

80TH GENERAL ASSEMBLY

GENERAL SESSION

JUNE 8, 1978

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. The hour of twelve having arrived, the Senate will
3. now come to order. Our chaplain for the day is Reverend
4. George J. Matranga, Our Savior's Lutheran Church, Spring-
5. field, Illinois. Will our guests in the Gallery please
6. rise.

7. REVEREND MATRANGA:

8. (Prayer given by Reverend Matranga)

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. Reading of the Journals. Senator Johns.

11. SENATOR JOHNS:

12. Thank you, Mr. President. I move that reading and
13. approval of the Journals of Wednesday, May the 31st,
14. Thursday, June the 1st, Tuesday, June the 6th and Wednesday,
15. June the 7th in the year 1978 be postponed pending arrival
16. of the printed Journals.

17. PRESIDING OFFICER: (SENATOR KENNETH HALL)

18. You've heard the motion. All in favor say Aye.
19. Contrary No. The motion carries. Committee reports.

20. SECRETARY:

21. Senator Carroll, Chairman of the Committee on
22. Appropriations I, reports out the following House Bills:
23. 2514, 2642, 2790, 2852, 2969 and 3233 with the recommenda-
24. tion Do Pass. House Bill 2582 with the recommendation
25. Do Pass as Amended.

26. Senator Berman, Chairman of Elementary and Secondary
27. Education reports out the following House Bills: 2684
28. and 2925 with the recommendation Do Pass as Amended.

29. Senator Lemke, Chairman of Elections and Reapportion-
30. ment Committee reports out the following House Bills:
31. 2800 and 2801 with the recommendation Do Pass.

32. Senator Demuzio, Chairman of Finance and Credit
33. Regulations Committee reports out the following House

1. Bill: 2958 with the recommendation Do Pass.
2. Senator Lane, Chairman of Insurance and Licensed
3. Activities, reports out the following House Bills: 2661,
4. 3157 with the recommendation Do Pass as Amended.
5. Senator Egan, Chairman of the Revenue Committee,
6. reports out the following House Bills: 2575, 2605, 2685,
7. 2695, 2818 and 2929 with the recommendation Do Pass. House
8. Bill 2570 with the recommendation Do Pass as Amended.
9. PRESIDING OFFICER: (SENATOR KENNETH HALL)
10. Message from the House.
11. SECRETARY:
12. A Message from the House by Mr. O'Brien, Clerk.
13. Mr. President - I am directed to inform the Senate
14. that the House of Representatives has adopted the following
15. Joint Resolution in the adoption of which I am instructed
16. to ask the concurrence of the Senate, to-wit:
17. House Joint Resolution 48.
18. PRESIDING OFFICER: (SENATOR KENNETH HALL)
19. Executive Committee. House Bills 1st reading.
20. SECRETARY:
21. House Bill 2753 to be sponsored by Senator Vadalabene.
22. House Bill 3231 to be sponsored by Senator Johns.
23. PRESIDING OFFICER: (SENATOR KENNETH HALL)
24. Rules Committee. Resolutions.
25. SECRETARY:
26. Senate Joint Resolution 94.
27. (Secretary reads SJR 94)
28. PRESIDING OFFICER: (SENATOR KENNETH HALL)
29. Senator Rock.
30. SENATOR ROCK:
31. Thank you, Mr. President and Ladies and Gentlemen
32. of the Senate. This is the Adjournment Resolution which
33. calls for us to return next Monday, June 12th, at the

1. hour of noon. I would move for the suspension of the
2. rules and the immediate consideration and adoption of this
3. Joint Resolution.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. Senator Rock moves for the suspension of the rules
6. for the immediate consideration of this resolution. All
7. in favor Aye. Opposed. The rules are suspended. Pardon
8. me...for what purpose...Senator Rock moves for the adoption
9. of Senate Joint Resolution 94. All in favor say Aye.
10. Opposed. The Ayes have it. The resolution is adopted.
11. Senator Nimrod.

12. SENATOR NIMROD:

13. A question on that resolution. I didn't notice
14. when it said we adjourned. Did it say when we adjourned
15. tonight? We have a ball game tonight, do we not?

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. I understand that.

18. SENATOR NIMROD:

19. Well...what is...

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. The resolution says that we are adjourned and the
22. House adjourns tomorrow, Senator. Does that answer your
23. question, Senator, we adjourn until 12:00 noon, next
24. Monday. After today's Session. Senator Glass.

25. SENATOR GLASS:

26. Well, Mr. President, I would ask that the Journal
27. show that Senator Bloom is absent today because his wife
28. gave birth to a baby boy.

29. PRESIDING OFFICER: (SENATOR KENNETH HALL)

30. The Journal will so show. House Bills 1st reading.

31. SECRETARY:

32. House Bill 3097 be sponsored by Senator Sangmeister.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Rules Committee.

2. SECRETARY:

3. House Bill 3312, Senator Harber Hall.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. Rules Committee. For what reason does Senator Rhoads
6. arise?

7. SENATOR RHOADS:

8. Thank you, Mr. President, members of the Senate.

9. On page 5 of the Calendar on the Order of the Secretary's
10. Desk Resolutions is SJR 17. I have an amendment to offer
11. to that resolution which the sponsor knows about and I
12. request leave to go to that order of business.

13. PRESIDING OFFICER: (SENATOR KENNETH HALL)

14. Senator Rhoads has asked for leave to consider S...joint
15. ...Senate Joint Resolution 17. Do we...is leave granted?
16. Leave is granted. That's on page 6, by the way, Senator.
17. Senator Rhoads.

18. SECRETARY:

19. ...Amendment No. 1 offered by Senator Rhoads.

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Senator Rhoads.

22. SENATOR RHOADS:

23. I believe it's Amendment No. 2, Mr. Secretary.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Hold...hold...hold it just a second...for what purpose
26. does Senator Lemke arise?

27. SENATOR LEMKE:

28. I think this is Amendment No. 2. We had one that
29. was a committee amendment or was supposed to be a
30. committee amendment...now this one.

31. SECRETARY:

32. Correction. Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Amendment No. 2, Senator Rhoads.

2. SENATOR RHOADS:

3. Thank you, Mr. President and members of the Senate.

4. SJR 17 is a resolution which petitions the Congress to

5. call a Constitutional Convention for the sole purpose

6. of proposing an amendment to the U. S. Constitution to

7. provide a Right To Life guarantee, specifically for

8. every human being subject to the jurisdiction of the

9. United States, otherwise known as the Human Life

10. Amendment. Now, there has been some concern expressed

11. that Article V of the U. S. Constitution is not self-

12. executing. Former U. S. Senator, Sam Ervin...

13. PRESIDING OFFICER: (SENATOR KENNETH HALL)

14. Pardon me just a moment, Senator. Pardon me...

15. could we have a little order please. Senator Rhoads

16. is explaining this Joint Resolution here...would you.

17. Will all members please be in your seats and those

18. not entitled to the Floor, please vacate. Go ahead,

19. Senator Rhoads.

20. SENATOR RHOADS:

21. Thank you, Mr. President. Former U. S. Senator,

22. Sam Ervin of North Carolina had introduced legislation

23. in 1971 in the Congress which would provide for the

24. implementation of the provisions of Article V, the

25. U. S. Constitution, which allow the states to call a

26. Constitutional Convention. Now, there is a concern

27. on the part of some people, myself included, that if

28. we call a Constitutional Convention and it is not clear

29. what that convention will do and it is not clear that

30. the subject matter of the convention is limited, we

31. might get into a situation where the convention could

32. open itself up to other business. So this amendment

33. to SJR 17 adds the following language, and I'll read

1. it carefully and it is being distributed.

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. Senator Graham.

4. SENATOR GRAHAM:

5. Now, Mr. President, the explanation of this resolution
6. by Senator Rhoads is of great importance to many people and
7. I'm amazed at the lack of attention on the Senate Floor to the
8. Senator who is explaining his resolution.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. You're absolutely correct, Senator Graham and I would
11. ask every Senator to please be in your seats and will the
12. Sergeant-at-Arms please clear the Floor. Will the Sergeant-
13. at-Arms please clear the Floor. Senator Rhoads.

14. SENATOR RHOADS:

15. Thank you, Mr. President. As I said the amendment
16. is being distributed and people will have a chance to
17. read it. To give you a little bit of **background**, a couple
18. of months ago the State of Nebraska put this same condition
19. on their resolution because of the concern of legislators
20. in that state about the open-ended nature of a Constitutional
21. Convention. So the amendment simply says this, it adds
22. to a resolving clause that the application to Congress made
23. by this resolution, in other words made by the State of
24. Illinois is contingent upon the establishment by Congress
25. within two years after the time two thirds of the states
26. have made applications of this issue and prior to the
27. convening of such convention of rules and procedures for
28. such a limited convention. There is legislation now pending
29. in the Congress. Senator Ervin is no longer a member of
30. the Congress, but Congressmen Hyde of Illinois and Senator
31. Helms in the Senate, have undertaken the same legislation.
32. And either that legislation or some similar legislation
33. which would set up the rules for a Constitutional Convention

1. should pass before we call one. So this amendment simply
2. makes our petition for the call of the convention contingent
3. upon that kind of legislation passing. I believe this
4. is approved by the sponsor of the resolution, Senator
5. Lemke and I urge its adoption. I'll be happy to answer
6. any questions.

7. PRESIDING OFFICER: (SENATOR KENNETH HALL)

8. Senator Rhoads has moved the adoption of Amendment
9. No. 2 to SJR 17. Is there any discussion? Senator
10. Maragos.

11. SENATOR MARAGOS:

12. Will the sponsor of the amendment yield to a question because
13. I'm sorry, I had stepped off the Floor when I...the
14. consideration...what...what...

15. PRESIDING OFFICER: (SENATOR KENNETH HALL)

16. He indicates he'll yield, Senator.

17. SENATOR MARAGOS:

18. What is the amendment...will...will you reexplain
19. it. All right.

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Senator, before you explain it, would you hold
22. just a minute. Now, you see it's necessary to explain
23. this amendment again. We had asked for your attention,
24. now would you please be in your seats. Sergeant-at-Arms
25. will you please clear the Floor. Go ahead, Senator.

26. SENATOR RHOADS:

27. Thank you, Senator Maragos, I believe the page just
28. handed you a copy of the amendment. The...my purpose
29. in offering this amendment is that the only prior time
30. that a Constitutional Convention has been called was
31. in 1789 in Philadelphia. That convention was not called
32. for the purpose of...of writing a new Constitution, it
33. was called for the purpose of amending the Articles of

1. Confederation. The...the delegates simply chose to ignore
2. that call and wrote a new Constitution. Now, we all happen
3. to think that they came up with a better product, but still
4. Article V of our present Constitution is not self-executing
5. and legislation is needed in Congress to make it...to set
6. up the mechanics of how a convention would be put together.
7. What I'm saying is that before Illinois passes a call for
8. a convention we ought to make that call contingent upon
9. Congress setting up the...the mechanics and that's why
10. I'm offering this amendment.

11. PRESIDING OFFICER: (SENATOR KENNETH HALL)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Mr. President and members of the Senate. I have a
15. question to ask the sponsor.

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. He indicates he'll yield.

18. SENATOR MITCHLER:

19. Senator Rhoads, just as a matter of clarification
20. now, how would Congress go about setting up this limited
21. Constitutional Convention to consider the information
22. contained, the substantive information contained in the
23. resolution. Would that be by petition of the states?
24. Is that how you're attempting to do this, or would it
25. be by an act of a certain number voting in both the
26. Houses of Congress?

27. PRESIDING OFFICER: (SENATOR KENNETH HALL)

28. Senator Rhoads.

29. SENATOR RHOADS:

30. Yes, Senator Mitchler, Article V of the U. S. Consti-
31. tution provides for two methods of amending the Constitution.
32. One is the conventional method by which Congress passes
33. the resolution by extraordinary majorities and then three-
34. fourths of the states ratify. The alternate method contained

1. in Article V, which has never been used, allows the states
2. themselves to bypass Congress and initiate a call upon
3. application of two-thirds of the states. The Ervin Bill,
4. now the Hyde Bill would set up the mechanisms by which
5. that convention would be governed and would limit the
6. subject matter of the convention to the specific call
7. of...of the resolutions passed by the various states.
8. I have some more information I can get to you, but it
9. does spell out just exactly how that convention would
10. be called. The State of Illinois has done this about
11. a dozen times since 1913. The closest amendment was
12. the Dirksen Amendment, which got one state short, but it...
13. it never passed.

14. PRESIDING OFFICER: (SENATOR KENNETH HALL)

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Senator Rhoads, how many states have passed a
18. similar resolution to the one that you're projecting
19. now?

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Senator Rhoads.

22. SENATOR RHOADS:

23. Thirteen states, one state, Nebraska, with the same
24. caveat that I'm offering in this amendment.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. But the other twelve states just called for a
29. Constitutional Convention. Now, would our resolution
30. be considered with the other thirteen, including the twelve
31. that don't have the amendment that you're putting on
32. and be a directive to the...Congress to call a Constitutional
33. Convention wide open or will we consider now that Nebraska

1. and if we pass this, Illinois, are the only two states
2. and then there are twelve states that have an open convention,
3. but we're the only two states that would have a limited
4. convention?

5. PRESIDING OFFICER: (SENATOR KENNETH HALL)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Thank you. Senator Mitchler, it's my understanding
9. that these resolutions are mailed to the Clerk of the
10. United States House of Representatives and that that
11. Clerk is bound by the instructions in the resolution passed
12. by the state. So in the case of Nebraska and Illinois,
13. assuming this amendment goes on, our resolutions would
14. not be considered binding until such time as Congress
15. had passed the implementing legislation. The other
16. states would be effective without that condition placed
17. upon them.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Well, this is a very important and delicate vote,
22. in my opinion, because to even attempt to have a wide
23. open United States Constitutional Convention, I would
24. certainly not support that in any form. You saw what
25. happened in Illinois, and it was originally called
26. with the idea that we had to do some revenue reform.
27. And we got about everything but revenue reform out
28. of that Constitutional Convention. Now if this joins
29. Nebraska and Nebraska only on calling on Congress, and
30. has nothing to do with those other twelve which I
31. deplore the other twelve...resolutions by states calling
32. for a wide open convention, then I could support your
33. amendment and possibly support the call for the conven-
34. tion. But I'm very, very critical of calling a United

1. States Constitutional Convention for any reason because
2. you let that get wide open and you'll wind up...you'll
3. wind up with a Constitution that you'll dread you ever
4. had, believe me.

5. PRESIDING OFFICER: (SENATOR KENNETH HALL)

6. Senator Leonard.

7. SENATOR LEONARD:

8. Well, for once Senator Mitchler and I agree on some
9. points. Some of those were questions that I had. I'm
10. still concerned about the bottom of this resolution,
11. which says rules and procedures for such unlimited conven-
12. tion. This is to be drawn out by Congress. Okay, do
13. we ever have a say as to what...whether we like the
14. rules and procedures and this term, such unlimited
15. convention. What if Congress draws up rules and...procedures
16. and broadens the scope. They... broaden it past this one
17. particular objective, but they add two or three issues.
18. Now, are all bets off or what...what happens?

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Senator, are you directing your question to Senator
21. Rhoads?

22. SENATOR LEONARD:

23. Yes...right.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Thank you, Senator Leonard. I...I share the concerns
28. of...of you and Senator Mitchler and that's why I'm offering
29. the...the amendment, frankly. Without this amendment, SJR 17
30. is simply a call for a convention. Again, as I understand
31. it, the Clerk of the U. S. House, who is the receiving authority
32. of these resolutions would be bound by the instructions of the
33. various states. The whole purpose in putting this amendment
34. on is to try to narrow the scope to...to limit the call to a

1. single subject matter and that also is the purpose of...of
2. the Hyde Bill and the Helms Bill in the Senate. So I...I
3. agree with you very strongly that we should, if a convention
4. is called, the subject matter should be limited and that's
5. why I'm offering this amendment, to make clear that the
6. legislative intent insofar as Illinois is concerned is that
7. the convention not be open-ended and not get into other
8. subject matters.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. Senator Leonard.

11. SENATOR LEONARD:

12. ...But do we have any control over to the rules
13. and regulations that Congress writes. Is this really
14. kind of a meaningless thing or or we putting false
15. confidence in there? Can Congress write anything and
16. we've got to then accept it?

17. PRESIDING OFFICER: (SENATOR LEONARD)

18. Senator Rhoads.

19. SENATOR RHOADS:

20. Well, I think the important point to bear in mind,
21. Senator Leonard, is that in two hundred years Congress
22. hasn't written any executing legislation of this kind.
23. They've simply let Article V sit there and it's been
24. sort of a game of Russian roulette. Senator Dirksen
25. got close by he...he only needed one more state to pass
26. his Constitutional Convention Call and if he had been
27. successful there would have been absolutely no mechanism
28. to implement the...the Convention Call. It would have
29. been...we would have been flying blind. And I don't
30. want to see that happen and...and that's why that
31. legislation is very necessary. But as long as we have
32. the State Call provided for in Article V we're confronted
33. with two choices, either we eliminate that provision or

1. we set up legislation to...to establish the mechanics.
2. But to just let it sit there and not have any mechanism
3. to...to put it into effect, I think is a dangerous thing.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. I'd like to call to your attention that we have
6. five other Senator's who are requesting to speak on
7. this subject, Senator McMillan, Senator Wooten, Senator
8. Lemke, Senator Knuppel and Senator Nimrod. Senator
9. McMillan. Senator Wooten.

10. SENATOR WOOTEN:

11. Thank you, Mr. President. I simply want to make
12. the point, Senator Rhoads, that I can understand your
13. desire to place some kind of limits on the Constitutional
14. Convention. I would simply venture the opinion that
15. this won't do it. We cannot pass rules in this Chamber
16. which will bind the next Session of the General Assembly.
17. Regardless of what Congress says, it is the opinion, I
18. believe of most constitutional scholars, that if enough
19. states ratify this, then we convene the convention and
20. they will set their own rules. And they will do what
21. they want. I have no objection to this amendment, I
22. object to the resolution because of this aspect of it.
23. And I do not believe this will cure the problem. My
24. only concern is, Senator, that you may be leading people
25. to believe that this will solve the problem, but I don't
26. think it does, not at all. I simply think that we are
27. doing something rather dangerous in assenting to the
28. calling of the convention. We can't limit it, nor can
29. Congress.

30. PRESIDING OFFICER: (SENATOR KENNETH HALL)

31. Senator Lemke.

32. SENATOR LEMKE:

33. Well, that's...the last speaker said Congress can't

1. limit the rules. Congress right now has the powers under
2. their Federal Constitution to call a convention at any
3. time. Congress is the sole power to right the rules for
4. that convention. Congress has chose not to write...call
5. for a convention. What we're doing here, with legislative
6. intent, is calling a convention for a specific purpose.
7. And I want to remark to you is thirteen states on this
8. one, but there's a particular resolution that called
9. for a Constitutional Convention which is virtually uncalled
10. for in the newspapers because the ACLU, who's against
11. this, has tied every moves to stop gate it. And that's
12. the twenty-three state legislators that so far have
13. called for a Constitutional Convention to ban Federal
14. deficits. That's what we're talking about, twenty-three
15. legislators have done this and this has virtually become
16. unnoticed by the press because it's not an issue yet.
17. When we have liberals that speak against this, like the
18. ACLU and they're trying to activate conservatives to
19. be against this in saying you're going to be afeard
20. for a wide open convention. This is all a bunch of
21. hogwash. Because if these are all conservatives that
22. voted for this amendment to ban Federal deficits, these
23. are conservative states and if they will go for a
24. convention on this issue, why can't we go...go for a
25. convention on our issue, limiting and telling the Congress
26. what we can do. And we're telling them the legislative
27. intent or why we're calling for a Constitutional Convention,
28. we're saying for a specific purpose and we're saying for
29. them that if you don't call for a specific purpose, there
30. can't be a Constitution Convention if you don't pass
31. rules two years after two-thirds of the states are there.
32. Now, that's what we're saying, we as the legislators
33. can tell Congress this is what we want. Congress right

1. now can sit down and say, let's have a Constitutional
2. Convention and there ain't a damn we can do here right
3. now. And that's what's happening. So if twenty-three
4. states have saw fit, twenty-three conservative states,
5. have saw fit to ask for a Constitutional Convention
6. to ban Federal deficit, then we can ask for a Constitu-
7. tional Convention to ban the innocent slaughter of
8. those people that can't speak for themself. I sit
9. here every damn day and listen to ERA, the people can
10. speak, and it's...we're discriminating. Well, damn
11. it, we're discriminating against those people that
12. can't speak for themself. And I ask for this amendment
13. to go on to make this a better amendment and I'm going
14. to call for this vote next week and I don't care, it's
15. how you want to vote on the matter of Right to Life.
16. And it's how you want to vote for people that can't
17. speak for themself and people that have been...that have
18. been discriminated against by the Supreme Court in this
19. United States.

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, I was just going to speak on one thing when
24. I started, first of all, Senator...Senator Mitchler, I
25. was sorry to hear you disappointed with the Constitutional
26. Convention because I distinctly recall a resolution commending
27. us. And, two, I didn't know that there was any relationship
28. between ERA and the Right to Life. I'm for ERA and I'm for
29. Right to Life and I don't think they have any connection
30. whatsoever logically.

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Yeah, I have no objection to the amendment, but I too
2. would like to ask the sponsor a question.

3. PRESIDING OFFICER: (SENATOR KENNETH HALL)

4. He indicates he'll yield.

5. SENATOR NIMROD:

6. Thank you, Mr. President. Senator Rhoads, my only
7. concern is that what assurances do we have that if this
8. resolution should pass in its amended form that Congress
9. would not be able to just count it as a state calling
10. for a Constitutional Convention.

11. PRESIDING OFFICER: (SENATOR KENNETH HALL)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. Thank you, Senator Nimrod. On almost...on over a
15. dozen occasions since the 48th General Assembly in 1913,
16. the Illinois Legislature has passed Convention Calls
17. dealing with various subject matters. For a long time
18. nobody knew what happened to these resolutions. Some
19. of them went to the Supreme Court, some of them went to
20. the Archives, some went to the Senate, some to the House.
21. In recent years there's been an agreement in Washington
22. that they all go to the House. There's also been an
23. agreement that the...and I can't, it's not written in
24. granite, so I can't guarantee it to you, but there has
25. been an agreement that the calls would be subject to
26. whatever conditions that were contained in the...in
27. the resolutions passed by the states. Now, I think it's
28. important to point out to Senator Wooten that I'm not
29. trying to limit what Congress does here, I'm only trying
30. to put a condition on the intent of the Illinois General
31. Assembly in passing this resolution, if it...if it does
32. pass.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Well, then...would it be your opinion, then that there
4. would have to be, all the states would have to pass
5. a very limiting kind of resolution in order to count
6. it? In other words, all the states have passed it
7. already then would have to write new resolutions
8. and pass them over again?
9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. The best answer I can give you, Senator Nimrod,
13. is that in my opinion the Clerk of the House would
14. have to count all the resolutions, but he would
15. have to observe the conditions in them. For example,
16. if only Nebraska and Illinois were the only two states
17. to have this condition and there were thirty-four
18. other states which had...had passed Constitutional
19. Convention calls, those calls would be effective uncondi-
20. tionally, but our calls would be effective subject
21. to Congress passing the...the legislation which sets
22. up the mechanics. So that they would have to do it
23. within two years after the time the...the two-thirds
24. of the states made application, otherwise our call
25. would be null and void. That's my intent.

26. PRESIDING OFFICER: (SENATOR KENNETH HALL)

27. Senator...Senator Rhoads, would you hold your point...
28. Senator Philip and...and staff, would you please carry
29. your conversation some place else. Are you finished,
30. Senator? Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, thank you, Mr. President. You know, just in
33. conclusion, Senator Rhoads, I think the amendment, whatever

1. you want to do with it is fine, but I...I just still
2. question, and I think there are some very serious questions,
3. about how Congress would act, and we're leaving it
4. entirely in their hands. And I...I have never felt
5. very comfortable when I put myself at the mercy of my
6. enemies. I think that that's what we're doing and I
7. think it's a very dangerous road. I would hope that
8. before this is called up that we could get some additional
9. information to support those suppositions because if...if
10. we can't then I think that the concerns and the fears
11. that have been raised here, I find myself in a very
12. difficult position, being one who supports pro-life
13. and one who supports tax limitations and all the
14. others, that I would be a part to...really opening up
15. something which I think would destroy our country
16. and I...I just would be very concerned about that.

17. PRESIDING OFFICER: (SENATOR KENNETH HALL)

18. Is there any further discussion? Senator Rhoads,
19. you may close.

20. SENATOR RHOADS:

21. Well, just very briefly, Mr. President, I think
22. the points have been brought out. For those of you
23. who are concerned about the convention process per se,
24. your argument is not with Senator Lemke and I and the
25. others who...who sponsored this resolution, your
26. argument is with the Constitution itself. We really
27. only have two choices, we either delete that provision
28. of Article V or we get a...a bill in Congress to make
29. it work. I urge the adoption of Amendment No. 2.

30. PRESIDING OFFICER: (SENATOR KENNETH HALL)

31. UPI has asked permission to take still photographs.
32. Is permission granted? Permission is granted. Senator
33. Rhoads moves the adoption of Amendment No. 2 to Senate

1. Joint Resolution 17. All those in favor say Aye. Opposed.
2. There's been a request for a roll call. Those in favor
3. will vote Aye. Those opposed will vote Nay. The voting
4. is open. Senator Johns. Have all voted who wish? Have
5. all voted who wish? Have all voted who wish? Take the
6. record. On that question the Ayes are 37, the Nays are
7. 7, 5 Voting Present. Amendment No. 2 to Senate Joint
8. ...Resolution 17 is adopted. Any further amendments?
9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR KENNETH HALL)

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

13. SENATOR PHILIP:

14. Thank you, Mr. President. I have a Senate Joint
15. Resolution 86, I'm wondering...hopefully it's noncontro-
16. versial, we could consider. It has been amended on
17. committee, also.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. Senator Philip asks leave to consider Senate
20. Joint Resolution 86. Is leave granted? Leave is
21. granted. Go ahead, Senator Philip.

22. SENATOR PHILIP:

23. Thank you, Mr. President, Ladies and Gentlemen of
24. the Senate. It has been amended in committee, evidently
25. there was a mistake on the person's middle initial.
26. It just changed, deletes the...initial B, and puts in
27. the initial G. What it does is memorializes the Governor
28. and Secretary of State to dedicate the new underground
29. parking facility and I said, dedicate, not name, dedicate
30. to...Representative Brandt and Senator Moore. So I would
31. ask for your favorable consideration.

32. PRESIDING OFFICER: (SENATOR KENNETH HALL)

33. Senator Philip moves the adoption of Amendment No. 1

1. to Senate Joint Resolution 86. Any discussion? All those
2. in favor say Aye. Opposed Nay. The amendment is adopted.
3. Senator Philip moves the adoption of Senate Joint Resolu-
4. tion 86. All those in favor say Aye. Opposed Nay. The
5. Ayes have it, the resolution is adopted. Committee
6. appointments.

7. SECRETARY:

8. Pursuant to House Joint Resolution 94, President
9. Hynes and Senator Shapiro make the following Democrat.
10. and Republican appointments. One, the Joint Committee
11. on Personal Property Tax Amendment, Chairman, Senator
12. Maragos, members, Senators Egan, Harber Hall and Regner.
13. Two, the Joint Committee against the Personal Property
14. Tax Amendment, Chairman, Senator Richard Guidice, Senators...
15. or members, Senators Netsch, Glass and Rhoads. Three,
16. the Joint Committee for the Tax Exemption for Veteran's
17. Organizations Property Amendment, Chairman, ...or rather,
18. Senators Vadalabene, D'Arco, Mitchler and Sommer. The
19. Joint Committee against the Tax Exemption for Veteran's
20. Organizations...Property Amendment, Senators Netsch,
21. Wooten, Glass and Harber Hall.

22. PRESIDING OFFICER: (SENATOR KENNETH HALL)

23. Committee reports.

24. SECRETARY:

25. Pursuant to amend...amended Temporary Rule 5,
26. the Rules Committee met at 10:30 a. m., June the 8th,
27. 1978, makes the following report. By unanimous
28. vote the committee ruled that the following bills
29. can be considered during the Spring Session of the Senate:
30. House Bills 2628, 3118, 3201 and 3202. By a majority
31. vote the committee ruled that the following bills
32. can be heard...can be considered during the Spring
33. Session of the Senate: House Bills 1068, 1333, 1803,

1. 2256, 2436, 2540, 2555, 2619, 2636, 2738, 2749, 2754,
2. 2757, 2775, 2834, 2835, 2875, 2899, 2945, 2946, 2949,
3. 2950, 2963, 3010, 3027, 3111, 3135, 3151, 3152, 3177,
4. 3220, 3227, 3259, 3260, 3274, 3479, 3287,
5. 3327 and 3386. The foregoing bills were reported to
6. be read a first time, printed and referred to the
7. Committee on Assignment of Bills. Signed, Thomas C.
8. Hynes, Chairman.
9. PRESIDING OFFICER: (SENATOR KENNETH HALL)
10. House Bills 1st reading.
11. SECRETARY:
12. House Bill 2628.
13. (Secretary reads title of bill)
14. House Bill 3118.
15. (Secretary reads title of bill)
16. House Bill 3201.
17. (Secretary reads title of bill)
18. House Bill 3202.
19. (Secretary reads title of bill)
20. House Bill 1068.
21. (Secretary reads title of bill)
22. House Bill 1333.
23. (Secretary reads title of bill)
24. House Bill 1803.
25. (Secretary reads title of bill)
26. House Bill 25...or 2256.
27. (Secretary reads title of bill)
28. House Bill 2436.
29. (Secretary reads title of bill)
30. House Bill 2540.
31. (Secretary reads title of bill)
32. House Bill 2555.
33. (Secretary reads title of bill)

1. House Bill 2619.
2. (Secretary reads title of bill)
3. House Bill 2636.
4. (Secretary reads title of bill)
5. House Bill 2738.
6. (Secretary reads title of bill)
7. House Bill 2749.
8. (Secretary reads title of bill)
9. House Bill 2754.
10. (Secretary reads title of bill)
11. House Bill 2757.
12. (Secretary reads title of bill)
13. House Bill 2775.
14. (Secretary reads title of bill)
15. House Bill 2834.
16. (Secretary reads title of bill)
17. House Bill 2835.
18. (Secretary reads title of bill)
19. House Bill 2875.
20. (Secretary reads title of bill)
21. House Bill 2899.
22. (Secretary reads title of bill)
23. House Bill 2945.
24. (Secretary reads title of bill)
25. House Bill 2946.
26. (Secretary reads title of bill)
27. House Bill 2949.
28. (Secretary reads title of bill)
29. House Bill 2950.
30. (Secretary reads title of bill)
31. House Bill 2963.
32. (Secretary reads title of bill)
33. House Bill 3010.

1. (Secretary reads title of bill)
2. House Bill 3027.
3. (Secretary reads title of bill)
4. House Bill 3111.
5. (Secretary reads title of bill)
6. House Bill 3135.
7. (Secretary reads title of bill)
8. House Bill 3151.
9. (Secretary reads title of bill)
10. House Bill 3152.
11. (Secretary reads title of bill)
12. House Bill 3177.
13. (Secretary reads title of bill)
14. House Bill 22...3220.
15. (Secretary reads title of bill)
16. House Bill 3227.
17. (Secretary reads title of bill)
18. House Bill 3259.
19. (Secretary reads title of bill)
20. House Bill 3260.
21. (Secretary reads title of bill)
22. House Bill 3274.
23. (Secretary reads title of bill)
24. House Bill 3279.
25. (Secretary reads title of bill)
26. House Bill 3287.
27. (Secretary reads title of bill)
28. House Bill 3327.
29. (Secretary reads title of bill)
30. House Bill 3386.
31. (Secretary reads title of bill)
32. 1st reading of the foregoing bills.
33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Resolution Consent Calendar. The Secretary has
2. distributed a Resolution Consent Calendar to the
3. membership. No objections having been filed, all
4. resolutions on the Consent Calendar shall be considered
5. in one motion. The question is shall Resolutions
6. SR 408, 409, 410, 411, 412, 414 and 415 be adopted.
7. Those in favor signify by saying Aye. Opposed Nay.
8. The Ayes have it and the resolutions are adopted
9. as just read. Senator Hynes. Senator Hynes.

10. SENATOR HYNES:

11. Mr. President and members of the Senate. We
12. have completed all necessary business for today and I
13. will in a moment ask that the Senate stand in recess
14. for the purpose of receiving Committee Reports. But
15. I would like to announce first that the Rules Committee,
16. which did meet this morning and consider a number of
17. bills, was unable to complete its work, so there will
18. be another meeting of the Rules Committee immediately
19. upon the recess of the Senate in the President's Office.
20. A meeting of the Rules Committee immediately upon our
21. recessing in the President's Office. And I would
22. therefore, Mr. President, if there are no announcements
23. by any members and if there's no further business to
24. come before the Senate, I would move that the Senate
25. stand in recess...

26. PRESIDING OFFICER: (SENATOR KENNETH HALL)

27. Senator...

28. SENATOR HYNES:

29. ...subject to the call of the Chair.

30. PRESIDING OFFICER: (SENATOR KENNETH HALL)

31. Senator Hynes, we have one item of business here,
32. if you'd hold that for just a moment, please. Resolutions.

33. SECRETARY:

1. Senate Joint Resolution 95 offered by Senators Regner,
2. Harber Hall, Walsh and Bowers.

3. PRESIDING OFFICER: (SENATOR KENNETH HALL)

4. Executive Committee. Senator Regner.

5. SENATOR REGNER:

6. Mr. President, I would just like to make a statement
7. as to what this resolution is because very...probably
8. a lot of people in the Senate will want to join in as
9. sponsors of this resolution. If you remember when we
10. did the Appropriations Committee on the State Scholarship
11. Commission, it was pointed out that we had almost seventeen
12. thousand state guaranteed student loans outstanding that
13. were delinquent. Many people were surprised and appalled
14. by this. We then made a comparision with a tape of
15. State employees and there are some four hundred State
16. employees that are on this delinquent list. What this
17. resolution does, it directs the Auditor General to
18. perform a management audit of the defaulted accounts
19. of the Illinois Guaranteed Loan Program administered
20. by the State Scholarship Commission and it is reviewed
21. ...the defaulted accounts the Auditor General pay particular
22. attention to determining the nature and extent of defaults
23. of borrowers now employed by the State of Illinois. I
24. think it's something that is very much needed and anyone
25. who would like to join us as cosponsors they'd be
26. welcome to.

27. PRESIDENT:

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. 10...9. Thank you, Mr. President. In violation of
31. the rules I'd...would like to introduce to the...the
32. Senate, my Mother and Father, who are seated in the
33. Gallery to the South as well as my Aunt Naomi and my

1. Uncle, Gene Demuzio, who sitting at my left who came
2. all the way from Pocatello, Idaho to see the South...
3. the Senate beat the House tonight. I'd like to introduce
4. them to the Senate.

5. PRESIDENT:

6. Will our guests please rise. The Chair wishes to
7. apologize to the Minority Leader for having overlooked
8. his request of yesterday. Senator Philip.

9. SENATOR PHILIP:

10. Thank you, Mr. President. I would like to make
11. an announcement with leave of the Senate. And remind
12. the players we have the Senate-House softball game
13. tonight. It is on at 6:00 o'clock and we're not
14. playing at the old field. We're at Chamberlain Park
15. which is at 18th and Capital. So, it is not raining.
16. The weather report is going to be good. Clear and
17. sunny and sixty degrees this afternoon. So I hope
18. that everybody would stay and participate. The...I
19. understand the House has lost three of their key
20. players so we're going to be in the best shape we've
21. ever been if we hold our guys here. You know, this
22. might be the first time we beat them in forty-three
23. years and we're long overdue, so hope that everybody
24. will attend.

25. PRESIDENT:

26. Senator Philip, was that a motion with respect
27. to the weather or just...Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President. I'm not sure whether
30. this has been done, but Senator Smith is...is not here
31. today due to an emergency illness and his office just
32. asked that I announce that he is in Jackson Park Hospital
33. in Chicago. He is in intensive care.

34. PRESIDENT:

35. Is there any further business to come before the

1. Senate? If not the Senate stands in recess subject to the
2. call of the Chair.

3. (Recess)

4. (After Recess)

5. PRESIDENT:

6. The Senate will please come to order. House Bills 1st
7. reading.

8. SECRETARY:

9. House Bill 3394, the Senate sponsor will be Senator Shapiro.

10. PRESIDENT:

11. Rules Committee. Committee Reports.

12. SECRETARY:

13. Senator Wooten, Chairman of the Executive Committee,
14. reports out Senate Joint Resolutions 340 and 396 with the
15. recommendation for adoption...Senate Joint or Senate Resolu-
16. tions those are. Senate Resolution 391, recommended adoption
17. as...as amended. House Bills 2648, 2771 and 3042 and 3362
18. recommend Do Pass. House Joint Resolution 72, recommend
19. adoption As Amended.

20. Senator Joyce, Chairman of Local Government Committee,
21. reports out House Bills 2589, 2713, 2787, 2867, 2893, 2894,
22. 2896 and 3114 with the recommendation Do Pass.

23. Pursuant to...Amended Temporary Rule 5, the Rules
24. Committee met at 1:30 p. m., January the 8th, 1978 and
25. makes the following report. By unanimous vote the
26. committee ruled that the following bills can be considered
27. during the Spring Session of the Senate: House Bills 32,
28. 1270, 2535, 2578, 2714, 2745, 2770, 2808, 2855, 2881, 2916,
29. 2928, 2995, 3002, 3009, 3053, 3054, 3058, 3083, 3097, 3231,
30. 3283, 3350 and 3394. By majority vote the committee ruled
31. that the following bills can be considered during the
32. Spring Session of the Senate: House Bill 1088, 1533, 2428.
33. The foregoing bills were ordered to be read a 1st time

1. printed and referred to Committee on Assignment of Bills.
2. PRESIDENT:
3. House Bills 1st reading.
4. SECRETARY:
5. House Bill 32.
6. (Secretary reads title of bill)
7. House Bill 1270.
8. (Secretary reads title of bill)
9. House Bill 2535.
10. (Secretary reads title of bill)
11. House Bill 2578.
12. (Secretary reads title of bill)
13. House Bill 2714.
14. (Secretary reads title of bill)
15. House Bill 25...or 2745.
16. (Secretary reads title of bill)
17. House Bill 2770.
18. (Secretary reads title of bill)
19. House Bill 2808.
20. (Secretary reads title of bill)
21. House Bill 2855.
22. (Secretary reads title of bill)
23. House Bill 2881.
24. (Secretary reads title of bill)
25. House Bill 2916.
26. (Secretary reads title of bill)
27. House Bill 2928.
28. (Secretary reads title of bill)
29. House Bill 2995.
30. (Secretary reads title of bill)
31. House Bill 3002.
32. (Secretary reads title of bill)
33. House Bill 3009.
34. (Secretary reads title of bill)

1. House Bill 3053.
2. (Secretary reads title of bill)
3. House Bill 3054.
4. (Secretary reads title of bill)
5. House Bill 3058.
6. (Secretary reads title of bill)
7. House Bill 3083.
8. (Secretary reads title of bill)
9. House Bill 3097.
10. (Secretary reads title of bill)
11. House Bill 3231.
12. (Secretary reads title of bill)
13. House Bill 3283.
14. (Secretary reads title of bill)
15. House Bill 3350.
16. (Secretary reads title of bill)
17. House Bill 3394.
18. (Secretary reads title of bill)
19. House Bill 1088.
20. (Secretary reads title of bill)
21. House Bill 1533.
22. (Secretary reads title of bill)
23. House Bill 2428.
24. (Secretary reads title of bill)
25. 1st reading of the foregoing bills.
26. PRESIDENT:
27. Committee reports.
28. SECRETARY:
29. Senator Donnewald, Chairman of Assignment of Bills
30. Committee...signs the following House Bills to Committee.
31. Agriculture, Conservation and Energy: 2754, 2881,
32. 2928, 3053, 3054, 3058, 3151, 3152.
33. Appropriations I: 2540, 3231, 3394.

1. Elementary and Secondary Education: 2619, 2636, 2757,
2. 2916, 2946.
3. Higher Education: 2963, 3274.
4. Elections and Reapportionment: 1068.
5. Executive: 2834, 2835, 3083, 3111, 3201, 3202, 3259.
6. Insurance and Licensed Activities: 2428, 2555, 2808,
7. 2945, 3010, 3283, 3327.
8. Judiciary I: 32, 1333, 2578, 2628, 2875, 2995, 3009,
9. 3118, 3220.
10. Judiciary II: 2775, 3027.
11. Labor and Commerce: 2738 and 3177.
12. Local Government: 1088, 1533, 2256, 2535, 2714, 2745,
13. 2855, 3002, 3260, 3350.
14. Pensions, Personnel and Veterans Affairs: 1803, 3386.
15. Public Health, Welfare and Corrections: 1270, 2949,
16. 2950, 3097, 3227, 3287.
17. Revenue: 2436, 2770, 2899, 3279.
18. Transportation: 2749 and 3135.
19. PRESIDENT:
20. No further business to come before the Senate, the
21. Senate stands adjourned...until 12:00 o'clock noon on
22. Monday.
- 23.
- 24.
- 25.
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- 33.