it's...it's something of
29. which I am proud and I'm sure Senator Rock and I present to
30. the Senate, Laura Gruber, Illinois Teacher of the Year.

31. LAURA GRUBER:

32. (Remarks by Laura Gruber)

33. SENATOR WALSH:

1. Thank you and if I may, I'd like to introduce the...
2. the people who have accompanied Laura Gruber here to Springfield,
3. Mrs. Susan Powell, who is President of the Board of Education of
4. District 97, Mr. Howard Hawkinson, Principal of the William Hatch
5. Elementary School and Doctor Neil Shehan, who's former principal
6. of the Hawthorne School in Oak Park.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. On the Order of Constitutional Amendments, 2nd reading,
9. HJRCA 15. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. I have delivered to the Senate sponsor, Senator Harber
13. Hall, a copy of an amendment which was forwarded to me by the
14. House. It seems that when the proposed constitutional amend-
15. ment was written there was, in fact, a technical flaw in that
16. it did not provide if this thing prevails, as you know, the
17. Office of Superintendent of Public Instruction will again be
18. elective. There is nowhere provided a provision to fill a
19. vacancy, as was formerly under the old Constitution and so
20. my amendment would just fill that gap. It would say or add
21. to the proposed amendment that any vacancy in the Office of
22. Superintendent of Education shall be filled in the manner
23. provided in Section 7 of Article V, which as you know, relates
24. to the elected constitutional officers and provides for appoint-
25. ment by the Governor, in every case except for the Lieutenant
26. Governor. I think the...I think the amendment as before us is
27. without this amendment flawed and I would offer and urge the
28. adoption of Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Harber Hall.

31. SENATOR HARBER HALL:

32. I agree with Senator Rock. The technical need to amend
33. this constitutional article and therefore, I have no objection

1. to the amendment. I regret the need to send this back to the
2. House, but since they brought it on themselves with this
3. technical failure, we have no choice and I support the move.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Wooten.
6. SENATOR WOOTEN:
7. A question? Today is Wednesday. It would be amended
8. and read the first time today, second time tomorrow, voted on
9. Friday when none of us are here. Is that it?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Harber Hall.
12. SENATOR HARBER HALL:
13. No, I believe we can pass this next Tuesday when we come
14. back.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Wooten.
17. SENATOR WOOTEN:
18. What happens to the Friday deadline?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Hall; Harber.
21. SENATOR HARBER HALL:
22. Well are you...would you ask that of the President on
23. a point of inquiry to him?
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Wooten.
26. SENATOR WOOTEN:
27. Well, there's no point to ask if we don't vote on it
28. Friday. It's all over with. If we don't pass it Friday.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Harber Hall.
31. SENATOR HARBER HALL:
32. On that you are mistaken. I believe this Body can
33. do anything with the sufficient votes.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Wooten.
3. SENATOR WOOTEN:
4. If it's to be on the ballot in November I believe it
5. must be acted on this week and if we...we can do anything we
6. want, but I merely suggest to you that if we don't vote this
7. out this week, it will not appear on the ballot and them's
8. the rules that we cannot change.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Harber Hall.
11. SENATOR HARBER HALL:
12. Point of inquiry from the Chair from...
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. State your point.
15. SENATOR HARBER HALL:
16. ...the President. Mr. President, I wonder if it is the
17. intent of the...of the President that we adjourn Thursday still?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. I would defer to Senator Hynes if he is in the Chamber.
20. Question is, are we...intending to adjourn on the Thursday evening?
21. It's been indicated to the Chair that we are indeed intending
22. to adjourn Thursday evening. Senator Harber Hall.
23. SENATOR HARBER HALL:
24. Then, Mr. President, I will object to the amendment
25. offered by Senator Rock. Although it is a technical failure
26. of the proposed constitutional amendment that failure is not
27. ...final in...in respect to the substance. That is to say,
28. that should this pass it would...it would eliminate, true enough,
29. the...the wording in the Constitution that provides for replace-
30. ment should a vacancy occur in the office. However, that likeli-
31. hood is certainly not very likely and further than that by virtue
32. of the fact that the Constitution does provide for all other
33. offices. It would be presumed, I'm sure, if challenged that any

1. elective office would be handled in the same manner. And,
2. therefore, I don't think this is a fatal flaw to the resolution
3. and I would urge the Body to reject the proposed amendment to
4. it.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate. It just seems to me that if, in fact, we are going to
10. take this drastic step and reintroduce the Office of the
11. Superintendent of Public Instruction as a constitutional office
12. to be elected that we ought to do it correctly. And all my
13. amendment does is attempt to correct a glaring deficiency and
14. I would urge its adoption.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Just a question of the sponsor of the amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Indicates he will respond.

21. SENATOR RHOADS:

22. Senator Rock, can you tell us what the posture is over
23. in the House of Senator Lemke's resolution of similar subject
24. matter?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock.

27. SENATOR ROCK:

28. I understand it's on the Calendar on 2nd reading and
29. the amendment was offered yesterday and failed.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Well, just for clarification. So that puts us in a

1. posture over in the other Chamber where it has been read in
2. full and will be up for a final reading. Is that correct this
3. week?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Rock.
6. SENATOR ROCK:
7. I understand that that is correct. Yes.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Rhoads.
10. SENATOR RHOADS:
11. Well then, but you do agree that the effect of putting
12. on your amendment on Senator Hall's resolution would be to
13. make it impossible to pass this particular resolution this week?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Rock.
16. SENATOR ROCK:
17. I...I do agree that is in another conclusion. The first
18. conclusion, however, is the important one that we do it correctly.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Harber Hall.
21. SENATOR HARBER HALL:
22. Well, I...I wouldn't agree that we can't pass it. I
23. still say we could pass it...when it gets on the ballot is
24. another matter.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Kenneth Hall.
27. SENATOR KENNETH HALL:
28. A question from Senator Harber Hall. Senator...
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Do you yield? Senator Harber Hall, do you wish to respond?
31. SENATOR KENNETH HALL:
32. Senator Harber Hall, are you advocating that we do not
33. make this corrected change at this time? You would rather see

1. the bill go out with this flaw knowingly that it has this
2. flaw in it?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Harber Hall.

5. SENATOR HARBER HALL:

6. I have...I have spoken to that and I say that it is
7. not a fatal flaw to the intent of the amendment and...and
8. no court, in my opinion, would find it a fatal flaw to the
9. amendment. And it would be effective and it would not be
10. challenged.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Kenneth Hall.

13. SENATOR KENNETH HALL:

14. Well, I would just like to rise in support of Senator
15. Rock's amendment. I think it's really folly for us to pass
16. something out here with not having that correction done. And
17. I would urge everybody to vote to sustain Senator Rock and
18. vote Aye to put this amendment on.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Mitchler.

21. SENATOR MITCHLER:

22. (Machine cutoff) Mr. President, at this late date I
23. think the records should be clear that many of us agree with
24. Senator Harber Hall that the alleged flaw in this constitutional
25. amendment that we're considering will have no effect on the
26. constitutionality or the legality of the amendment as we would
27. pass it and it would be put to the people on the November
28. election. And I think the records should be clear to that
29. extent that just because a couple of the opponents to the
30. constitutional amendment that we're considering have said for
31. the record that this is a flaw and it makes it unconstitution
32. and illegal, that is their opinion. And it is another attempt
33. in the final hour of passing a constitutional amendment to be

1. voted by the people. This isn't making a law or making it.
2. This is presenting something to the people and I contend that
3. this is a last minute effort on those that are opposed to
4. this constitutional amendment to cloud the issue and use
5. some devious method of defeating the proposition that the
6. people would like to have. And I'd like to have that in the
7. record.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Rock may close.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of
12. the Senate. There is no question in anybody's mind, I hope,
13. that I am opposed to House Joint Resolution 15 amended or
14. unamended. What I am suggesting, I think, do as the same
15. has been done in the House and they asked me if I would
16. attempt to correct it over here, is that we are creating a
17. constitutional and elective office, if the proposed
18. referendum carries and we have no provision whatever for
19. a vacancy. So let's assume someone gets elected to this office
20. for a four year term and on day one flies to Washington to get
21. more Federal aid and is unfortunately killed. We would have
22. a constitutional office that could not be filled for four
23. years. It's just unworkable as it stands. I think the
24. amendment is a good one and should be adopted.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The question is, shall the amendment No. 1 to HJRCA 15
27. be adopted? Those in favor indicate by saying Aye. Those
28. opposed. A roll call has been requested. Question is, shall
29. Amendment No. 1 to HJRCA 15 be adopted? Those in favor vote
30. Aye. Those opposed Nay. The voting is open. (Machine cutoff)
31. those voted who wish? Take the record. On that question, the
32. Ayes are 24, the Nays are 21. Amendment No. 1 is adopted.
33. Senator Harber Hall for what purpose do you arise?

1. SENATOR HARBER HALL:
2. A point of parliamentary inquiry, Mr. President.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. You may inquire.
5. SENATOR HARBER HALL:
6. Should this Body pursue the passage of this legislation,
7. good or bad? Most of us or a lot of us think it's good. Should
8. we pursue it and it passes without sufficient time to have it
9. printed on the ballot in the coming election in November. What
10. would the status of this passed constitutional amendment
11. resolution be?
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. With Senator...with respect to what? The action of this
14. Body...
15. SENATOR HARBER HALL:
16. Negative.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. ...or...
19. SENATOR HARBER HALL:
20. Negative. What if this...if this resolution were to be
21. passed by this Body and the House during this term of the
22. General Assembly? What status in respect to ratification by
23. the voters would this take? Would it be on the ballot in 1980?
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Yes.
26. SENATOR HARBER HALL:
27. Thank you.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. According to...on page 101...it would be Article XIV,
30. Section 2A.
31. SENATOR HARBER HALL:
32. In that case...
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Subsection A.

2. SENATOR HARBER HALL:

3. Thank you for the reference. In that case, Mr. President,

4. would you instruct the Secretary to continue to pursue to call

5. this resolution at every possibility when it's on the

6. Calendar, through 1st, 2nd and 3rd readings until...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The...the Chair will do so.

9. SENATOR HARBER HALL:

10. ...it passes.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Netsch, did you wish recognition? If so...

13. SENATOR NETSCH:

14. Thank you. I was simply going to volunteer and answer

15. to the question that was posed because I recently researched

16. that point. And you are quite correct. It would be on the

17. ballot in 1980 unless, of course, rescinded prior to that as is

18. provided for in the Constitution. But it...it does not die

19. because this Legislature dies in the interim.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. All right. Senator Harber Hall.

22. SENATOR HARBER HALL:

23. Thank you very much, Senator Netsch. That's very good

24. information. I presume that would pass...The same would apply

25. to a constitutional amendment of the Federal Constitution, such

26. as ERA, if it were ratified and then...subsequently unratified

27. by a state.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. This is another subject matter, but ratification of

32. a Federal Constitutional Amendment is not basically controlled

33. by the State Constitution, it's controlled by the Federal

1. Constitution and Federal law and our provisions have nothing
2. to do with ratification of a Federal Constitutional Amendment
3. and the law is quite clear that once Congress is notified that
4. a...an amendment has been ratified by a state, rescission is
5. no longer in order.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

8. SENATOR CHEW:

9. To ask permission to waive the Six Day Rule...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Just...just a moment, Senator, I think...

12. SENATOR CHEW:

13. ...That's all over, that you're talking about...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. I...prior to...Are there further amendments?

16. SECRETARY:

17. Amendment No. 2 offered by Senator Bloom.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Bloom.

20. SENATOR BLOOM:

21. Read it.

22. SECRETARY:

23. (Secretary reads Amendment No. 2)

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just a moment. Senator Grotberg, for what purpose do
26. you arise?

27. SENATOR GROTBERG:

28. For my regular weekly speech on amendments to the
29. amendments to the Constitution of the State of Illinois. The
30. people's business not on our desks. I have...I've got good
31. ears, but to retain what was just read in full, is not
32. sufficient for me to vote on anybody's amendment, including
33. my distinguished colleague, Mr. Bloom. I now have one if

1. everybody else is satisfied, that's fine with me. Thank you.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

4. SENATOR MARAGOS:

5. I want to state that I'm in favor of this proposed

6. amendment except...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Just...

9. SENATOR MARAGOS:

10. Wait...wait...I want to ask for a parliamentary inquiry.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. State your point.

13. SENATOR MARAGOS:

14. That's why I'm not trying to be...Is this considered

15. germane even though it is now amending the office in...in the

16. perspective approach to what the original amendment...resolution

17. is trying to do. I'd like to have a ruling of whether there's

18. germaneness in this amendment to the resolution as read.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. It being within the same article, the Chair would rule

21. that it is germane..

22. SENATOR MARAGOS:

23. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator, you may explain the amendment.

26. SENATOR BLOOM:

27. Well this...It's not a new idea. It's been before the...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Recognizing Senator Bloom.

30. SENATOR BLOOM:

31. It's...this isn't a new idea. It's been before the Body

32. before and had not the other amendment been adopted, I would have

33. Tabled it for timeliness. Basically, you elect the State board in

1. the same manner in which it's presently appointed. The same
2. geographical manner in which it's presently appointed. I take...
3. no, I'm not going to say that.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Harber Hall.

6. SENATOR HARBER HALL:

7. I would reject the amendment and suggest the Senator
8. is trying to put back into an appointive position a State
9. educational...chief State educational officer. There would
10. be no need for the constitutional amendment at all if we were
11. going to do this. So I would suggest that this amendment be
12. defeated irrespective of what year this might ever get on
13. the ballot.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Bloom may close.

16. SENATOR BLOOM:

17. Well, just to make the record perfectly clear, I'm in
18. no way trying to backdoor an unaccountable State Superintendent
19. of Public Instruction. The whole problem and what we're trying
20. to respond to is the fact that the concerns of ordinary
21. citizens in the State are basically being ignored by both the
22. board and the present individual who holds the office of
23. Superintendent of Education. The idea is one or the other
24. ought to be accountable. I think you can get a better
25. geographical input because our State is so diverse if you
26. elect the board and let them elect the superintendent. I
27. think you get the same...same result. That's basically it and
28. that's how I close. How about a roll call?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Well, just a...I'm sorry, Senator Bloom, I wasn't
31. aware that Senator Maragos wanted to address this issue.
32. Senator Maragos.

33. SENATOR MARAGOS:

1. I was under the impression that he was answering the
2. question of the sponsor of the amendment, of the resolution
3. I should say so we won't get confused on the amendment. The
4. question is, I'd like to state that I'm in support of this
5. idea because I agree with Senator Bloom that this is the
6. way we should go if we want to get responsibility of...with
7. the educational system through the elective process, but at
8. the same time have an...a superintendent who would be not
9. elected but a professional who would be under the guide and
10. rules of a board, which would be responsible to patronize
11. and support this amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Harber Hall, for what purpose do you arise?

14. SENATOR HARBER HALL:

15. Well, I...Senator Bloom would have liked to have made
16. the closing remarks...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bloom did close...

19. SENATOR HARBER HALL:

20. But...but I would point I would like that courtesy...if
21. if we're through arguing the amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Just a moment. Senator Netsch, for what purpose do you
24. arise?

25. SENATOR NETSCH:

26. I...I had sought recognition to make a comment. Is that
27. in order still?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. You may proceed.

30. SENATOR NETSCH:

31. Thank you. I just wanted to call attention to one
32. concern. I had not been aware of this amendment beforehand.
33. Senator Bloom, as I read your amendment, you're...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Bloom.
3. SENATOR NETSCH:
4. ...you're elected members of the State Board are to be
5. elected from the five Judicial districts. The five Judicial
6. districts, if I am not mistaken, are quite unequal in
7. population. Isn't that correct? I do not have their
8. population in front of me, but my recollection is that they
9. are very unequal in population.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Bloom.
12. SENATOR BLOOM:
13. Well, all right. Yes, they are to a degree unequal in
14. population, but this is how the board is presently selected by
15. via the appointed...appointive process and how they are to be
16. elected and what numbers from each district, you'll find that
17. the membership composition, the number and members from each
18. district are weighted according to population or as close to
19. one man one vote. At least that's what was allegedly told us
20. when the General Assembly passed the present mechanism.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Netsch.
23. SENATOR NETSCH:
24. They...I didn't...I couldn't hear all of what you just
25. said, Senator Bloom. There's a lot of noise on the Floor.
26. I...the difference and...
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Just a moment. We'll get some order. Will the
29. Sergeant-at-Arms clear the aisles and will the members please
30. be in their seats.
31. SENATOR NETSCH:
32. Thank you, Mr. President. The...the difficulty is and
33. the difference between an appointed board and elected board

1. is the very fact of election and once you move into an
2. elective board you do begin to raise questions about one
3. man one vote equal population even to respect to a nongeneral
4. governmental agency and the law is not entirely settled and
5. not entirely clear on that point. It is possible that this
6. board would not be subject to one man one vote reapportionment
7. decisions. It is not absolutely clear that it would not be.
8. If it is subject to them, then I would suggest that probably
9. your districts do not accord with anything close to equal
10. population and you may have a very serious problem.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bloom.

13. SENATOR BLOOM:

14. Thank you.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. All right. They are... do you wish to respond, Senator?

17. SENATOR BLOOM:

18. No. She just basically...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. On the...all right.

21. SENATOR BLOOM:

22. ...in a very round about way said there could be equal
23. one man one vote...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Wooten.

26. SENATOR BLOOM:

27. ...problems. There...

28. SENATOR WOOTEN:

29. Thank you, Mr. President. Senator Netsch articulated
30. one of my concerns. The other is I believe it is very useful
31. to have a single person identified in the public mind as the
32. person responsible. The Governor receives credit for what we
33. do and sometimes even the blame because it's simpler for the

1. public to identify an individual and I think the lines of
2. responsibility ought to be that clearly drawn. So I would
3. oppose the amendment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bloom, is there further discussion?

6. SENATOR HARBER HALL:

7. Yes.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. ...Senator Harber Hall.

10. SENATOR HARBER HALL:

11. May I close?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, this is not your amendment. This is Amendment
14. No. 2.

15. SENATOR HARBER HALL:

16. May I speak to the amendment?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Proceed. Senator Harber Hall.

19. SENATOR HARBER HALL:

20. I'm constantly in debt to the Senator from Chicago who
21. points out some of the constitutional matters that come before
22. us and I believe that in my retirement I may apply to a...a
23. scholarship for Northwestern University because she is so
24. knowledgeable in the law and the constitutional law. I...I
25. think that Senator Bloom's amendment has a defect that it
26. does not adhere to the one man one vote and unlike that
27. unique institution, the United States Senate, would not
28. stand that test if challenged. So that makes a...a fatal
29. flaw in the amendment in addition to which I would suggest
30. that if Senator Bloom had this much interest that he should
31. and I think that it's a unique approach that he has, really.
32. But I think that he should find a instrument of his own that
33. would be more consistent with his thoughts along this line,

1. rather than amending this one particular approach to the
2. Office of Public Instruction. So I hope we defeat his amend-
3. ment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator...Bloom may
6. close again. Roll call is requested.

7. SENATOR BLOOM:

8. Thank you. Whoops. Thank you, Mr. President. I...
9. this is to really close. Just a short response to Senator
10. Hall and Senator Netsch and that is...All you said was there
11. might be the possibility of and if you had listened closely
12. to Senator Netsch, Senator Hall, you would have heard that
13. she qualified that in several different ways for openers.
14. And I'm...I'm serious about this. I think that the...
15. either the superintendent or the board ought to be accountable
16. to the electorate. And, as I said, I would not...I would had
17. not have called this amendment up for a vote had not the other
18. amendment been put on and I think this is a better way to go.
19. It spreads responsibility around and gives the concerns of
20. ordinary citizens, ordinary citizens with concerns better
21. access to policy making in the State educational process.
22. I'd request a roll call. Thank you.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The question is, shall Amendment No. 2 to HJRCA 15
25. be adopted? Those in favor indicate by saying Aye. Those
26. opposed. A roll call has been requested. Question is, shall
27. Amendment No. 2 to HJRCA 15 be adopted? Those in favor vote
28. Aye. Those opposed Nay. The voting is open. Have all voted
29. who wish? Have all those voted who wish? Take the record.
30. On that question, the Ayes are 15, the Nays are 34. Amendment
31. No. 2 fails. Are there further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. The Secretary will read HJRCA 15 as amended for the
3. first time.
4. SECRETARY:
5. House Joint Resolution Constitutional Amendment 15.
6. (Secretary reads HJRCA No. 15)
7. 2nd reading of House Joint Resolution Constitutional Amendment
8. 15, as amended or 1st reading. 1st reading.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. All right. Resolutions.
11. SECRETARY:
12. Senate Resolution 355 offered by Senators Ozinga, D'Arco,
13. Guidice and others and it's congratulatory.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Consent Calendar.
16. SECRETARY:
17. Senate Resolution 356 offered by Senators Ozinga, Hynes,
18. Shapiro and all Senators and it's congratulatory.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Consent Calendar.
21. SECRETARY:
22. Senate Resolution 357 offered by Senator Hynes, Daley,
23. D'Arco and others and it's congratulatory.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Consent Calendar. The Consent Calendar is now being
26. printed and there will be no further resolutions placed on it.
27. Senator Chew, for what purpose do you arise?
28. SENATOR CHEW:
29. To ask permission to waive the Six Day Ruling on Senate
30. Bill 552. We changed sponsors on yesterday and we failed to
31. get the permission.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Is there leave? Leave is granted. Senator Mitchler,
34. for what purpose do you arise?

1. SENATOR MITCHLER:

2. A...a point of inquiry on a ruling from the Chair, Mr.
3. President. There are a number of motions that have been
4. filed with the Secretary that call for the discharge of either
5. the Rules Committee or committees from the hearing of bills.
6. Now inasmuch as May 4, tomorrow is the last day for bills to
7. be voted out of committee, is it the ruling of the Chair that
8. the motions on those bills to be taken from either the Rules
9. Committee or committees must be acted upon no later than tomorrow?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hynes.

12. SENATOR HYNES:

13. That is correct, but it has been our policy in the past
14. and we intend to pursue it at this time that if there are
15. numerous such motions that we would put them over to a date
16. convenient to the Body, rather than coming back at ten or eleven
17. o'clock tomorrow night to debate them. So depending on how
18. many are filed, we'll make the judgment tomorrow.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Well, thank you...that's a good ruling, Mr. President.
23. Would you inform us tomorrow then whether they would be forced
24. to be called or if they will be placed over until the date,
25. maybe next week when it would be more convenient for the Senate.
26. Thank you.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Hynes.

29. SENATOR HYNES:

30. We will inform you tomorrow, Senator. And while I am
31. on my feet, Mr. President, if I might, we have here the
32. schedule for the next three weeks. It calls for us to return
33. on Tuesday, May 9th after our adjournment tomorrow. So this

1. is the schedule for the next three weeks and we're going to
2. try to stick to it to the extent as it is humanly possible to
3. do so.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Mr. President, on the same subject I was just wondering...
8. these motions to discharge committee, if these bills are not
9. discharged from committee by tomorrow, are they dead? Do these
10. motions have to be heard either today or tomorrow?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Which...which answer do you wish first? Which question
13. do you wish answered first?

14. SENATOR SCHAFFER:

15. I'd be happy to take either one of them.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. If the bill...if the bill does not die, if it remains
18. in committee number one. The discharge motion should be today
19. or tomorrow in order to keep the...to proceed with the bill.

20. SENATOR SCHAFFER:

21. All right. Well...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Just a moment. Senator Hynes.

24. SENATOR SCHAFFER:

25. ...it seems to fly in the face of what we just heard.

26. SENATOR HYNES:

27. It should...it should be heard tomorrow. It should be
28. filed and heard. But with leave of the Body, which we have
29. traditionally granted in the past in order to avoid the glut
30. of these motions at one time. They will be put off to a date
31. certain and they will then be heard and debated on that date.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. ...Senator Bruce.

34. SENATOR BRUCE:

1. I would just hope that the Chair's ruling would be that
2. those motions to discharge could be heard after May the 4th. Our
3. rule is that bills must be heard in committee by May 4th. A
4. motion to discharge would be in order at any time under our rules.
5. You could discharge it the day before we adjourned here. It would be
6. on the Calendar. It can be heard by the House. The problem is
7. that's it's whether it's alive after May 4th and my...my feeling
8. would be that it would be alive, it might not be...it would
9. depend on when the next deadline, when this House...Our rules
10. say that we have to send the bill to the House, but the motion to
11. discharge would be in order after...after the 4th.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. I think you're correct and I think that Senator Hynes
14. properly stated it also. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Mr. President, with that understanding the motion that
17. I have filed I'd like to be...have heard in that package. It has
18. been my experience that occasionally this type of procedure
19. does come up at a time when the membership is in other places,
20. like on the highway back North, for instance. And I would
21. respectfully request that these motions be heard at a time when
22. the Body could give them their full attention. I've played
23. that game before and lost and at least like to know that our
24. people to know that I learned once when I get that to happen to
25. me. So with President Hynes' assurances that these will be
26. heard at a point when the full Body can intelligently deliberate
27. with them, I'd like to see the motions held over.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator, when the Senate is in Session we're all supposed
30. to be here. 1st reading. Senator Chew, for what purpose do
31. you arise? Senator Chew.

32. SENATOR CHEW:

33. Yeah, when I asked for the ruling I didn't hear...what

1. the Chair did because Senator Mitchler immediately interrupted
2. before you could make a ruling and he started talking about
3. something on Oswego, Illinois and...
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. On the Six Day Ruling?
6. SENATOR CHEW:
7. Yes, Sir.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. The...we had leave, Senator. Had you listened we did...
10. we granted leave.
11. SENATOR CHEW:
12. I couldn't listen because Mitchler was busy talking about
13. something while we...
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Well, we were....
16. SENATOR CHEW:
17. ...it didn't make sense, but he was still talking.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. The record will show that leave was granted.
20. SENATOR CHEW:
21. Thank you. Could it be heard today.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Rock...Senator Hynes.
24. SENATOR HYNES:
25. Mr. President, several comments have been made about
26. assurances as to...Senator Schaffer and others. Senator
27. Schaffer and other have inquired about motions...just so that
28. there is no misunderstanding. We do not intend to prevent
29. anyone from filing such a motion. We want everyone to have
30. a...an opportunity to have a full hearing to the extent that
31. person desires it. But it is our intention to have some order
32. about the business in this Chamber and, therefore, we
33. want these motions filed and heard in a package. We will set

1. aside a day or whatever amount of time it takes to hear them
2. as a group. We don't want to be having motions every day on
3. different subject matters and repeats the motion. So that
4. everyone will have an opportunity and we will...we will put
5. them forward to a date certain.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The Order of 2nd...just a moment. House Bills first.

8. SECRETARY:

9. House Bill 32 sponsored by Senator Weaver.

10. House Bill 3058 sponsored by Senator Nimrod.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Rules. Senator Merlo, for what purpose do you arise?

13. SENATOR MERLO:

14. Hey, Johnny. Come on, John.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. All right. Going to the Order on page 7 to the
17. Secretary's Desk. Resolutions. SR 326, Senator Hickey.

18. Senator Hickey.

19. SENATOR HICKEY:

20. Thank you, Mr. Chairman...Mr. President. The copies
21. of this resolution are going to be on your desks very shortly.
22. I apologize for them not being there earlier. We don't need
23. to review the history of the fate of the forty million
24. appropriated last year for construction of FEP 412, of four
25. lane Route 51, which was vetoed by the Governor, restored by
26. both Houses of the General Assembly last Fall. Sixty million
27. dollars has already been spent on this part of the Northern
28. stretch north of Route 80. That investment is daily being
29. wasted and daily the costs grow for what has to be done to
30. implement it. I hear that the Governor flew to Rockford
31. yesterday to announce that some Federal money may be on the
32. way in the Fall, just before election. But I understand that
33. this would be twenty million a year for four years. The first

1. year that construct...if we are going at it totally about
2. seven miles of four lane highway or if he chooses to do work
3. in Winnebago or Ogle Counties where the acquisition has been
4. done, it might possibly do twelve miles next year. And at
5. that rate, of course, with the ensuing years being the same,
6. it would still be...I'd still be about seventy-eight years old
7. before I'd be able to drive to Bloomington on a four lane
8. highway. The Governor still should release those funds before
9. July 1st and stop his costly, very, very costly to the
10. citizens of Illinois delaying tactics. He needs to use Series
11. A bonding authorization for one of the purposes for which it
12. was intended. A North-South Freeway to benefit all of North
13. Central Illinois and I ask for your favorable vote. Thank you.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Knuppel. Is there further discussion? Senator
16. Shapiro.

17. SENATOR SHAPIRO:

18. Well, Mr. President and Ladies and Gentlemen of the
19. Senate. I would like to make just a few comments in opposition
20. to this resolution. In my entire tenure in the House and the Senate
21. this is the first resolution which by admission of the sponsor
22. was introduced on behalf of a candidate for the Illinois Senate
23. and I refer the Illinois Senate to several articles in the
24. Rockford Morning Star. But beyond that let's just consider
25. the content of the resolution. It's obvious that the supple-
26. mental highway program has been largely scrapped with the
27. exception of the US Route 51 Freeway. I am sure that the
28. Governor and the General Assembly have done everything possible
29. to make sure that the proper share of funds have been and are
30. going to be allocated to this project. But what amazes me most,
31. is how can the majority party in the Illinois House of
32. Representatives be advocating a reduction in the Gas Tax from
33. seven and a half cents to five cents, while at the same time the

1. Democrat candidate for Governor is advocating that we take
2. thirty million out of General Revenue Funds to be used to fix
3. potholes throughout the State of Illinois if there are
4. adequate funds as the...as the resolution suggests I submit
5. to you that this is strictly a political resolution. It is
6. not even worthy of consideration at this proper time and should
7. be defeated by the Illinois Senate.

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(END OF REEL)

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Hynes.

3. SENATOR HYNES:

4. Mr. President and members of the Senate. I rise in
5. support of this resolution. This matter has been before this
6. General Assembly for many, many years now and I think it's
7. about time that this project became a reality and I would
8. urge the membership to support this resolution.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator D'Arco.

11. SENATOR D'ARCO:

12. Thank you, Mr. President. I think Senator Shapiro is
13. a...a bit off the mark when he says that we're going to
14. have State monies for potholes and comparing that to
15. forty million dollars of Series A bonds for a highway that's
16. needed. Not only is it needed, Mr. President, but we, in
17. fact, appropriated the money for that purpose and, in
18. fact, the Governor vetoed it and we overrode that veto.
19. And now we...we come to the point where he impounds the
20. money that we, the Legislature, duly authorized him to spend.
21. Now, we're on very thin ice, Mr. President, and I think
22. he overextended his constitutional authority by doing that
23. and I ask everybody to support this resolution.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Sommer.

26. SENATOR SOMMER:

27. Mr. President and members, it's my understanding that
28. the Governor has the power to impound capital...capital funds
29. and that power was given to him by this General Assembly.
30. Perhaps if Senator Hickey were serious about this, instead
31. of just trying...trying some sort of political gimmick, she
32. would change that Statute. But the people of Rockford ought
33. to know that she's not changing that Statute, she's simply
34. issuing press releases on this matter. And I don't remember

1. her issuing press releases when Governor Walker was in office.
2. But now we have a new Governor who's been there just a little
3. over a year and he's being blamed for this problem that's
4. existed for many, many years. I would wonder if Senator
5. Hickey would like to comment on that.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Question to Senator Hickey. You wish to respond?

8. SENATOR HICKEY:

9. Yes. I'd be...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Thank you, very much Mr. President, I'd be very glad
12. to respond. I first would like to comment on...on President
13. Shapiro's remark that this was all political because the
14. Democratic candidate from my district had proposed this
15. resolution. I might add that his Republican candidate from
16. IC testified in the committee for this resolution the other
17. day and except for one...Republican who did not vote at
18. all, all of the Republicans and the Democrats voted for this.
19. Now, as far as my being serious about this and not having
20. done anything about it when Dan Walker was there, Senator
21. Sommer, I'd like to have you come to Rockford and go into
22. my files with me and see the letters there. I can't give
23. you a recorded record of the telephone conversations with
24. ...with Governor Walker, but I did press Governor Walker
25. for this. But it is only in the administration of Governor
26. Thompson that all of the land has been acquired and that
27. all of the plans have been done, all of the environmental
28. studies completed. Governor Thompson is the first Governor
29. who has had the opportunity with all those things finished
30. to take those...those plans off the dusty shelf and do
31. something about it and I hope that this Body tells him we
32. want him to. Thank you.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Soper.

2. SENATOR SOPER:

3. Thank you, Mr. President. First, Senator Hickey, you're...
4. you're...you're just misconstruing the vote you got in committee.
5. You're such a nice lady and we all admire you and we know you're
6. a great infighter and what you know and I know that there's
7. certain priorities when you got a limitation of porridge.
8. Now the money is, I call it porridge, you got so much in that
9. pot. Now, if the members on the other side would like to
10. take some of that porridge out of their district and make
11. their districts...prior to this...this forty million dollars
12. that you want to take out from some place or other that
13. doesn't exist, well then I...I'd like to know how many votes
14. you'd get. It's nice for the...for the President of the
15. Senate, Senator Hynes, to get up and say this, that he
16. supports it, but I wonder what he...what he'd say if he
17. had to take forty million dollars or part of that or twenty
18. million dollars out of Cook County or...or part of the part
19. where he's running for assessor...in the next election. I
20. don't think...I don't think he'd want a...a little publicity
21. on that. It's nice to stand up here, but you got to give
22. a Governor that's got guts the credit to do this, even
23. though you...you smile and you...you got...you got all the
24. ink on this thing you have to get so let's be a little responsible about
25. ...some of this stuff and say, there's just so much porridge
26. in the pot and now it's getting to be nine days old, so let's
27. not spoil the porridge that we've got left. Thank you.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Hynes.

30. SENATOR HYNES:

31. Briefly, Mr. President, just to respond to Senator Soper.
32. I certainly am not interested in taking any projects out of
33. Cook County and I know based upon her prior approach of...of

1. fairness and so on that Senator Hickey will be very supportive
2. of...of projects that would help the people of Cook County
3. and is concerned about Cook County just as I'm concerned about
4. Rockford.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, Mr. President and members of the Body. I've
9. heard a lot of political speeches on the other side of the
10. aisle about nothing being done when Governor Walker was
11. there. I just want to say this, you know, you know how I
12. feel about Governor Walker. I told you many, many times,
13. he'd have made a hell of a collision derby driver, he was
14. always in reverse and we don't want Thompson in that posture.
15. And here's an opportunity for him to move out and drive affirm-
16. atively forward rather than to become identified, as you
17. people are afraid of, with a backward driving Walker, so
18. now come on. This is a bill...Congress yesterday adopted
19. an amendment in the Surface Transportation Committee that
20. added fifty million dollars to the pot, that pot that you're
21. talking about over there, Soper, ninety days, you know. And
22. he added fifty million dollars and it looks like Highway 51
23. and the Chicago to Kansas City Expressway are both going
24. to be realities. And I know that Thompson went to Rockford
25. yesterday and he went to Peoria yesterday and he went to
26. Quincy yesterday to assure the people and reassure the
27. people that this program was on the road. This...this
28. resolution, it's true, is unnecessary, but let's let...
29. don't get him categorized with Governor Walker, for crying
30. out loud, come on, boys, let's vote for this and we can
31. forget about Walker, we've got a Governor that's going forward
32. and we want to go with him.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Mitchler.

2. SENATOR MITCHLER:

3. Thank you, Mr. President. I recall former State Senator
4. Al Dixon, tell one time about the early history of how roads
5. were built in Illinois and he goes back some time. And the
6. history is that the Illinois General Assembly always appropriated
7. money and designated where roads would go. And if you'll go
8. down into many of the rural areas you'll find that...that the
9. roads go from this farmhouse to that farmhouse to this farm-
10. house and they're...they curve all over the place because
11. you had to take care of the county chairman in there and
12. you went over, this was a good contributor over here, and
13. that's the way roads were built in the early days of
14. the history of Illinois, by the General Assembly with political
15. clout. Then the General Assembly got some heat from the
16. Chicago Tribune, I suppose, or some of those other great
17. newspapers, and they changed it where they would let the
18. Department of Public Works conduct and designate where
19. they'd appropriate the money to this Body and they would
20. designate where the highway should go and how they should
21. be built so that they wouldn't interfere with the political
22. process and put it on a nonpartisan basis. And from this
23. time on that's the way we did. We appropriate the money
24. and put it in, however, there are times, Senator Hickey,
25. and I think it's appropriate that we emphasize to the
26. Executive Branch of government some of our feelings and
27. our thinkings about where a road should go. I think
28. down there in Forgotonia, over in the area of Quincy,
29. I think we should remind every Governor from now on and
30. I don't care what side of the aisle he comes from
31. that we need roads over into there and we should have them.
32. Now, this Body can make an expression, but this resolution
33. that we pass is not a bill, it's not a mandate, it's merely

1. an expression that we would like to see something done on
2. Route 51. If it's worded in strong language, so may it be.
3. But I'm...I'm...personally I'm interested in Route 51 and
4. I don't travel it very much, but on the occasions that I
5. do in the past years, I've been disappointed that it hasn't
6. been a better highway in Illinois and I know that the people
7. that use it feel that way. But this is just an expression.
8. Now, you know, the Executive Branch of government often has
9. an expression that has no effect on this Body. For example,
10. the Governor and his wife were out talking about ERA, they're
11. great proponents. Let them talk. And I think maybe sometimes
12. we can talk and I think maybe sometimes we're all wasting
13. our efforts in blowing a lot of wind. Thank you.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President, Ladies and Gentlemen. I find
18. myself in total agreement with Senator John Knuppel on two
19. points. One of them is that there have been political speeches
20. made...made on this side of the aisle today. And the other
21. one is that this resolution is not necessary. And in the
22. interest of avoiding further political speeches even on this
23. side of the aisle and possibly a few on the other side of
24. the aisle, I move the previous question.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Glass, two other Senators have sought recog-
27. nition. Senator Harber Hall.

28. SENATOR HARBOR HALL:

29. No one could be more interested than, Route 55, than
30. I. I was...I mean 51. And...and 55. I started working
31. on US51 upgrade long before I came to the General Assembly
32. a number of years ago. I don't think I've been as loud
33. and as vociferous as our good friend Senator Hickey, but

1. I've worked in the detail of it and it's an important
2. highway. Nevertheless, I'm continually these days noticing
3. the tendency to demonstrate and march and yell and scream
4. at everybody in government and I think this resolution is
5. that form of harassment on someone, like our Governor, who
6. doesn't need it, he knows what the situation is, he knows
7. what money he can spend, he knows the importance of US51,
8. he's considered it first priority in his highway program
9. and I think we're wasting our time in giving, incidently,
10. some credence to those who have to get out and demonstrate
11. and harangue and be militant on various other issues and
12. I think this Body should be free of that. So I am not
13. going to vote for the...resolution.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Soper.

16. SENATOR SOPER:

17. Thank you, Mr. President. Now that I've been informed
18. by my friend, Senator Knuppel, that...that the Governor
19. has used his good office and his intelligence and his
20. strength and he's gone out to Washington, he's finally gotten
21. some money that should come back to this State for this
22. purpose and that this question is moot and that he's going
23. to go along and build that highway for...for Senator Hickey
24. and her...and her replacement, she hopes, so I think that
25. we should consider the thing finished and let it die at that.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Hickey to close. Senator Hickey to close.

28. SENATOR HICKEY:

29. Thank you, Mr. President. First of all, I want to say
30. it is very nice of John Anderson, after representing us in
31. Congress for seventeen years and not getting one mile of
32. interstate in our county, at last when the...some Democrats,
33. saved his skin in the last primary to go at the behest of

1. the Governor, once the Democrats have pushed him into it,
2. to try to get some money from the Federal Government for
3. Route 51, we're very grateful. But I think you didn't hear
4. me say that as I understand, it's twenty million a year for
5. the next four years and at that rate I still couldn't drive
6. to Bloomington until I'm seventy-eight years old and I
7. don't want to wait that long. When you say that the Governor
8. knows Route 51, I want to dispute that, the Governor doesn't
9. know Route 51, he has never ridden on Route 51, since as he
10. said, he lived in Oak Park and used to take it to Wisconsin.
11. He doesn't even know where it is. He flies in over it to
12. our airport, but he has refused to ride on it, so the
13. Governor doesn't know about Route 51. Also I want to remind
14. the Republicans that their candidate for my seat urged all
15. of the Republicans in committee to vote for this resolution.
16. So, I assume that if you vote against it today, you're voting
17. against your own Republican candidate who somehow must have
18. seen some political hay in the whole thing. As far as the
19. pot is concerned, ninety-three million dollars was available
20. in Series A bond authorization money at the time that this
21. was passed, vetoed, restored and now that the resolution is
22. offered, that will still be available up to July 1st and he
23. could let it loose now at any time. As far as politics is
24. concerned, if you think that it's a shame to debate this on
25. the Senate Floor for political reasons, what do you think
26. built that...that four lane highway across the northern
27. part of Illinois, but a...but a lot of lousy politics that
28. built a road for nobody to go on. So, yes, I am waving
29. the political flag and I'm asking for your vote. Thank you,
30. very much.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is on the motion to adopt Senate Resolution
33. 326. Those in favor vote Aye. Those opposed vote Nay. The

1. voting is open. Have all voted who wish? Have all voted
2. who wish? Take the record. On that question the Ayes are
3. 36, the Nays are 19, 2 Voting Present. Senate Resolution
4. 326 is adopted. For what purpose does Senator Egan rise?
5. Later, Senator. House Joint Resolution 49, Senator Berman.
6. Did you wish to call that? House Joint Resolution 76, Senator
7. Merlo. It's the Christopher Columbus Highway, Senator. Okay.
8. Senator Merlo is recognized.

9. SENATOR MERLO:

10. Mr. President, I would like to request the reading of
11. the House Joint Resolution 76 by the Clerk.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Merlo.

14. SENATOR MERLO:

15. Mr. President and members of the Senate. This resolution
16. was inspired by UNICO National, one of the largest service
17. organizations in the United States composed of Americans
18. of Italian descent. This nation has always given recognition
19. in a concrete way to those grade of persons who have contributed
20. to the development of this country. Christopher Columbus
21. represents a man whose name is enshrined forever in the hearts
22. and minds of our people and particularly our children. He is
23. known as one of the greatest navigators with unequal skill
24. and has opened America up to the Western Hemisphere to a
25. new dawn of civilization. What this resolution does, it calls
26. on the...the Department of Transportation to designate that
27. part of the interstate highway known as I-80 which lies within
28. the State of Illinois, the Christopher Columbus Memorial Highway.
29. Other states have recognized Christopher Columbus and had
30. designated their portion of I-80 that goes through their
31. states, namely California, New Jersey, Ohio and now pending in
32. Pennsylvania legislation. It passed the Executive fourteen
33. to nothing and I ask your favorable consideration of this resolution.

1. The adoption of the resolution.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Merlo first moves the adoption of Amendment No. 1

4. to House Joint Resolution 76. Is there discussion of the

5. amendment? All in favor say Aye. Opposed Nay. The Ayes have

6. it. It's typographical in nature, Senator Mitchler, there was

7. an error in the...in the year.

8. SENATOR MERLO:

9. That's correct.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Now on the...

12. SENATOR MERLO:

13. Now I move...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. On the resolution as amended, Senator Merlo moves its

16. adoption. Is there discussion? Senator Lane.

17. SENATOR LANE:

18. For the record, I just want to know. Is my name showed

19. as cosponsor on this resolution?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Mr. Secretary. No, it is not, Senator Lane.

22. SENATOR LANE:

23. I had made that...request previously.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave have Senator Lane shown as joint cosponsor?

26. Leave is granted.

27. SENATOR LANE:

28. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. I also would like to be added as a cosponsor. This runs

33. right through my district.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, Gentlemen, if... under our rules this is a House
3. joint resolution, which there would be only one sponsor
4. normally shown. Senator Lane has asked to be... join as a
5. second joint cosponsor and we usually have not gone beyond
6. two. Does that meet with your approval, Senator Mitchler?

7. SENATOR MITCHLER:

8. Sure.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right, so we don't have to suspend the rules. On
11. the adoption. All in favor say Aye. Opposed Nay. The Ayes
12. have it, the resolution is adopted. Senator Knuppel, for
13. what purpose do you rise?

14. SENATOR KNUPPEL:

15. Mr. Chairman, I rise to make a motion that House Bill
16. 297, which had been recommitted to Executive Committee, be
17. set for hearing today and waive the notices required. The
18. meeting of Executive is in Room... it's Room 400 at 4:00 p. m.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Heard the motion to suspend the rule as it relates to
21. Senate Bill 297? Senator?

22. SENATOR KNUPPEL:

23. House Bill... House Bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. House Bill 297. Is there discussion? All in favor say
26. Aye. Opposed Nay. The Ayes have it. The rule is suspended.
27. The bill will be heard in committee today. Let's see, I have
28. several people who have sought recognition. Senator Daley.

29. SENATOR DALEY:

30. Mr. President and fellow Senators, Judiciary Committee I
31. last night heard Senate Bill 252. I would like to waive the
32. Six Day Notice on Senate Bill 6... 252 to immediately hear this
33. bill on the Floor of the Senate right after the Session.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is that 252, Senator Daley?
3. SENATOR DALEY:
4. Correct. Senate Bill.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. You've heard the motion to suspend the rule. Is there
7. leave? Leave is granted. Senator Rhoads.
8. SENATOR RHOADS:
9. Thank you, Mr. President. With the permission of Senator
10. Daley, the lead sponsor, I ask leave to be shown as a cosponsor
11. of Senate Bill 1847.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Is there leave? Leave is granted. Senator D'Arco.
14. SENATOR D'ARCO:
15. The a...the Committee on Reorganization of State Government
16. will meet immediately after adjournment and we met last night
17. and we didn't have a quorum and we have a bill in there and
18. we've got to get it out. So I would please ask that a quorum
19. be present and it'll take five minutes.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. All right. Senator Davidson.
22. SENATOR DAVIDSON:
23. Yes, Mr. President, we're on that order of business, I'd
24. like leave to change principal sponsorship on two bills, the Senate
25. Bill 1529 and 1530. The principal sponsorship will be Bruce/David-
26. son rather than Davidson, the lead sponsor now.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Is there leave? Leave is granted. Senator Rock.
29. SENATOR ROCK:
30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. While we're on the Order of Motions. I would move
32. that Senate Bill 571, that Senator John D'Arco be shown or
33. substituted in...in place of me as...as chief sponsor. Senate

1. Bill 571.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there leave on Senate Bill 571? Leave is granted.

4. Senator Wooten.

5. SENATOR WOOTEN:

6. Just a reminder that the Senate Committee on Executive
7. will meet promptly at 4:00 in Room 212 and although we have
8. a goodly number of bills, I'm hopeful that we'll conclude
9. our business in under two hours. So everyone please be
10. prompt.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Egan. Senator Egan.

13. SENATOR EGAN:

14. Senator Merlo has a...a motion, but I'll...as long as
15. I'm recognized, I'd like to announce that the Revenue
16. Committee will meet at 2:30 back here on the Senate Floor
17. to finish the business that was interrupted by the Session. Thank
18. you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you. Judiciary II is scheduled to meet at 1:30.
23. I think we will make it at twenty minutes to two. We can still
24. conclude our work and that will give the Committee on Reorganiza-
25. tion time to meet and dispose of its business and perhaps even
26. Judiciary I, which I understand is also going to meet. So we
27. will meet at twenty minutes of...make it quarter to two in Room 212.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Merlo.

30. SENATOR MERLO:

31. Mr. President, I would ask leave to waive the Six Day
32. Posting Rule so that Senate Bill 554, Senate Bill 571, Senate
33. Bill 1120 and House Bill 2219, which is assigned to Pensions

1. and Veterans Affairs, be heard tomorrow morning.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Heard the motion to suspend the rules. Is there discussion?

4. All in favor say Aye. Opposed Nay. The Ayes have it. The

5. motion is...rule is suspended. Further announcements? Senator

6. Hynes.

7. SENATOR HYNES:

8. Mr. President and members of the Senate. Because of

9. these hang over items in the various committees that need

10. to be cleaned up, since this is the end of the time for hearing

11. bills in committee we are going to have these several

12. committees meeting perhaps on one or two bills and I'd like

13. to just go over what was announced so everyone understands.

14. Committee on Government Reorganization will meet in the

15. Senate Chamber immediately upon adjournment to consider the

16. bill that...the reorganization bill. The Committee on Judiciary

17. I, which was going to meet here, will meet in Room 400. So

18. Judiciary I will meet in...Room 400 immediately after adjourn-

19. ment, therefore, the Insurance Committee will be delayed just

20. a moment or two in Room 400 until Judiciary I completes its

21. business. Then the Revenue Committee will resume at 2:30 on

22. the Floor of the Senate.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Daley, did you have announcement?

25. SENATOR DALEY:

26. In regards to the Judiciary Committee, my understanding

27. that will be changed from the Senate Floor to Room 400, immediately

28. after the Session.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right, is that...any further announcements before

31. we go to constitutional amendments? Is there leave to go to

32. the constitutional amendments on 2nd reading? Leave is granted.

33. Senate Joint Resolution 22. Mr. Secretary, read the amendment a

1. 2nd time, please.
2. SECRETARY:
3. Senate Joint Resolution No. 22 Constitutional Amendment.
4. (Secretary reads title of SJR22CA)
5. 2nd reading of Senate Joint Resolution 22 Constitutional
6. Amendment as amended.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Are there amendments? 3rd reading. Further business to
9. come before the Senate? Senator Ziomek moves that the Senate
10. stand adjourned until the hour of 12:00 o'clock noon tomorrow.
11. Discussion? All in favor say Aye. Opposed Nay. The Senate
12. stands adjourned until 12:00 o'clock noon.
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