

20th GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 22, 1977

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The hour of twelve having arrived, the Senate will come  
3. to order. Will our guests in the gallery please rise.

4. Prayer this afternoon by Rabbi Barry A. Marks, Temple  
5. Israel, Springfield, Illinois. Rabbi Marks.

6. RABBI MARKS:

7. (Prayer by Rabbi Marks)

8. PRESIDING OFFICER: (SENATOR ROCK)

9. All right. If I may have your attention, I'm...the  
10. Chair has been advised by the President and the Minority Leader  
11. that they wish the Senate to stand in recess until the hour of  
12. 2:00 o'clock. I understand we are also having trouble with our  
13. million dollar bionic system, so nobody would get a chance to  
14. talk anyway. So, the Senate will stand in recess until the  
15. hour of 2:00 o'clock.

16. RECESS

17. AFTER RECESS

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The Senate will come to order. The speaker system is still  
20. not operative. The electrician indicates that it will  
21. be at least...at least one hour until it is ready and the problem  
22. is that unless you Gentlemen wish to come to this microphone and  
23. speak, we cannot transcribe our proceedings and the Constitution  
24. requires that we keep a transcript of our...our...no speeches  
25. has been suggested. I don't know. We could put that to a roll  
26. call. The suggestion is, however, that we recess. Senator  
27. Johns moves that the Senate stand in recess until the hour of  
28. 3:00 o'clock pending arrival of the electrician who can repair  
29. our system. The Senate will stand in recess until 3:00  
30. o'clock.

31. RECESS

32. AFTER RECESS

33. PRESIDENT:

1. The Regular Session will please come to order.

2. Reading of the Journal. Senator Johns.

3. SENATOR JOHNS:

4. Can you hear me, Mr. President? Okay.

5. Mr. President, I move that reading and approval of the Journal  
6. of Wednesday, November the 16th and Thursday, November the  
7. 17th in the year 1977 be postponed pending arrival of the  
8. printed Journal.

9. PRESIDENT:

10. You've heard the motion. Is there any discussion? If not,  
11. all those in favor signify by saying Aye. Opposed. The  
12. Ayes have it. The motion carries. If I could have the attention  
13. of the membership, our system is not in working order as yet.  
14. If the microphones at your desks are not working with the  
15. exception of Senator Vadalabene's microphone and Senator  
16. Glass' microphone. Therefore, any member wishing to speak  
17. will have to see Senator Vadalabene or Senator Glass depending on  
18. which side of the aisle you happen to be on. Our recording system  
19. is also out of order and we will, therefore, have to go to  
20. oral roll calls. They are presently working on the system  
21. and we hope that it will be in operation before the day is out.  
22. But at the moment, that is the restrictions and handicaps that  
23. we are going to be operating under. I might also say that it  
24. is our hope to complete most of the matters on the Calendar  
25. today, come into Session tomorrow and it is our target to adjourn  
26. by noon tomorrow. And therefore...therefore, it is  
27. important that the members be ready to call their bills as they  
28. ...as they come up. Senator Glass.

29. SENATOR GLASS:

30. Thank you, Mr. President. I just would like the membership  
31. to know that the fee for using my microphone will be much less  
32. than Senator Vadalabene's.

33. PRESIDENT:

Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, we Democrats believe in a Democratic system of  
3. society. The user fee over on this side of the aisle will  
4. be ten dollars per Senator.

5. PRESIDENT:

6. A Message from the House.

7. SECRETARY:

8. A Message...Message...Message from the House, by  
9. Mr. O'Brien, Clerk - Mr. President.

10. I am directed to inform the Senate that the  
11. House of Representatives has adopted the following Joint  
12. Resolution in the adoption of which I am instructed to ask  
13. concurrence of the Senate, to-wit:

14. House Joint Resolution 63.

15. PRESIDENT:

16. Executive. Committee Reports.

17. SECRETARY:

18. Senator Donnewald, Chairman of the Committee on  
19. Assignment of Bills, assigns the following Senate Bills  
20. to committee: Senate Labor and Commerce, Senate Bills  
21. 1397, 1398, 1399, 1400, 1401, 1402, 1403 and 1404.

22. Pursuant to amended Temporary Rule 5, the Rules  
23. Committee met at 11:45 a.m., November the 22nd, 1977 and  
24. makes the following report. By unanimous vote, the committee  
25. ruled that the following bill can be considered during the Fall  
26. Session of the Senate, House Bill 2489, signed, Thomas C.  
27. Hynes, Chairman.

28. PRESIDENT;

29. Senator Hickey.

30. SENATOR HICKEY:

31. I think the Secretary has a motion if...if that's in  
32. order now, for House Bill 2489.

33. PRESIDENT:

HB 760  
11/22/77

1. Would you read the motion, Mr. Secretary.

2. SECRETARY:

3. A Motion in Writing. I move to discharge the Committee  
4. on Assignment of Bills from further consideration of House  
5. Bill 2489 and that the bill be placed on the Calendar on the  
6. Order of 2nd reading.

7. PRESIDENT:

8. Is there any discussion? Senator Hickey has moved that  
9. the Committee on Assignment of Bills be discharged from  
10. further consideration of House Bill 2489 and that the bill be  
11. placed on the Order of 2nd reading. All those in favor of the  
12. motion signify by saying Aye. Opposed. The Ayes have it.  
13. So ordered. Senator Hickey has requested the bill be read  
14. a second time. Read the bill, Mr. Secretary. We have a  
15. request from the news media to take still photographs and for  
16. television filming. Is leave granted? Leave is granted.

17. SECRETARY:

18. House...House Bill 2489.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:

22. Any amendments from the Floor? 3rd reading.  
23. (machine cut off)...Recommendations for Change. House Bill  
24. 212, Senator Regner. House Bill 657, Senator Netsch.  
25. House Bill 760, Senator Washington. Senator Netsch, we will  
26. come back to your three if Senator Washington is prepared.  
27. On the Order of Specific Recommendations for Change. House  
28. Bill 760. Is there any Senator with a bill on the Order of  
29. Specific Recommendations for Change that wishes to have that  
30. ...Senator Rock. House Bill 2161, Senator Rock. Oh...  
31. Senator Washington is ready. House Bill 760, Senator  
32. Washington. Read the motion.

33. SECRETARY:

I move to accept the Specific Recommendations of the

1. Governor as to House Bill 760 in the manner and form as follows.

2. Signed, Senator Washington.

3. SENATOR WASHINGTON:

4. Mr. President and members...

5. PRESIDENT:

6. Senator Washington.

7. SENATOR WASHINGTON:

8. ...of the Senate, as you may recall, Senate Bill 7...  
9. House Bill 760 provided that in rape cases, in order for the  
10. opinioned evidence or evidence of specific acts of sexual  
11. conduct on the part of the prosecuting witness, be admitted,  
12. it must be screened by a trial court judge in  
13. camera pursuant to a motion...an order...an order of proof  
14. and if so agreed upon, would be admissible. The Governor,  
15. in his wisdom, struck down part of that and provided that no  
16. prior sexual reputation or conduct of the prosecuting witness  
17. was admitted...admissible and that the only form of  
18. specific instances of past sexual conduct which would be  
19. admissible would be those actions in connection with the  
20. defendant on trial and that would only be admissible if  
21. it was clear through an in camera proceeding. I think the  
22. Governor, in his wisdom, has amended or suggested an amendment  
23. to this bill which is adequate and fine. I think it would do  
24. a lot to enhance the administration of criminal justice,  
25. particularly in the field of rape cases. For far too long have  
26. women been subjected to the horrendous situation of having  
27. their entire past sexual conduct trodded before them  
28. when such conduct was totally irrelevant to the outcome of a  
29. trial. I urge your support.

30. PRESIDENT:

31. Is there any further discussion? If not, the question  
32. is shall the Senate accept the Specific Recommendations  
33. of the Governor as to House Bill 760 in the manner and form  
34. just stated by Senator...Senator D'Arco.

1. SENATOR D'ARCO:

2. You...Senator Washington, what this says then, that  
3. her...her past sexual conduct cannot be admitted into  
4. evidence other than if it relates to the particular  
5. defendant that is being tried for the offense of the rape,  
6. is that right?

7. SENATOR WASHINGTON:

8. That's correct.

9. SENATOR D'ARCO:

10. So, if she has a history of promiscuity. That fact  
11. cannot be introduced as a fact in evidence for the defendant's  
12. side of the case as evidence on his behalf, is that what you're  
13. saying, then?

14. SENATOR WASHINGTON:

15. Well, this history of promiscuity is really the  
16. gravamen of the problem here. We don't really know what  
17. that means and one reason why this matter was referred or the  
18. original legislation suggested that it be referred to the  
19. judge in camera was because the thing is so nebulous  
20. in terms of definition. It has been found that past history  
21. of promiscuity in a sense and totally is irrelevant  
22. to the case being tried before a particular defendant.  
23. It has not been demonstrated that this kind of information...  
24. that's admissible too...

25. PRESIDENT:

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Then, if...let's say she has numerous arrests and  
29. convictions for prostitution, those arrests and convictions  
30. cannot be introduced into evidence unless the defendant in  
31. fact, had sexual intercourse with her, is that right?

32. PRESIDENT:

33. Senator Washington.

1. SENATOR WASHINGTON:

2. That's correct insofar as this is concerned. And there's  
3. no reason why it should be admitted. I think we exhibit  
4. an extremely male chauvinistic attitude when we assume  
5. ...when we assume that a prostitute cannot be raped, for  
6. example. Quite obviously, they can be raped. The cases must  
7. stand on the facts in front of the trial court judge  
8. and the jury and the fact is did this particular defendant  
9. rape this particular woman. That's the issue and the  
10. purpose of this legislation as amended or suggestedly amended  
11. by the Governor, is to see that we don't stray from that  
12. particular narrow issue. And it is in his wisdom and  
13. I agree with him, the only relevant testimony would be past  
14. sexual conduct with this defendant. Why should a person be  
15. presumed to be promiscuous...be presumed and why should that  
16. conduct have a bearing on the case at bar in these cases?  
17. We've found too many...we've found too many instances when  
18. women simply will not come into court because they don't want  
19. their irrelevant past sexual conduct tried out before them.

20. SENATOR D'ARCO:

21. Mr. President, the issue at hand here is not an issue of  
22. male chauvinism because I am not a male chauvinist. I voted  
23. for ERA and I believe in ERA. The issue at hand here is the  
24. question of a defendant's rights to be tried by twelve honorable  
25. and true people and to admit into evidence all relevant facts  
26. that are presented to that jury relevant to the issue at hand.  
27. And if she is...has issued a prostitution and that fact should  
28. be made known to the jury. A man's life is at stake, especially  
29. if we pass this Class X baloney. And that's the issue.  
30. So, I recommend that we not...that we vote against the Specific  
31. Recommendations for Change that the Governor has recommended.

32. PRESIDENT:

33. Senator Washington may close the debate.

1. Senator Guidice.

2. SENATOR GUIDICE:

3. Thank you, Mr. President. Will the sponsor yield to  
4. a question? It's my...

5. PRESIDENT:

6. Indicates he will yield.

7. SENATOR GUIDICE:

8. It's my understanding that when a witness or  
9. a witness in any case or a complainant in any case gets  
10. on the stand that he vouches for his truth and reputation,  
11. is that correct?

12. SENATOR WASHINGTON:

13. Repeat that. I'm sorry.

14. SENATOR GUIDICE:

15. That he vouches for his truth and reputation when he  
16. gets on that stand, is that correct?

17. PRESIDENT:

18. Senator Washington. Indicates that is correct.

19. SENATOR GUIDICE:

20. All right. Then what we're doing here, in fact, is  
21. stopping the trier effect to make a determination as to that  
22. particular person's truth and veracity while he is on the  
23. stand and the...and his reputation in this community.  
24. Isn't that correct, also?

25. PRESIDENT:

26. Senator Washington.

27. SENATOR WASHINGTON:

28. The issue here is did defendant X rape the prosecuting  
29. witness, that's the case, period, and there's all kinds of  
30. testimony which could be permitted. Now, if he takes the  
31. defense of consent then in camera out of hearing of a jury  
32. he can present any such evidence which bore upon the fact that  
33. he may have had prior sexual conduct with her. But I find just  
impossible to understand how past sexual conduct is relevant



1. at all to the case. I don't think...and that's why the Governor  
2. has...has amended the bill in this fashion. I agree with this  
3. amendment. The House agreed with this amendment. We've had any number  
4. of hearings on the Rape Study Committee which brought out that  
5. other jurisdictions do a similar thing as this and there's  
6. been no injustice brought or lack of due process insofar as  
7. these defendants are concerned.

8. SENATOR GUIDICE:

9. Mr....Mr...

10. PRESIDENT:

11. Senator Guidice...for what purpose does Senator Graham  
12. arise? Your microphone is not in order, Senator. Senator  
13. Graham is correct. Will the members please be in their seats.  
14. Will the members please be in their seats. Senator  
15. Guidice.

16. SENATOR GUIDICE:

17. Thank you, Mr. President. Well, I, too, am opposed to  
18. this particular change and the reason being that  
19. it's not only a question of her character that we're talking  
20. about and consent as Senator Washington would like you to believe.  
21. This person is getting on the stand and making an accusation.  
22. This particular individual is vouching and...and we are  
23. accepting on its face that she is telling the truth under  
24. all circumstances and the important part of it is her  
25. reputation and her background and it was a bad bill before but  
26. this even makes it worse.

27. PRESIDENT:

28. Is there any further discussion? If not, the question is shall  
29. the Senate accept the Specific Recommendations of the Governor as  
30. to House Bill 760 in the manner and form just stated by Senator  
31. Washington. Those in favor will vote Aye. Those opposed will vote  
32. Nay. The Secretary will please call the roll.

33. SECRETARY:

1. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
2. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
3. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
4. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
5. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,  
6. Leonard, Maragos, McMillan, Merlo, Mitchler, Moore,  
7. Netsch, Newhouse, Nimrod, Ozinga, Philip, Regner,  
8. Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,  
9. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
10. Walsh, Washington, Weaver, Wooten, Mr. President.

11. PRESIDENT:

12. Senator Berman wishes to be recorded as Aye.  
13. Senator Weaver wishes to be recorded as voting Aye. On that  
14. question the Ayes are 39, the Nays are 8, 1 Voting  
15. Present. The Specific Recommendations of the Governor  
16. as to House Bill 760 having received the required majority  
17. of vote of the Senators elected, are declared accepted.  
18. It's just been brought to the attention of the Chair that this  
19. is the first opportunity this Senate has had for waltzing in  
20. several years and we fully expect that some of the members  
21. will take advantage. House Bill 212, Senator Regner.  
22. House Bill 657, Senator Netsch. Read the motion.

23. SECRETARY:

24. House Bill 657. I move to accept the Specific  
25. Recommendations of the Governor as to House Bill 657 in the  
26. manner and form as follows. Signed, Senator  
27. Netsch.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Oh, thank you, Mr. President. This is one of a series  
32. of bills that dealt with cleaning up the Illinois Statutes  
33. with respect to sex discrimination or references which no longer

1. were consistent with the Illinois Constitution.  
2. The...this particular bill included a change to be made  
3. in the Workmen's Occupational Diseases Act. That Act and the  
4. particular change were already covered in another bill that  
5. was signed and approved by the Governor so this particular  
6. section which the Governor now proposes to delete from Senate...  
7. from House Bill 657 is superfluous. I think his Amendatory  
8. Veto is quite accurate in that respect and I would recommend  
9. that we adopt it.

10. PRESIDENT:

11. Is there any discussion? If not, the question is  
12. shall the Senate accept the Specific Recommendations of the  
13. Governor as to House Bill 657 in the manner and form as just  
14. stated by Senator Netsch. Those in favor will vote Aye.  
15. Those opposed will vote Nay. The Secretary will please  
16. call the roll.

17. SECRETARY:

18. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
19. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
20. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
21. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
22. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
23. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
24. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads, Rock,  
25. Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
26. Smith, Sommer, Soper, Vadalabene, Walsh, Washington, Weaver,  
27. Wooten, Mr. President.

28. PRESIDENT:

29. Senator Demuzio, Aye, Senator Bruce, Aye, Senator  
30. Knuppel, Aye, Senator Bowers, Aye, Senator Davidson, Aye,  
31. Senator Lemke, Aye. On that question the Ayes are  
32. 55, the Nays are none. The Specific Recommendations  
33. of the Governor as to House Bill 657 having received the

1. required majority vote of the Senators elected, are declared  
2. accepted. House Bill 658, Senator Netsch. Read the motion.

3. SECRETARY:

4. I move to accept the Specific Recommendations of the  
5. Governor as to House Bill 658 in the manner and form as follows.  
6. Signed, Senator Netsch.

7. PRESIDENT:

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you, Mr. President. This is another of the series  
11. of bills dealing with sexually discriminatory language in the  
12. Illinois Statutes. In this case, the Governor points out that  
13. four of the acts which purported to be amended by House  
14. Bill 658, were amended in a similar, if not identical form  
15. in Senate Bills 122 and 124 which the Governor had already  
16. signed. The...these particular provisions would therefore  
17. be duplicative and his proposal is that they be stricken  
18. from House Bill 658. I concur. I think that is an accurate  
19. statement and I would therefore move that we accept the Governor's  
20. recommended change.

21. PRESIDENT:

22. Is there any discussion? If not, the question is shall the  
23. Senate accept the Specific Recommendations of the Governor  
24. as to House Bill 658 in the manner and form just stated by Senator  
25. Netsch. Those in favor will vote Aye. Those opposed will vote  
26. Nay. The Secretary will please call the roll, House Bill  
27. 658.

28. SECRETARY:

29. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
30. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
31. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
32. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
33. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
34. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga, Philip,  
35. Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,

1. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
2. Walsh, Washington, Weaver, Wooten, Mr. President.

3. PRESIDENT:

4. Guidice, Aye. Daley, Aye. Egan, Aye. On that question  
5. the Ayes are 52, the Nays are none, none Voting; Present.  
6. The Specific Recommendations of the Governor as to House Bill  
7. 658 having received the required constitutional...the required  
8. majority vote of the Senators elected are declared accepted.  
9. House Bill 659, Senator Netsch. Read the motion.

10. SECRETARY:

11. I move to accept the Specific Recommendations of the  
12. Governor as to House Bill 659 in the manner and form as follows.  
13. Signed, Senator Netsch.

14. PRESIDENT:

15. Senator Netsch.

16. SENATOR NETSCH:

17. Thank you, Mr. President. This is another in the series of  
18. bills dealing with discriminatory language in the Illinois  
19. Statutes. The particular change here, however, deals with the  
20. concluding date of the Viet Nam war. We seem finally to  
21. have resolved on a single concluding date in the State of Illinois  
22. but we missed one reference in this bill to it and so the  
23. Governor's proposed change is to delete April 29, 1975 and  
24. insert May 7, 1975. I concur in that date as the agreed upon  
25. conclusion of the Viet Nam war and I therefore concur in the  
26. Governor's recommended change.

27. PRESIDENT:

28. Is there any discussion? The question is shall the Senate  
29. accept the Specific Recommendations of the Governor as to  
30. House Bill 659 in the manner and form just stated by Senator  
31. Netsch. Those in favor will vote Aye. Those opposed will vote  
32. Nay. The Secretary will please call the roll as to House  
33. Bill 659.

1. SECRETARY:

2. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
3. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
4. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
5. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
6. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
7. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
8. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
9. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
10. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
11. Weaver, Wooten, Mr. President.

12. PRESIDENT:

13. On that question the Ayes are 55, the Nays are none,  
14. none Voting Present. The Specific Recommendations of  
15. the Governor as to House...House Bill 659 having  
16. received the required majority votes of the Senate...  
17. Senators elected are declared accepted. House Bill 931,  
18. Senator Regner. Read the motion.

19. SECRETARY:

20. I move to accept the Specific Recommendations of the Governor  
21. as to House Bill 931 in the manner and form as follows. Signed,  
22. Senator Regner.

23. PRESIDENT:

24. Senator Regner.

25. SENATOR REGNER:

26. Mr. President and members of the Senate. House Bill  
27. 931 as originally written, excludes claims and rehabilitation  
28. facilities from the definition of employee under the Fair  
29. Employment Practices Act. The Governor's Message reads  
30. as passed, it applies to vocational rehabilitation facilities  
31. in general. However, the exclusion provided under the Fair  
32. Employment Standards Act is available only to workshops and  
33. work activity centers certified by the Wage and Hour Division

1. of the United States Department of Labor. The amendment  
2. of the Governor's is for the purpose of enforcement and also  
3. to have greater protection for the workshop clients and I would  
4. urge a favorable vote on accepting the Amendatory Veto  
5. of the Governor.

6. PRESIDENT:

7. Is there any discussion? If not, the question is shall  
8. the Senate accept the Specific Recommendations of the Governor  
9. as to House Bill 931 in the manner and form as just stated by  
10. Senator Regner. Those in favor will vote Aye. Those  
11. opposed will vote Nay. The Secretary will please call the  
12. roll as to House Bill 931.

13. SECRETARY:

14. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
15. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
16. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
17. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
18. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
19. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
20. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
21. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
22. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
23. Weaver, Wooten, Mr. President.

24. PRESIDENT:

25. On that question, the Ayes are 54, the Nays are none,  
26. none Voting Present. The Specific Recommendations of the  
27. Governor as to House Bill 931 having received the required  
28. majority vote of the Senators elected are declared  
29. accepted. House Bill 314, Senator D'Arco. Read the motion.

30. SECRETARY:

31. I move to accept the Specific Recommendations of the  
32. Governor as to House Bill 314 in the manner and form as  
33. follows. Signed, Senator D'Arco.

1. PRESIDENT:

2. Senator D'Arco.

3. SENATOR D'Arco:

4. The...the Governor chose to add the private attorney  
5. who is appointed by the court to represent the indigent  
6. defendant as a person whereby the bond would be  
7. refunded to the county as it would have been had the public  
8. defender defended the indigent defendant and we recommend  
9. ...and I...I move that the Specific Recommendations of the  
10. Governor be adopted. Thank you.

11. PRESIDENT:

12. Is there any discussion? If not, the question is shall  
13. the Senate accept the Specific Recommendations of the Governor  
14. as to House Bill 314 in the manner and form as just stated  
15. by Senator D'Arco. Those in favor will vote Aye. Those  
16. opposed will vote Nay. The Secretary will please call the roll  
17. as to House Bill 314.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
20. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
21. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
22. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,  
23. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
24. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse,  
25. Nimrod, Ozinga, Philip, Regner, Rhoads, Rock, Roe,  
26. Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
27. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
28. Weaver, Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Nimrod, Aye. On that question the Ayes are 55, the  
31. Nays are none. The Specific Recommendations of the Governor  
32. as to Senate Bill...strike that, House Bill 314 having  
33. received the required majority vote of Senators elected



1. are declared accepted. House Bill 1186, Senator Washington.

2. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move to accept the Specific Recommendations of the  
5. Governor as to House Bill 1186 in the manner and form as follows.  
6. Signed, Senator Washington.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Washington.

9. SENATOR WASHINGTON:

10. Mr. President and members of the Senate.  
11. House Bill 1186 provided that in every situation where  
12. there were allegations that a minor was a victim of  
13. sexual abuse or misconduct, in those instances, the juvenile  
14. court judge must appoint a guardian ad litem. The language  
15. was mandatory. The Governor's suggested amendment strikes  
16. the mandatory language and simply makes it permissive. I see  
17. no harm in that and I support the Governor's Amendatory Veto.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is shall the  
20. Senate accept the Specific Recommendations of the Governor  
21. as to House Bill 1186 in the manner and form just stated by Senator  
22. Washington. Those in favor vote Aye. Those opposed No. The  
23. voting is open. The Secretary will call the roll.

24. SECRETARY:

25. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
26. Carroll, Chew, Clewis, Coffey, Collins, D'Arco,  
27. Daley, Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
28. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
29. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
30. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
31. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
32. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
33. Smith, Sommer, Soper, Vadalabene, Walsh, Washington, Weaver,

1. Wooten, Mr. President.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. On that question the Ayes are 54, the Nays are none.

4. The Specific Recommendations of the Governor as to House Bill

5. 1186 having received the required majority vote of the Senators

6. elected are declared accepted. House Bill 1216, Senator

7. Walsh. Read the motion, Mr. Secretary.

8. SECRETARY:

9. I move to accept the Specific Recommendations of

10. the Governor as to House Bill 1216 in the manner and form

11. as follows. Signed, Senator Walsh.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Walsh.

14. SENATOR WALSH:

15. Mr. President and members of the Senate. House Bill

16. 1216 and 1217 are companion bills and the Amendatory Veto

17. is similar in both cases. I would request that both bills be

18. considered...both motions considered at the same time with the

19. same roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there leave <sup>?</sup> There is objection. We will consider them  
22. singularly. Proceed.

23. SENATOR WALSH:

24. Mr. President and members of the...of the Senate.

25. House Bill 1216 amends the Campaign Disclosure Act and

26. relates to campaign expenditures. The Governor's Amendatory

27. Veto deleted that portion of the bill which referred to a

28. newspaper or other periodical publications written favorable

29. to a candidate. And provided that such material would not be

30. considered as a campaign expenditure. The Governor deleted

31. that provision suggesting that it would be very difficult to

32. determine whether such a news story, commentary, et cetera,

33. would be controlled by a political party. The other portion of his

1. ...of his veto related to the hundred and fifty dollars that  
2. could be expended at a coffee or outing on behalf of a candidate  
3. and it was provided that any such event where the expenditure  
4. would not be in...in excess of one hundred and fifty dollars  
5. be limited to one hundred and fifty dollars in any one  
6. reporting period. I would urge the favorable vote of the  
7. Senate.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rhoads.

10. SENATOR RHOADS:

11. Question of the sponsor. If neither House Bill 1216  
12. or 1217 pass and the...and the current law stays...that is,  
13. what level of expenditure are you bound to report?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Walsh.

16. SENATOR WALSH:

17. I'm not bound...to report for what purpose? Are you  
18. referring to the one hundred and fifty dollars for  
19. ...for the coffee situation, is that what your question  
20. relates to?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. No, my question first relates to House Bill 1216  
25. alone. In House Bill 1216 an expenditure...a transfer of funds  
26. from one political committee to another in...in less than one  
27. hundred and fifty dollars is not reportable if your bill  
28. passes?

29. SENATOR WALSH:

30. This...this bill does not refer to transfers between  
31. political committees in any way at all.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion?

1. SENATOR WALSH:

2. If...if the Calendar makes any reference to transfers  
3. between political committees and apparently it does, the  
4. Calendar is in error, Mr. President.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Apparently the synopsis on the Calendar...is the  
9. Calendar correct with regard to House Bill 1217, Senator  
10. Walsh?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Walsh.

13. SENATOR WALSH:

14. Yes.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? All right. The question is shall  
17. the Senate accept the Specific Recommendations of the Governor  
18. as to House Bill 1216 in the manner and form just stated by  
19. Senator Walsh. Those in favor vote Aye. Those...those  
20. opposed Nay. The Secretary will call the roll.

21. SECRETARY:

22. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
23. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
24. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
25. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
26. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
27. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
28. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
29. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer,  
30. Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh,  
31. Washington, Weaver, Wooten, Mr. President.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The Chair wishes to inform the membership that this

1. has an immediate effective date and it requires the  
2. three-fifths constitutional majority. Senator Soper  
3. votes Aye. Maragos, Aye. On that question the Ayes  
4. are 50, the Nays are 4, 1 Voting Present. The Specific  
5. Recommendations of the Governor as to House Bill 1216  
6. ...House Bill 1216 having received the required majority  
7. vote of the Senators elected are declared accepted and the  
8. bill having received the affirmative vote of three-fifths  
9. of the members elected is effective immediately upon  
10. its becoming a law. House Bill 1217, Senator Walsh.  
11. Read the motion, Mr. Secretary.

12. SECRETARY:

13. I move to accept the Specific Recommendations of the  
14. Governor as to House Bill 1217 in the manner and form as follows.  
15. Signed, Senator Walsh.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Walsh.

18. SENATOR WALSH:

19. Mr. President and members of the Senate. As I indicated,  
20. House Bill 1217 and 1216 are similar. 1217 refers to campaign  
21. contributions rather than campaign expenditures. The Governor's  
22. Veto is similar in all respects to his Amendatory  
23. Veto on 1216. I urge the support of the membership.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? The question is shall the Senate  
26. accept the Specific Recommendations of the Governor as to House  
27. Bill 1217. Those in favor vote Aye. Those opposed Nay. The  
28. voting is...the Secretary will take the roll.

29. SECRETARY:

30. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
31. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
32. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
33. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,

1. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
2. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse,  
3. Nimrod, Ozinga, Philip, Regner, Rhoads, Rock, Roe,  
4. Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
5. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
6. Weaver, Wooten, Mr. President.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Soper, Aye. Joyce, Aye. Schaffer, Aye. Nimrod,  
9. Aye. You're advised that this particular proposed  
10. legislation requires three-fifths of the majority of the  
11. Senators elected. On that question the Ayes are  
12. 50, the Nays are 4. The Specific Recommendations of the  
13. Governor as to House Bill 1217 having received the required  
14. majority vote of the Senators elected are declared  
15. accepted and the bill having received the affirmative  
16. vote of three-fifths of the members elected, is effective  
17. immediately upon its becoming a law. House Bill 1284,  
18. Senator Clewis. Read the motion, Mr. Secretary.

19. End of reel  
20.  
21.  
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33.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the  
3. Governor as to House Bill 1284 in the manner and form as  
4. follows. Signed, Senator Clewis.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Clewis.

7. SENATOR CLEWIS:

8. Mr. President, members of the Senate. House Bill  
9. 1284 in its original form, would have increased the salaries  
10. of the Civil Service members of the Chicago Sanitary District  
11. Board from five thousand dollars to ten thousand dollars...  
12. I mean, from five thousand dollars to seventy-five hundred  
13. dollars and the salary of the chairman from five thousand  
14. dollars to ten thousand dollars. The Governor in his wisdom,  
15. decided to lower this amount and raise the amount of the chairman  
16. from five thousand dollars to seventy-five hundred dollars  
17. and give no increase to the board members on a salary which was  
18. established in 1951. The House sponsor and the House of  
19. Representatives decided to concur with the Governor's  
20. wisdom. At this time, I would move to concur with his wisdom  
21. insofar as the Specific Recommendations for Change in House  
22. Bill 1284.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is shall the Senate  
25. accept the Specific Recommendations of the Governor as to House  
26. Bill 1284 in the manner and form just stated by Senator Clewis.  
27. Those in favor vote Aye. Those opposed Nay. The Secretary  
28. will call the roll.

29. SECRETARY:

30. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
31. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
32. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
33. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,

1. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
2. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse,  
3. Nimrod, Ozinga, Philip, Regner, Rhoads, Rock, Roe,  
4. Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
5. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
6. Weaver, Wooten, Mr. President.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Graham. Graham, No. On that question the Ayes are  
9. 40, the Nays are 4. The Specific Recommendations of  
10. the Governor as to House Bill 1284 having received a required  
11. majority vote of the Senators elected are declared accepted.  
12. House Bill 1732, Senator Regner. Read the motion, Mr.  
13. Secretary.

14. SECRETARY:

15. I move to accept the Specific Recommendations of the Governor  
16. as to House Bill 1732 in the manner and form as follows.  
17. Signed, Senator Regner.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Regner.

20. SENATOR REGNER:

21. Mr. President and members of the Senate. What  
22. the bill did was provides for deposit in the Capital Development  
23. Bond Retirement Interest Fund of Federal funds received  
24. and not used are received as reimbursement for Capital Development  
25. projects for which monies in the Capital Development Fund have  
26. been expended. As originally passed, it was effective upon  
27. becoming law, but the problem with that was it would cause  
28. some adverse effects on the Fiscal Year 1978 operating  
29. budgets of agencies depending upon receipts of Federal  
30. reimbursements to support operating expenses. The Amendatory  
31. Veto of the Governor changed the words upon becoming law  
32. to July 1, 1978 and I would move to accept the Specific  
33. Recommendations of the Governor.



1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there discussion? The question is shall the Senate  
3. accept the Specific Recommendations of the Governor as to  
4. House Bill 1732 in the manner and form as just stated by Senator  
5. Regner. Those in favor vote Aye. Those opposed Nay. The  
6. Secretary will call the roll.

7. SECRETARY:

8. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
9. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
10. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
11. Grotberg, Guidice, Kenneth...Harber Hall, Kenneth Hall,  
12. Hickey, Johns, Joyce, Knuppel, Kosinski, Lane,  
13. Lemke, Leonard, Maragos, McMillan, Merlo, Mitchler,  
14. Moore, Netsch, Newhouse, Nimrod, Ozinga, Philip,  
15. Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,  
16. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
17. Walsh, Washington, Weaver, Wooten, Mr. President.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Sangmeister, Aye. On that question the Ayes are  
20. 49, the Nays are none. The Specific Recommendations of the Governor  
21. as to House Bill 1732 having received a required majority  
22. vote of the Senators elected are declared accepted.

23. House Bill 2161, Senator Rock. Read the motion, Mr. Secretary.

24. SECRETARY:

25. I move to accept the Specific Recommendations of the Governor  
26. as to House Bill 2161 in the manner and form as follows.  
27. Signed, Senator Rock.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
32. House Bill 2161 was that bill sponsored by the Speaker  
33. and pertains as you will recall, only to two counties in this

1. State, that is the County of DuPage and the County of Lake.  
2. What we did was provide in that bill that a single county  
3. may have, in fact, more than one public building commission.  
4. The Governor saw fit to change it after consultation with the  
5. Speaker, I am advised and he added the words not more than one  
6. public building commission shall be organized by a single  
7. unit of local government. The Speaker thought that was a  
8. salutary change. He made the motion to accept which was  
9. accepted unanimously in the House and I move that we  
10. accept the Specific Recommendations of the Governor with  
11. respect to House Bill 2161.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there discussion? The question is shall the Senate  
14. accept the Specific Recommendations of the Governor as to House  
15. Bill 2161 in the manner and form as just stated by Senator  
16. Rock. Those in favor vote Aye. Those in favor vote : Aye.  
17. Those opposed Nay. The Secretary will call the roll.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
20. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
21. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
22. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
23. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
24. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
25. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
26. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer,  
27. Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh,  
28. Washington, Weaver, Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Philip, Aye. Glass, Aye. Buzbee, Aye. Demuzio,  
31. Aye. On that question the Ayes are 49, the Nays are 2,  
32. 1 Voting Present. The Specific Recommendations of  
33. the Governor as to House Bill 2161 having received  
the required majority vote of the Senators elected are declared

1. accepted. House Bill 2259, Senator Rock. Senator Egan,  
2. read the motion, Mr. Secretary.

3. SECRETARY:

4. I move to accept the Specific Recommendations of the  
5. Governor as to House Bill 2259 in the manner and form as  
6. follows. Signed, Senator Egan.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Egan.

9. SENATOR EGAN:

10. Thank you, Mr. President and members of the Senate.  
11. The Governor's recommendation for change is rather more  
12. clarifying than substantive. It would substitute language to  
13. indicate the requirement of the enabling bill itself, plus  
14. the amendment that was put on during the Session so that  
15. the Governor's recommendation would increase the reflection  
16. of the exact item which is to be disclosed and that would be  
17. the finance charge that is required of the lender or merchant  
18. to furnish to the buyer or the buyer annually and it would  
19. substitute the direct words finance charge for such information.  
20. It clarifies the bill, I think it improves it. It's not a big  
21. deal and I would ask that the Governor's recommendation be followed.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there discussion? The question is shall the Senate  
24. accept the Specific Recommendations of the Governor as to House  
25. Bill 2259 in the manner and form as just stated by Senator Egan.  
26. Those in favor vote Aye. Those opposed No. The Secretary will  
27. call the roll.

28. SECRETARY:

29. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
30. Carroll, Chew, Clewis, Coffey, Collins, D'Arco,  
31. Daley, Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
32. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
33. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,

1. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse,  
2. Nimrod, Ozinga, Philip, Regner, Rhoads, Rock, Roe,  
3. Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
4. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
5. Weaver, Wooten, Mr. President.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Soper, Aye. Shapiro, Aye. Buzbee, Aye. Daley,  
8. Aye. On that question a three-fifths vote is required  
9. on this legislation...on that question the Ayes are  
10. 50, the Nays are none. The Specific Recommendations of the  
11. Governor as to House Bill 2259 having received the required  
12. majority vote of the Senators elected are declared  
13. accepted and the bill having received the affirmative  
14. vote of three-fifths of the members elected is effective  
15. immediately upon its becoming a law. House Bill 1201,  
16. Senator Walsh. Senator Rupp, I'm sorry. You're on the same  
17. side. Read the motion, Mr. Secretary.

18. SECRETARY:

19. I move to accept the Specific Recommendations of the  
20. Governor as to House Bill 1201 in the manner and form as follows.  
21. Signed, Senator Rupp.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rupp.

24. SENATOR RUPP:

25. Thank you, Mr. President. What this bill does  
26. is the basic bill amends the Illinois Drainage Code and makes  
27. a revision that the county board in any county having a  
28. population of a quarter million or more may, by ordinance,  
29. require that the owner of any land to which any drain tile is  
30. installed or constructed report that to the recorder of deeds  
31. in the county. The question involved in the Governor's change  
32. as to who was going to be responsible for providing that  
33. plat data. The Governor changed the wording from owner to

1. read the person for whose benefit any drain tile is installed.  
2. I move to accept the Specific Recommendations of the Governor.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there any discussion? The question is shall the  
5. Senate accept the Specific Recommendations of the Governor  
6. as to House Bill 1201 in the manner and form as just stated  
7. by Senator Rupp. Those in favor vote Aye. Those opposed  
8. Nay. The Secretary will call the roll.

9. SECRETARY:

10. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
11. Carroll, Chew, Clewis, Coffey, Collins, D'Arco,  
12. Daley, Davidson, Demuzio, Donnewald, Egan, Glass,  
13. Graham, Grothberg, Guidice, Harber Hall, Kenneth Hall,  
14. Hickey, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,  
15. Leonard, Maragos, McMillan, Merlo, Mitchler, Moore,  
16. Netsch, Newhouse, Nimrod, Ozinga, Philip, Regner,  
17. Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer,  
18. Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
19. Weaver, Wooten, Mr. President.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. On that question the Ayes are 52, the Nays are none.  
22. The Specific Recommendations of the Governor as to House  
23. Bill 1201 having received the required majority vote of the  
24. Senators elected are declared accepted. House Bill 212,  
25. Senator Regner. Read the motion, Mr. Secretary.

26. SECRETARY:

27. I move to accept the Specific Recommendations of the Governor  
28. as to House Bill 212 in the manner and form as follows. Signed,  
29. Senator Regner.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Regner.

32. SENATOR REGNER:

33. Mr. President and members of the Senate. The bill

1. originally provides for the graduated levels of penalties  
2. based upon the amount of dollars involved in the fraudulent  
3. act and this is amending the Public Aid Code. In addition,  
4. the bill extends liability for welfare fraud for persons  
5. not directly receiving the grant, but included within the  
6. Public Aid grants. The...the bill, as proposed, the definition  
7. appears to exclude relatives not in the home or unrelated  
8. individuals who are manipulating the grantees and this amendment  
9. will clarify that so that everyone would be covered and I would  
10. move to accept the Specific Recommendations of the Governor  
11. on House Bill 212.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there discussion? The question is shall the Senate  
14. accept the Specific Recommendations of the Governor as to House  
15. Bill 212 in the manner and form just described by Senator  
16. Regner. Those in favor vote Aye. Those opposed Nay. The  
17. Secretary will call the roll.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
20. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
21. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
22. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
23. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
24. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
25. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
26. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
27. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
28. Weaver, Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Bowers, Aye. Buzbee, Aye. On that question  
31. the Ayes are 47, the Nays are none. The Specific Recommendations  
32. of the Governor as to House Bill 212 having received the  
33. required majority vote of the Senators elected are

1. declared accepted. On the Order of Total Vetoes, House  
2. Bill 312, Senator Joyce. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move that House Bill 312 Do Pass, the Veto of the Governor  
5. to the contrary notwithstanding. Signed, Senator Joyce.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Joyce.

8. SENATOR JOYCE:

9. Yes, thank you, Mr. President. House Bill 312 is a bill  
10. that exempts agricultural drainage tile from...from the  
11. Retailer's Occupation Tax. This Retailer's Occupation  
12. Tax is a tax...is not a tax on all sales. It's a tax on  
13. tangible personal property that's sold for final use or  
14. consumption. And field tile and plastic tubing tile  
15. is not used for that. It is...it is not the final product.  
16. The corn and soy beans and byproducts from the land are  
17. the final projects. It is the same...as in the same rate  
18. as fertilizer and limestone which are not subject to sales  
19. tax. Be happy to answer any questions.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there discussion? Senator Shapiro.

22. SENATOR SHAPIRO:

23. Mr. President and Ladies and Gentlemen of the Senate.  
24. I just want to point out that this will lead to the loss of  
25. approximately a million dollars in State revenues but one  
26. of the major weaknesses of the bill is that it does not  
27. adequately explain drainage equipment or we generally assume  
28. that it would be some type of a clay tile or tubing or something  
29. like that but in addition, I'd like to point out to you that in  
30. certain segments of the tiling operation, sometimes a tile  
31. has to be laid on gravel or led into concrete abutment areas  
32. or drainage areas and for those reasons, I would suggest that  
33. we not support the override on this particular bill and perhaps  
at some future date, next Spring, we can take a closer look

1. at it and maybe come up with something then, but for the time  
2. being, I would urge the members of this Senate  
3. to resist the override motion.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Joyce may close.

6. SENATOR JOYCE:

7. Well, thank you, Mr. President. I...the exemption of  
8. tile and plastic tubing used in agriculture drainage will encourage  
9. more land owners to have it installed and I think this would  
10. lead to more food production and agricultural commodities which  
11. are needed to fill a hungry world and I would ask for an  
12. override on this vote.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The question is shall House Bill 312, the Veto of the  
15. Governor to the contrary notwithstanding. Those in favor  
16. vote Aye. Those opposed Nay. The voting is open...the Secretary  
17. will call the roll.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
20. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
21. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
22. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,  
23. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
24. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse,  
25. Nimrod, Ozinga, Philip, Regner, Rhoads, Rock, Roe,  
26. Rupp, Sangmeister, Savickas, Schaffer, Shapiro, Smith,  
27. Sommer, Soper, Vadalabene, Walsh, Washington, Weaver,  
28. Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Davidson, Aye. Buzbee, Aye. On that question the  
31. Ayes are 32, the Nays are 18, 1 Voting Present. And  
32. House Bill 312 not having received the required three-fifths  
33. vote, fails. House Bill 563, Senator Merlo. Read the motion,



1. Mr. Secretary.

2. SECRETARY:

3. I move that House Bill 563 Do Pass, the Veto of the  
4. Governor to the contrary notwithstanding. Signed, Senator Merlo.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Merlo.

7. SENATOR MERLO:

8. Mr. President and members of the Senate. I urge you to  
9. vote in the affirmative to override the Governor's Veto of  
10. House Bill 563. Under present law, aid to the medically  
11. indigent program is administered by the township supervisors  
12. under regulations set forth by the Department of Public  
13. Aid. The townships are required to provide costs of necessary  
14. medical care for the migrant worker. This program has placed  
15. many township supervisors under the undue burden of paying  
16. these medical bills for the migrant worker from their general  
17. assistant fund. Unfortunately, there...a number of townships  
18. where the migrant workers make their residency, the tax base  
19. simply isn't enough. It isn't adequate to pay the medical bills  
20. of the needy. The bill merely adds one definition to the Public  
21. Aid Code and it is...purpose to determining medicaid eligibility.  
22. Migrant workers would be considered residents of the State  
23. while temporarily employed. Federal HEW office which oversees  
24. the medicaid advises that residencies, the definition determined  
25. solely by the State. Therefore, contrary to the information  
26. in the Governor's Veto Message, the State medicaid plan  
27. may safely add migrants to its coverage and qualify  
28. the State to receive fifty-fifty Federal matching funds.  
29. Now, many of the House members in districts with a large  
30. migrant population who supported the override in the House and  
31. incidently, the vote there was a hundred and twenty-seven  
32. to twenty-nine, expressed the need to relieve taxpayers in  
33. townships which are unfairly required to absorb the cost of the

1. migrant medical care. These House members were able to testify  
2. first hand that the Governor's claim about success of the aid to the  
3. medically indigent program is simply incorrect. The bill is  
4. supported by the Township Officials of Illinois, the  
5. Illinois Canner's Association, the Illinois Farm Union,  
6. Cook County Truck Gardeners and Farm Association, the Illinois  
7. Association of Cook County and the Illinois Migrant Council as  
8. well as the Cook County Supervisors Association. This is a needed  
9. bill for the townships and I urge your...your support.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. Question of the sponsor, if he will yield.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Indicates he will.

16. SENATOR RHOADS:

17. Senator Merlo, one of the big question marks in  
18. discussions about this bill both in the Spring and now  
19. is that over the shift of financial burden from the local  
20. townships to the State and what kind of cost the State we're  
21. looking at. Do you know of any reliable estimates by  
22. ...by anyone...State agency or otherwise as to what the cost  
23. to the State would be...your bill that passed.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Merlo.

26. SENATOR MERLO:

27. Well, in answer to that, I can only tell you that in the  
28. present...in the appropriation that we passed out of the General  
29. Assembly, there was something like nine hundred and twelve  
30. thousand dollars that was set aside for migrant workers. The  
31. interesting thing is that this money is available from the  
32. Federal Government. Unfortunately, it seems like the Governor's  
33. Office, as well as the Department of Public Aid just doesn't

1. realize the implications of this bill. I have statistics and  
2. the letter here, in fact, where the Federal Government sites  
3. that...that we could get this money through a Federal match.  
4. I don't know what the exact cost would be but I know that with the  
5. matching funds that whatever has been appropriated at the present  
6. time could more than suffice the program that I am talking  
7. about... at the present time.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)  
9.       Senator Rhoads.  
10. SENATOR RHOADS:  
11.       Are you saying that only the State Government would qualify  
12. for the Federal match and there's no way, direct route that the local  
13. townships could go?  
14. SENATOR MERLO:  
15.       This is correct.  
16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17.       Senator Rhoads.  
18. SENATOR RHOADS:  
19.       All right. The nine hundred twelve thousand, where...  
20. what appropriation bill was that in?  
21. PRESIDING OFFICER: (SENATOR DONNEWALD)  
22.       Senator Merlo.  
23. SENATOR MERLO:  
24.       It was in Senate Bill 487. And the page is 7, line  
25. 21, nine hundred and twelve thousand ninety-eight dollars  
26. the Department of Public Aid for the purchase of migrant  
27. worker medical assistance.  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29.       Senator Rhoads.  
30. SENATOR RHOADS:  
31.       Well, you must base that figure on something. What was  
32. it based on?  
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Merlo.

2. SENATOR MERLO:

3. Well, I...I would say that it was based on the testimony  
4. that was given in committee.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Merlo may close.

7. SENATOR MERLO:

8. Well, I would like a roll call on the bill. I think  
9. it's a needed bill for the townships.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. All right. The question is shall House Bill  
12. 563 pass, the Veto of the Governor to the contrary  
13. notwithstanding. Those in favor vote Aye. Those opposed  
14. Nay. The Secretary will call the roll.

15. SECRETARY:

16. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
17. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
18. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
19. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
20. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
21. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
22. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
23. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer,  
24. Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh,  
25. Washington, Weaver, Wooten, Mr. President.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Bowers, No. Soper, No. Lane, Aye. Buzbee, Aye.  
28. Egan, Aye. Rock, Aye. Bruce, Aye. Wooten, Aye.  
29. Berning, Aye. On that question the Ayes are 44, the Nays  
30. are 5. House Bill 563 having received a required three-fifths  
31. vote is declared passed, the Veto of the Governor to the  
32. contrary notwithstanding. House Bill 585, Senator Knuppel.  
33. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move that House Bill 585 Do Pass, the Veto of the  
3. Governor to the contrary notwithstanding. Signed,...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Knuppel.

6. SECRETARY:

7. ...Senator Knuppel.

8. SENATOR KNUPPEL:

9. Senate Bill 585, Gentlemen, is a simple bill by which we  
10. wanted to provide that the electorate would get a crack at  
11. electing judges rather than have them play games so that they  
12. would have a larger voice than the people in the selection of  
13. their successors. All this bill does is require that the  
14. ...that the people who seek retention as judges be  
15. required to file before the primary in December and the  
16. Governor vetoed it. I don't know who wrote his Veto Message  
17. but some...somebody got the idea that...that having them file  
18. more than the minimum that's been set in the Constitution,  
19. in some way violated the...the separation of powers.  
20. Now, I can see no way that this violates the separation of  
21. powers in any way. All it does is is it sets a longer period  
22. by the legislator for judges to express their preferences  
23. than...than the constitutional minimum. And I find  
24. nothing unconstitutional about that. Even it if...even if it  
25. did create a court case as some people have suggested,  
26. to determine that. I submit to you and I've seen this happen  
27. too many times already where judges withheld their  
28. notice of resignation until the absolute minimum period.  
29. You can't get anybody on the primary ballot nor for the  
30. General Election. The court then appoints the successor.  
31. It leaves judges to...to select their successors for the  
32. period of two years of the unexpired term before or until there  
33. is another General Election. This was not what was intended

1. even though that period was set. The idea was that judges  
2. would be elected, that judges who were sitting would  
3. leave this open, would...would file their suggestion  
4. in time that the people have a voice in whom they want for  
5. judges. I say this is good legislation. The...the  
6. legal opinion written with respect to the...with respect to the  
7. veto notwithstanding, I think it's both inaccurate and  
8. misleading. And I would ask for a favorable roll call.  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there discussion? Senator Glass.

11. SENATOR GLASS:

12. Mr. President and Ladies and Gentlemen. I would  
13. respectfully disagree with Senator Knuppel on the  
14. constitutionality. I think the Veto Message is clear on the  
15. ...the six month period and this bill would allow no  
16. later than eleven months for filing prior to the  
17. election and Judge Roy Gully, administrator of the Illinois  
18. courts, also concurs with that opinion and I would urge that the  
19. Governor's Veto be sustained and that the membership vote No  
20. on this motion.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, I respectfully disagree with Senator Glass.  
25. Judge Gully is a close personal friend of mine. He  
26. sat over there by my desk when we passed it. I've talked to him  
27. since. The court's administrator takes no position on it  
28. neither does the Bar Association or anyone else. It's the...there's  
29. a minimum set in the Constitution that says six months. This makes  
30. it when your primary is and what's happening is the Judiciary  
31. are excluding the people and I don't give a damn what...what  
32. anybody says, Judge Gully has never said and I'd bring him here  
33. if I could before this Body, he has never said it's

1. unconstitutional. And I'll put my constitutional opinion  
2. up with that of anybody else in the Governor's office with  
3. respect to whether or not this is not. All the Constitution  
4. does is set a minimum period. And what's happening is judges  
5. are resigning after it's too late to get somebody on the  
6. primary ballot. It's a pernicious practice. It is something the  
7. people are entitled to vote on. I ask for a favorable roll call.  
8. PRESIDING OFFICER: (SENATOR ROCK)

9. The question is shall House Bill 585 pass,  
10. the Veto of the Governor to the contrary notwithstanding. Those  
11. in favor will vote Aye. Those opposed will vote Nay. The  
12. Secretary will call the roll.  
13. SECRETARY:

14. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
15. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
16. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
17. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
18. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
19. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
20. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
21. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
22. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
23. Weaver, Wooten, Mr. President.  
24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Newhouse, Aye. There has been a request for a poll  
26. of the absentees. The Secretary will please poll the absentees.  
27. SECRETARY:

28. Berman, Bloom, Carroll, Chew, Collins, Davidson,  
29. Graham, Mitchler, Moore, Netsch, Nimrod, Philip, Regner,  
30. Rhoads, Soper.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Sponsor has requested that the motion...postpone  
33. consideration. So ordered. Senator Knuppel on 651, wish to proceed

1. on that?

2. SENATOR KNUPPEL:

3. Yes, I do.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. On the Order of Total Vetoes is found House  
6. Bill 651. Read the motion, Mr. Secretary.

7. SECRETARY:

8. I move that House Bill 651 Do Pass, the Veto of the Governor  
9. to the contrary notwithstanding. Signed, Senator Knuppel.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Gentlemen, I think most of you are acquainted with this  
14. bill, 651. What it does is raises the...the salaries of  
15. industrial arbiters and commissioners. All right. I'd ask for  
16. a favorable roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any discussion? The question is shall House Bill 651  
19. pass, the Veto of the Governor to the contrary notwithstanding.  
20. Those in favor will vote Aye. Those opposed will vote Nay.  
21. Mr. Secretary, call the roll.

22. SECRETARY:

23. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
24. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
25. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
26. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns, Joyce,  
27. Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos, McMillan,  
28. Merlo, Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
29. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
30. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
31. Walsh, Washington, Weaver, Wooten, Mr. President.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Grotberg, Aye. Senator Hynes, Aye.



1. On that question the Ayes are 50, the Nays are 4, none Voting  
2. Present. House Bill 651 having received the required  
3. three-fifths vote is declared passed, the Veto of the Governor to  
4. the contrary notwithstanding. Senator Berman, on 945.  
5. Do you wish to proceed? All right. On the Order of Total  
6. Vetoes is House Bill 945. Read the motion, Mr. Secretary.  
7. SECRETARY:

8. I move that House Bill No. 945 Do Pass, the Veto of the  
9. Governor to the contrary notwithstanding. Signed, Senator  
10. Berman.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Berman.

13. SENATOR BERMAN:

14. Thank you, Mr. President. House Bill 945 was introduced in the  
15. House by Representative Jim McCourt. It addressed a particular  
16. problem that affects one part of our college student body and  
17. those are the people primarily in nursing school that have a  
18. twelve month school curriculum. This bill was passed with  
19. substantial margins in both Houses. What the bill does is to  
20. provide that under the Illinois State Scholarship Commission  
21. grants, if a student has a twelve month curriculum such as the  
22. nursing schools have, that the awards would be on a twelve  
23. month basis. There is no dollar impact here. There...they  
24. are not going to be receiving any more money than the maximum  
25. allowable to any other student, namely fifteen hundred and fifty  
26. dollars and it's a recognition of a particular need  
27. in the nursing medical assistance professions for this  
28. kind of assistance to allow these students to have financial  
29. assistance throughout the year in compliance with their school  
30. term which is a twelve month period. I solicit your Aye vote on  
31. a motion to override.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Senator...Senator Glass.

1. SENATOR GLASS:

2. Mr. President, I would like to question the sponsor on this  
3. bill if he will yield.

4. PRESIDING OFFICER: (SENATOR ROCK)

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

6. SENATOR GLASS:

7. All right. Senator Berman, what...what schools would  
8. benefit from this legislation?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Berman.

11. SENATOR BERMAN:

12. The Cook County School of Nursing, Lutheran School  
13. of Nursing in Moline, St....St. Francis Hospital School of  
14. Nursing in Evanston, Ravenswood School of Nursing in Chicago,  
15. St. Mary of Nazareth Hospital School of Nursing in Chicago,  
16. South Chicago Community Hospital of Nursing in Chicago,  
17. the Augustana Hospital School of Nursing in Chicago, and the  
18. Little Company of Mary Hospital School of Nursing in Evergreen  
19. Park. That's the list that I have. My information...  
20. there...there may be more, but I'm...I'm not apprised of them.

21. SENATOR GLASS:

22. Well, I...those are all fine institutions, but it seems to  
23. me that it could...this, as the Governor notes, would  
24. very likely prove unfair to the students of other institutions.  
25. They are, by this legislation, favoring the ones that Senator  
26. Berman mentioned and I think that the funds provided  
27. for this program, therefore, could...could cause a reduction in  
28. ...in the amount expected by students who were to receive  
29. their regular term awards and I think for that reason,  
30. the veto should be sustained.

31. PRESIDING OFFICER: (SENATOR ROCK)

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

33. SENATOR BERMAN:

1. Thank you, Mr. President. In response to Senator Glass'  
2. argument, it is my information that in fact, there would not be  
3. a decrease to other students, but, in fact, all that happens now  
4. is that the students that have the twelve month course, get  
5. less money than they would otherwise be entitled to and  
6. therefore, this bill seeks to correct an inequity in a very  
7. serious area of college education and that is in the nursing  
8. profession. We need good nurses. Let's allow them within the  
9. framework of the monies that we appropriate to get the kind of  
10. assistance that I think we've really intended them to get and  
11. therefore, I urge your support for the override on 9...House  
12. Bill 945.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. The question is shall House Bill 945 pass, the Veto of the  
15. Governor to the contrary notwithstanding. Those in favor  
16. will vote Aye. Those opposed will vote Nay. The Secretary will  
17. call the roll.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
20. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
21. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
22. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
23. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
24. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
25. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
26. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
27. Walsh, Washington, Weaver, Wooten, Mr. President.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Hynes, Aye. Here come...all the waltz kings are  
30. waltzing up here. Nimrod...Nimrod, No. Roe, No. Schaffer,  
31. No. On that question the Yeas are 26, the Nays are 21,  
32. the motion fails. On the Order of Total Vetoes is House Bill 508.  
33. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move that House Bill 508 Do Pass, the Veto of the  
3. Governor to the contrary notwithstanding. Signed, Senator  
4. Rupp.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Rupp.

7. SENATOR RUPP:

8. Thank you, Mr. President. This bill originally requires  
9. the notification of expiration of the firearms ID card.  
10. Actually, we do this for a driver's license and it seems that on  
11. a five year period which these firearms ID cards are issued,  
12. it's pretty easy to forget your expiration date. I would  
13. like to ask that...move that House Bill 508 Do Pass,  
14. the Veto of the Governor to the contrary notwithstanding.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Is there any discussion? The question is shall House  
17. Bill 508 pass, the Veto of the Governor to the contrary  
18. notwithstanding. Those in favor will vote Aye. Those opposed  
19. will vote Nay. The Secretary will call the roll.

20. SECRETARY:

21. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
22. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
23. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
24. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
25. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
26. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
27. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
28. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
29. Walsh, Washington, Weaver, Wooten, Mr. President.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Bruce, Aye. Buzbee, Aye. Glass, Aye. Soper, Aye.  
32. Berning, Aye. Berman, Aye. Netsch, Aye. Carroll, Aye.  
33. Hynes, Aye. On that question the Ayes are 50, the Nays are none.

1. Senate Bill 508...House Bill 508 having received the  
2. required three-fifths vote is declared passed, the  
3. Veto of the Governor to the contrary notwithstanding.

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End of reel.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Bloom on 990, House Bill 990. Read the motion.  
3. Mr. Secretary.

4. SECRETARY:

5. I move that House Bill 990 Do Pass, the Veto of the Governor  
6. to the contrary notwithstanding. Signed, Senator Bloom.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Bloom is recognized.

9. SENATOR BLOOM:

10. Is this on? Yes, it is. The light doesn't work.  
11. Yeah, thank you, very much. This is a bill...the two bills in this  
12. series passed out of here, 54 to 1. Basically, you've seen this  
13. bill before, it's passed overwhelmingly in the past three  
14. Sessions. It puts the State on the same footing as property  
15. owners and it sets up the mechanism whereby the State  
16. pays its proportionate share of local property improvements.  
17. The present system has two faults, the special appropriations  
18. are sometimes vetoed or frozen and the General Assembly is  
19. less familiar with the projects than at the local level.  
20. I'd appreciate a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Any further discussion? The question is shall House Bill  
23. 990 pass, the Veto of the Governor to the contrary notwithstanding.  
24. Those in favor vote Aye. Those opposed vote Nay. The Secretary  
25. will call the roll.

26. SECRETARY:

27. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
28. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
29. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
30. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
31. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
32. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
33. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,

1. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
2. Walsh, Washington, Weaver, Wooten, Mr. President.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Donnewald, Aye. Carroll, Aye. Kenneth Hall, Aye.  
5. Vadalabene, Aye. For what purpose does Senator Bloom arise?  
6. SENATOR BLOOM:  
7. I'd like to postpone.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Further consideration of House Bill 990 will be  
10. postponed. Senator Bloom, do you wish to leave 991 on the  
11. Calendar? Senator Bloom.  
12. SENATOR BLOOM:  
13. Yeah, I'll put it on postponed.  
14. PRESIDING OFFICER: (SENATOR BRUCE)  
15. No, we'll just leave it on the Order of Total...  
16. SENATOR BLOOM:  
17. Okay.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. ...Total Vetoes. On page 6, appears House Bill 1109,  
20. Senator Rhoads. Senator Rhoads on the Floor? Okay. I...  
21. House Bill 1183, Senator Vadalabene. Read the motion, Mr. Secretary.  
22. SECRETARY:  
23. I move that House Bill 1183 Do Pass, the Veto of the  
24. Governor to the contrary notwithstanding. Signed, Senator  
25. Vadalabene.  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Senator Vadalabene is recognized. May we have some order,  
28. Gentlemen?  
29. SENATOR VADALABENE:  
30. Yes, thank you, Mr. President and members of the Senate.  
31. House Bill 1183 is identical to Senate Bill 413 that was  
32. passed out of here last week which amends the Motor Fuel Tax  
33. Laws to exempt motor fuel from use in general aviation

1. from tax. I think we've heard enough about this bill already.  
2. It's been discussed for the past four years. We've overridden  
3. the Senate Bill. It's over in the House, but I would like to say  
4. that just as Tuesday, November the 22nd, that only five  
5. percent RTA gasoline tax effective December 1st, that the  
6. aviation fuel was exempted from coverage by the RTA and I think  
7. this is a step forward and I hope that you override this bill  
8. here today.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? Is there further discussion?  
11. The question is shall House Bill 1183 pass, the Veto of the  
12. Governor to the contrary notwithstanding. Those in favor vote  
13. Nay. The Secretary will call the roll.

14. SECRETARY:

15. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
16. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
17. Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
18. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
19. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
20. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
21. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,  
22. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer,  
23. Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
24. Weaver, Wooten, Mr. President.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Hynes, Aye. Kosinski, Aye. Hickey, Aye.  
27. Berning, No. Lane, Aye. Senator Vadalabene is recognized.

28. SENATOR VADALABENE:

29. Yes, would you poll the absentees, please.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. There has been a request for a call of the absentees.  
32. The Secretary will call those who have not voted on the question.

33. SECRETARY:



1. Bowers, Chew, Collins, Davidson, Graham, Grotberg,  
2. Moore, Ozinga, Philip, Roe, Sangmeister, Schaffer.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Nimrod, No. Grotberg, Aye. Sangmeister, Aye.  
5. Rhoads, No. McMillan, No. On that...on that question the  
6. Ayes are 34, the Nays are 6...for what purpose does Senator  
7. Vadalabene arise?  
8. SENATOR VADALABENE:  
9. Postpone consideration.  
10. PRESIDING OFFICER: (SENATOR BRUCE)  
11. All right. Further consideration will be postponed.  
12. For what purpose does Senator Kenneth Hall arise?  
13. SENATOR KENNETH HALL:  
14. Thank you, Mr. President. I just wanted to announce  
15. the...the reason Senator Earleen Collins is not here today  
16. that she has death in the family.  
17. PRESIDING OFFICER:(SENATOR BRUCE)  
18. The record will so show. Senator Washington, House Bill...  
19. all right. House Bill 1218, Senator Vadalabene.  
20. On library construction.  
21. SENATOR VADALABENE:  
22. Yes, 1218.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Read the motion, Mr. Secretary.  
25. SECRETARY:  
26. I move that House Bill 1218 Do Pass, the Veto of the Governor  
27. to the contrary notwithstanding. Signed, Senator Vadalabene.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. May we have some order, please. Senator Vadalabene.  
30. SENATOR VADALABENE:  
31. Yes, thank you, Mr. President and members of the Senate.  
32. House Bill 1218 is a product of a joint House - Senate  
33. Revenue Committee that studied library funding problems in  
34. 1974 which was chaired by Representative Ralph Dunn.

1. This program has received bipartisan support in the Legislature  
2. and the support the last three Secretaries of State, the late John  
3. Lewis, Mike Howlett, and the present Secretary, Alan Dixon.  
4. And under the program established within House Bill 1218  
5. all public libraries would be eligible for annual State grants  
6. up to twenty-five percent of the total construction cost of the  
7. public libraries. The local library would be responsible for  
8. providing the other seventy-five percent of the construction  
9. costs. The Chicago Public Library would be eligible for a  
10. special annual grant not to exceed fifty percent of the annual  
11. appropriation for construction of the new public library which  
12. will be designed as a research of the new Chicago Public  
13. Library. The Library Association has informed me about an  
14. hour ago that they will not come in for funding of House Bill  
15. 1218 in Fiscal 1979. So there is no money problem so I would  
16. appreciate an override on House Bill 1218.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is shall House  
19. Bill 1218 pass, the Veto of the Governor to the contrary  
20. notwithstanding. Those in favor vote Aye. Those opposed  
21. vote Nay. The Secretary will call the roll.

22. ACTING SECRETARY: (MR. FERNANDES)

23. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
24. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
25. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
26. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,  
27. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
28. McMillan, Merlo, Mitchler, Moore, Netsch, Newhouse, Nimrod,  
29. Ozinga, Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
30. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
31. Walsh, Washington, Weaver, Wooten, Mr. President.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. McMillan, No. Buzbee, Aye. Rhoads, No. Daley,  
Aye. Hynes, Aye. Vadalabene, Aye. On...on that question the

1. Ayes are 24, the Nays are 5, and the motion having failed to  
2. receive the three-fifths majority vote is declared lost, and  
3. the Veto of the Governor is sustained. House Bill 1185,  
4. Senator Washington on the Floor? Read the motion, Mr. Secretary.  
5. SECRETARY:

6. I move that House Bill 1185 Do Pass, the Veto of the  
7. Governor to the contrary notwithstanding. Signed, Senator  
8. Washington.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Washington.

11. SENATOR WASHINGTON:

12. Mr. President and members of the...of the Senate.  
13. The present penalty for rape is a sentence of four years to life  
14. and there's no quarrel with that but it's been found in  
15. many jurisdiction within the State, particularly in the...some  
16. of the downstate jurisdictions, as testified to by many downstate  
17. prosecutors who called me after the Governor vetoed this bill,  
18. it's almost impossible to get a conviction for rape under this  
19. Statute unless one shows that there has been force or weapon  
20. used in the process. Now, this certainly does not comport  
21. with common sense nor with that which the legislator was  
22. concerned about when it passed this bill. So, in order to get  
23. around that problem, House Bill 1185 simply provided for two  
24. categories of rape, one aggravated rape keeping the present sentence  
25. of four to life and the other rape with a sentence of from  
26. one to twenty. The Governor went at this somewhat backwardly, I  
27. think, he missed completely the import of the legislation and  
28. what was designed to do and he spoke in terms of not lowering  
29. the sentence for rape when in effect, what is happening  
30. under the present law is that in many legitimate situations of  
31. rape, as testified to by many prosecutors for example, Senator  
32. Knuppel agrees with this very strongly is because it's been his  
33. experience that what we're saying is correct, that in effect  
34. a present law does not bring within its embrace many legitimate

1. situations involving rape where there was no brutality used or  
2. where there was no weapon used. The lower sentence here would  
3. simply provide that if there was a legitimate threat of force  
4. and legitimate, of course, is a question of reasonableness,  
5. and...and proof, then under that circumstances, there would be a  
6. conviction. So, all in all, House Bill 1185 is a step forward  
7. in the direction of trying to improve the criminal justice  
8. system. Certainly, it's trying to do something in the field of  
9. rape which is becoming...growing in leaps and bounds and it  
10. is certainly something that I think we should all address ourself  
11. to. In all fairness to the Governor, I think he simply didn't  
12. see the dimensions of his veto and I'm certain that's  
13. been brought to his attention since he has invoked this  
14. veto. I sincerely urge you that if you were really concerned  
15. about improving the administration of criminal justice system,  
16. with an eye toward making certain in those legitimate situations  
17. of rape, where there is no actual force, but a legitimate  
18. threat of force used, then I would suggest that we should  
19. override the Governor's veto on this bill and I urge you to  
20. do so.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? The question is shall  
23. House Bill 1185 pass, the Veto of the Governor to the contrary  
24. notwithstanding. Those in favor vote Aye. Those opposed  
25. vote Nay. The Secretary will call the roll.

26. SECRETARY:

27. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
28. Carroll, Chew, Clewis, Coffey, Collins, D'Arco,  
29. Daley, Davidson, Demuzio, Donnewald, Egan, Glass, Graham,  
30. Grotberg, Guidice, Harber Hall, Kenneth Hall, Hickey,  
31. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
32. Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,  
33. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads,

HB 1500  
11/22/77

1. Rock, Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
2. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
3. Weaver, Wooten, Mr. President.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Demuzio, Aye. Berman, Aye. Buzbee, Aye. Vadalabene,  
6. Aye. Leonard, Aye. Lane, Aye. Savickas...Savickas, Aye.  
7. On that question the Ayes are 25, the Nays are 19.

8. The motion to override the Governor ...Governor's veto is  
9. lost and the Governor's veto is sustained. Senator Netsch,  
10. for what purpose do you arise? The light will not come on.

11. SENATOR NETSCH:

12. Oh, that's...I'm sorry. President Hynes had asked me  
13. to call something to the attention of all of the members.  
14. The full text of House Bill 1500 as it will be amended and  
15. offered for final vote, has been passed out along with the  
16. memorandum which explains all of the contents of the new  
17. draft...newly drafted bill. Both of those things have been  
18. passed out. They are green, they are on every member's  
19. desk. The bill itself will be called shortly, not this minute,  
20. but it will be called before too terribly long  
21. at least for the amendment stage. But in the meantime,  
22. if members would look for this on their desk and begin to  
23. familiarize themselves with those matters that are the subject  
24. of change, much of this has been in bills that have been before  
25. you before. But those...those matters which represent changes  
26. from the preexisting versions of House Bill 1500 are called  
27. to attention in the accompanying memorandum. And we do request  
28. that everyone begin to look at it so that they will be prepared  
29. to ask questions when it is called for the amendment stage  
30. and final passge in a little while.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Lemke on 1502. Mr. Secretary, read the motion  
33. on House Bill 1502.

1. SECRETARY:

2. I move that House Bill 1502 Do Pass, the Veto of the  
3. Governor to the contrary notwithstanding. Signed, Senator  
4. Lemke.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke is recognized.

7. SENATOR LEMKE:

8. I ask to override the Veto of the Governor. This is a bill  
9. that would enable small businesses engaged in the civil suit  
10. brought by the State to recover cost incurred when the court  
11. determines the allegations made by the State are without  
12. reasonable cause and found to be untrue. This is a good bill  
13. and will help to establish in Illinois a favorable climate  
14. for small businesses and its workers so business could flourish  
15. in the State. I think this will prevent an overzealous  
16. agency without reasonable constraint to run roughshod  
17. over a small business and cause them a great deal of expense.  
18. Therefore, I ask for your favorable support of the override  
19. of this bill. This is supported by the Chamber of Commerce and the  
20. Illinois Manufacturers Association and most small businesses in the  
21. State of Illinois.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further discussion? May we have some order.  
24. Gentlemen. Senator Shapiro.

25. SENATOR SHAPIRO:

26. Mr. President and Ladies and Gentlemen of the Senate,  
27. the Governor opposes an override on House Bill 1502 and for the  
28. following reason. He believes that placing the circuit court  
29. in a fact finding case in an administrative review action,  
30. conflicts with the traditional role of the court in determining  
31. whether the administrative decision is consistent with the  
32. manifest weight of the evidence. For those reasons why I would  
33. recommend that the Governor's Veto be sustained.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Lemke may close.

3. SENATOR LEMKE:

4. I think the Governor, in vetoing this bill, made a mistake.  
5. It injures small business. It gives them the opportunity to recover  
6. their costs and their expenses when agencies get overly  
7. zealous and...and take them to court for no reasonable grounds  
8. and later on the case is dismissed. This will help small  
9. business in this State and this is what we're here to do,  
10. to help our businessmen who are taxpayers to survive and to  
11. prosper in this State and flourish so I ask for an override  
12. of this veto. I must remind you that this bill is also...this  
13. amendment that was put on this bill was also supported by Senator  
14. Glass.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall House Bill 1502, pass the...the Veto of the  
17. Governor to the contrary notwithstanding. Those in favor vote  
18. Aye. Those opposed vote Nay. The voting will be called by the  
19. Secretary.

20. SECRETARY:

21. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
22. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
23. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
24. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns, Joyce,  
25. Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos, McMillan,  
26. Merlo, Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
27. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
28. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,  
29. Vadalabene, Walsh, Washington, Weaver, Wooten, Mr. President.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Wooten, Aye. Mitchler, No. McMillan, Aye. Coffey,  
32. Aye. Kosinski, Aye. Hynes, Aye. Roe, No. Sangmeister,  
33. Aye. Senator Lemke is recognized.

SENATOR LEMKE:

1. Poll the absentees.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. There's been a request for a poll of the absentees.  
4. The Secretary will call those who have not voted on the issue.

5. SECRETARY:

6. Bloom, Bowers, Coffey...Chew, Collins, Donnewald,  
7. Egan, Graham, Grotberg, Johns, Moore, Ozinga, Schaffer,  
8. Soper, Weaver.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Schaffer. Schaffer, No. Senator Bloom.  
11. Bloom, No. Senator Bowers, No. Grotberg, No. ;  
12. On that question the Ayes are 35, the Nays are...Senator  
13. Lemke.

14. SENATOR LEMKE:

15. Could I have postponed consideration?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion will be placed on the Order of Postponed  
18. Consideration. House...Gentlemen, could we have some order,  
19. please. House Bill 1753. Senator Schaffer. Read the motion,  
20. Mr. Secretary.

21. SECRETARY:

22. I move that House Bill 1753 Do Pass, the Veto of the  
23. Governor to the contrary notwithstanding. Signed,  
24. Senator Schaffer.

25. PRESIDING OFFICER:(SENATOR BRUCE)

26. Senator Schaffer is recognized.

27. SENATOR SCHAFER:

28. Mr. President and members of the Senate. House Bill  
29. 1753 is a very simple bill and I'm not sure why it was vetoed,  
30. but what it basically provides is that the Department of  
31. Public Health or other...any other government agency, cannot  
32. require a type of...or grade of sheltered care, skilled care  
33. or medical care for a patient that would result in a higher cost



1. to the patient than that determined to be medically adequate  
2. by the attending physician. Simply says that if the doctor  
3. doesn't think they need a higher level of care, that the  
4. taxpayers...the patient can't be forced to bear the cost.  
5. I was kind of mystified by the Governor's Veto so I looked  
6. at the analysis and in the analysis of the...of the statement  
7. on the veto, the Governor says that the bill would have an  
8. adverse effect on the program...problematic development  
9. within the long term care industry and that it would interfere  
10. with the facility's ability to concentrate their efforts and  
11. develop specific programs for specific target populations.  
12. I still don't understand why the Governor vetoed it but  
13. ...let's have a roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further debate? The question is shall House Bill  
16. 1753 pass, the Veto of the Governor to the contrary notwithstanding.  
17. Those in favor vote Aye. Those opposed vote Nay. The Secretary  
18. will call the roll. Gentlemen, if we could have your attention.  
19. It is getting difficult for the Secretary to hear those who are  
20. voting on these matters. Mr. Secretary.

21. SECRETARY:

22. Berman, Berning, Bloom, Bowers, Bruce, Buzbee,  
23. Carroll, Chew, Clewis, Coffey, Collins, D'Arco, Daley,  
24. Davidson, Demuzio, Donnewald, Egan, Glass, Graham, Grotberg,  
25. Guidice, Harber Hall, Kenneth Hall, Hickey, Johns, Joyce,  
26. Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos, McMillan,  
27. Merlo, Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga,  
28. Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
29. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,  
30. Vadalabene, Walsh, Washington, Weaver, Wooten, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Netsch, Aye. Coffey, No. Buzbee, No. Joyce, No.  
33. On that question the Ayes are 14, the Nays are 9. The motion

1. to override the Governor failing to receive the required  
2. three-fifths vote is lost and the Veto of the Governor is  
3. sustained. Is there leave to go to the report from the  
4. electrician? Leave is granted. The electrician informs  
5. me that the part necessary to make our wonderful machine operate is  
6. now on the premises and will be installed in about fifteen  
7. minutes at which time we have to shut down the system  
8. briefly, Mr. President. So, we can...if we can continue with...  
9. Senator Carroll, are you prepared to go with House Bill  
10. 2338? Read the motion, Mr. Secretary.

11. SECRETARY:

12. I move that House Bill 2338 Do Pass, the Veto of the  
13. Governor to the contrary notwithstanding. Signed, Senator  
14. Carroll.

15. PRESIDING OFFICER: (SENATOR KENNETH HALL)

16. Senator Carroll is recognized.

17. SENATOR CARROLL:

18. Thank you, Mr. President, Ladies and Gentlemen of the  
19. Senate. This bill and the next were part of a package of bills  
20. presented to us by the Economic and Fiscal Commission. The  
21. purpose of these bills together is to get a better control  
22. over all State funds into the General Assembly so that we will  
23. know what, in fact, the Executive Branch of Government is  
24. spending and for what purposes. The questions are shall we  
25. control all of these monies and I think the answer from the  
26. Legislature must be yes. As to the first bill, 2338, we did  
27. pass this 51 to nothing. The House did pass it a 133  
28. to nothing and we did, in the House, override the veto.  
29. I think it's important to know that this bill deals with those  
30. funds that are held by various agencies of State Government outside  
31. of the State Treasury where they are not appropriated by the  
32. General Assembly nor are those funds under any initial control  
33. by the General Assembly or by the State Treasurer. I think it is  
important that those monies be justified to the General Assembly

1. and be controlled by the Treasurer so that we know how much there  
2. is and how it is being used. I can see no reason whatsoever for the  
3. Governor's veto. I can see no reason whatsoever for any Governor  
4. wanting to hide Federal monies or any other monies from the  
5. scrutiny of the General Assembly in the appropriation process  
6. or from the control...the controls of the duly elected  
7. State Treasurer. I would answer any questions. I would ask that  
8. we do override the Governor's ill-advised veto so that the  
9. General Assembly can bring some sunshine and some truth into the  
10. actual fiscal condition of the State and all of the monies  
11. that belong to the State.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Is there any further discussion? Senator Shapiro.

14. SENATOR SHAPIRO:

15. Will the sponsor yield for a question?

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. He indicates he will.

18. SENATOR SHAPIRO:

19. Senator Carroll, will this include all funds?

20. SENATOR CARROLL:

21. It is my understanding that it will, yes.

22. SENATOR SHAPIRO:

23. Okay. Does that mean then, that for those people who  
24. give their own private funds to...like to take care of a  
25. relative in an institution or something like that, that  
26. we will have to appropriate that money?

27. SENATOR CARROLL:

28. No, it is my understanding that it will not.

29. Those are...

30. SENATOR SHAPIRO:

31. I...

32. SENATOR CARROLL:

33. Those are trust funds.

1. SENATOR SHAPIRO:

2. Well, they're not appropriated and it's my understanding  
3. the way the bill is...

4. SENATOR CARROLL:

5. No, it's all funds not authorized by law to be held in some  
6. other than the State Treasury. Now, those trust funds are  
7. authorized by law to be held outside of the general funds of the  
8. State of Illinois and this bill specifically says that unless it  
9. is authorized by law to be so held, then it must be under the  
10. scrutiny of the General Assembly and appropriated and held  
11. by the Treasurer. The point is, Senator Shapiro, that those  
12. funds have been authorized by law through the trust fund concept to be  
13. held elsewhere and that would still be allowed under this bill.  
14. The problem is there are many funds that have not been authorized  
15. by law to be held outside of the Treasury, a lot of agencies are  
16. holding Federal grants...in their local bank accounts. That  
17. is not appropriate. Those are not appropriated funds.

18. SENATOR SHAPIRO:

19. Okay. One other question if I may. Supposing we're out of  
20. Session and some Federal funds become available for the State  
21. of Illinois, we have adjourned to a time certain...say a month  
22. or two down the road and we need to come back and...those funds  
23. have to be appropriated for...if we don't get back then that  
24. money is lost if this bill becomes law. Wouldn't that be correct?

25. SENATOR CARROLL:

26. I would assume that is correct and in most instances,  
27. that's how we've worked now. We spent last week in the Appropriations  
28. Committee dealing with Federal grants. They should be appropriated  
29. by the General Assembly. They should not just be taken because  
30. most often, those funds that are quickly brought to us, then  
31. terminate and we're asked to give General Revenue Funds to augment  
32. them in the future. And I think we do want to look them over  
33. before we allow their spending.

1. SENATOR SHAPIRO:

2. Well, I...if I may speak, Mr. President, to the bill,  
3. I...I see some good in the bill but I think at this particular  
4. point in time, the General Assembly...actually the entire  
5. General Assembly has really not had enough time to study the  
6. bill. I think it would require further study and therefore  
7. I would ask the members of the Senate to sustain the Governor's  
8. veto.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. Any further discussion? Senator Rhoads.

11. SENATOR RHOADS:

12. Mr. President, I think the principal that Senator  
13. Carroll is trying to promote here is good one. I agree with  
14. him that I think the Governor may not have correct information  
15. on this. And the Economic and Fiscal Commission, if I'm  
16. correct, Senator Carroll, did endorse this bill, is that  
17. correct?

18. SENATOR CARROLL:

19. They originally suggested it, yes. Not only endorsed it,  
20. they also asked for the override.

21. SENATOR RHOADS:

22. I'm going to cast a vote of a courageous Present, Senator  
23. Carroll, because I think you're right and I'll continue  
24. working on it with you next Spring.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. Any further debate? Senator Carroll, would you like to  
27. close?

28. SENATOR CARROLL:

29. Thank you, Mr. President and Ladies and Gentlemen of the  
30. Senate. I'm surprised at the comments from the other side of the  
31. aisle. I always thought Senator Shapiro was a quick learner.  
32. And I thought, you know, to use the old lawyer's trick,  
33. didn't you know what you were doing then or don't you know what  
you're doing now? We did vote 51 to nothing to pass these

1. bills after a long and hard study. We had several hours of debate  
2. on the Floor of the Senate and Senator Weaver is giving in, I  
3. think. The point is, Senator Shapiro, Rhoads, et al, we have  
4. studied this for a long time. Obviously the time is now.  
5. Obviously we must have control over all of these fundings.  
6. I don't think the Governor would want to be sneaking around in  
7. corners holding monies elsewhere, not letting the people know  
8. where the money is coming from or where it's going.  
9. So, I would urge everybody who believes in good government  
10. to vote here and now. We have studied it for a long time  
11. and I think no time like the present to get the control  
12. over the State funds out in the open where it belongs.  
13. PRESIDING OFFICER: (SENATOR KENNETH HALL)

14. The question is shall House Bill 2338 pass, the Veto of the  
15. Governor to the contrary notwithstanding. Those in favor  
16. will vote Aye. Those opposed will vote Nay. The Secretary  
17. will call the roll.

18. SECRETARY:

19. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
20. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
21. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
22. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
23. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
24. Mitchler, Moore, Netsch, Nehouse, Nimrod, Ozinga, Philip,  
25. Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,  
26. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene,  
27. Walsh, Washington, Weaver, Wooten, Mr. President.

28. PRESIDING OFFICER: (SENATOR KENNETH HALL)

29. Daley, Aye. Newhouse, Aye. Ozinga, No. Hynes, Aye.  
30. Request for a poll of...call the absentees.

31. SECRETARY:

32. Berman, Berning, Chew,...

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

Berman, Aye.

1. SECRETARY:

2. ...Collins, D'Arco, Davidson, Johns, Moore, Regner,  
3. Walsh, Weaver, Wooten.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. Senator Carroll request for postponement?

6. SENATOR CARROLL:

7. That will give them a little time to thing about it.

8. PRESIDING OFFICER: (SENATOR KENNETH HALL)

9. The consideration will be postponed. House Bill 2340,  
10. Senator Regner. 2350, Senator Carroll? Read the bill,  
11. Mr. Secretary.

12. SECRETARY:

13. I move that House Bill 2350 Do Pass, the Veto of the  
14. Governor to the contrary notwithstanding. Signed, Senator  
15. Carroll.

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President and members of the Senate. This  
20. bill, like the other one, is dealing with the interests of the  
21. Illinois Economic and Fiscal Commission in recommending to us  
22. that there be no payment or dispositions of monies received  
23. by officers or employees of the State. No monies can be held  
24. outside the State Treasury unless the General Assembly  
25. specifically recommends that those bills be so allowed for  
26. local retention. Again, I can see no reason why the General  
27. Assembly would not support the General Assembly having  
28. the ability to look over these funds and to appropriate them  
29. and watch their spendings through the State Treasury. Again,  
30. we can always authorize by law those specifics that we don't  
31. feel it is necessary so to do. The purpose is not to just  
32. let people surreptitiously take these funds and hold them out-  
33. side the State Treasury without us ever knowing about them...

1. until much after...

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. ...just a moment please. Will you please give Senator  
4. Carroll your attention, please. He deserves that.

5. SENATOR CARROLL:

6. Why thank you, Mr. President. John Washburn. Okay.  
7. You're on the mike. The purpose of this obviously is to say  
8. that you cannot spend any of the State's monies without it coming  
9. through the State unless by law we have said that you can  
10. locally retain these funds. Again, I think we've spent long  
11. hours on this, both last time and since the Governor's veto.  
12. I think that he was mistaken and ill-advised. We did vote for  
13. this one by overwhelming margins when they were before us  
14. as the House has done both in the original instance and in the  
15. override. If anyone can justify holding these funds outside the  
16. State Treasury, they should speak now or forever hold their  
17. peace.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. Any discussion? Senator Glass.

20. SENATOR GLASS:

21. Well, thank you, Mr. President. I certainly would not  
22. be...want to be in the risk of holding my peace forever  
23. so I will speak at this time and just point out to the Body that  
24. there are a number of local funds that ought to be kept outside  
25. the Treasury. This is similar to 2338 which was not overridden.  
26. I think that those funds and some of them in the area of  
27. Corrections and Children and Family Services where patients  
28. or inmates, as the case may be, have money for their own  
29. uses, ought not to have to go through the State treasury. I think  
30. that's the gist of Governor's message on his veto and I think  
31. the veto ought to be sustained.

32. PRESIDING OFFICER: (SENATOR KENNETH HALL)

33. Any further discussion? Senator Carroll, you may  
close the...



1. SENATOR CARROLL:

2. Thank you, Mr. President. I don't know Senator Glass's  
3. logic or reasoning or what a State Treasurer might in the  
4. future, do. But were I...interested in that office, I would  
5. be concerned that the State Treasurer did not have the right  
6. to watch over the State's funds. I can't see anyone looking  
7. for that type of position who would say that those monies should  
8. be spent without them coming through the General Assembly  
9. or without them coming through the State Treasurer. What I find  
10. interesting is that we still provide that any time by law, we  
11. authorize the funds to be locally retained, they can be  
12. locally retained. There is nothing that limits that. In fact,  
13. the Treasurer can set up administrative funds in separate  
14. accounts. In fact, the General Assembly can provide for local  
15. retention, anywhere that the locals wish and prevail upon  
16. the General Assembly to place it. The fact is that without  
17. a specific directive from the General Assembly, those monies  
18. belong to the State. They belong to the people of the State  
19. of Illinois, should be appropriated by the General Assembly  
20. and watched by the Treasurer and the Comptroller. I, again,  
21. have heard no justification nor can I see one for just  
22. giving carte blanche authority for others to hold the State's  
23. money and I would urge for us all to again review this and to  
24. override the Governor's veto.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. The question is shall House Bill 2350 pass, the Veto of the  
27. Governor to the contrary notwithstanding. Those in favor  
28. will vote Aye. Those opposed vote Nay. The Secretary will call  
29. the roll.

30. SECRETARY:

31. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
32. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
33. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,

1. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
2. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan,  
3. Merlo, Mitchler, Moore, Netsch, Newhouse, Nimrod,  
4. Ozinga, Philip, Regner, Rhoads, Rock, Roe, Rupp, Sangmeister,  
5. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,  
6. Vadalabene, Walsh, Washington, Weaver, Wooten, Mr. President.

7. PRESIDING OFFICER: (SENATOR KENNETH HALL)

8. Donnewald, Aye. Maragos, Aye. Newhouse, Aye. Joyce,  
9. Aye. D'Arco, Aye.

10. SENATOR CARROLL:

11. Poll the absentees, please.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Poll the absentees.

14. SECRETARY:

15. Chew, Collins, Davidson, Moore, Philip,  
16. Regner, Rhoads, Walsh.

17. SENATOR CARROLL:

18. Mr. President...

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Senator Carroll.

21. SENATOR CARROLL:

22. I realize that possibly the candidate for State Treasurer  
23. would like to review his positions. I would ask for postponed  
24. consideration.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. Request for postponed consideration is granted.

27. Postponed. Senator Hynes.

28. SENATOR HYNES:

29. Mr. President, members of the Senate. For purpose of  
30. announcement, many members have inquired as to what our  
31. schedule would be and as you can well imagine, we are  
32. behind schedule as a result of the mechanical failure. If it is  
33. not resolved fairly soon, Senator Daley has agreed to go back

1. and held the electricians get the system rewired so I think we  
2. won't have any problem after that. But they are still working  
3. on it. We are hopeful that the system will be put back in order.  
4. If...if they are successful, we will have a short recess  
5. while they rewire these microphones. But that will be the only  
6. recess. Because of the time and the volume of work that we have  
7. left, the only sensible way to approach this is to continue  
8. working straight through until we have completed the business  
9. we are able to accomplish tonight. So, therefore, any member  
10. that wishes to have dinner this evening at any reasonable  
11. hour, ought to make arrangements now. Because I can't conceive  
12. of us getting out of here prior to 9:00 o'clock and I think that  
13. would be a very optimistic hour. I think it will be later than  
14. that. So that, we will work straight through and there will be a  
15. short recess if they are able to get the system in operation  
16. again to rewire the microphones. But we'll continue on until  
17. they let us know that they do have it working.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. House Bill 2340, Senator Regner. Ladies and Gentlemen,  
20. we're going to Item Vetoes. House Bill 2379, Senator  
21. Knuppel.

22.  
23.  
24. End of reel.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. Read the motion.

3. SECRETARY:

4. I move that...the item on page 18, lines 5-12 of  
5. House Bill 2379 Do Pass the Item Veto of the Governor  
6. to the contrary, notwithstanding. Signed, Senator  
7. Knuppel.

8. PRESIDING OFFICER: (SENATOR KENNETH HALL)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Mr. Chairman and members of the Body. The Item  
12. Vetoes here, there are two of them, and I don't  
13. really have right in front of me which is which here.  
14. But they involve two million dollars. There's two  
15. Item Vetoes, one is for engineering design study on  
16. the...on the Chicago-Kansas City Expressway from Canton  
17. to Macomb. The other is for the engineering design  
18. studies from Macomb to Quincy. The feasibility of  
19. this highway has long since been approved. They are  
20. now in the process of making ecological studies which  
21. I am advised are nearly complete. This amendment was  
22. put on the Department of Transportation budget in the  
23. hopes that if those ecological studies were completed  
24. that the money would be available to start engineering  
25. design work on...on the rest of this highway. I've  
26. passed out information to each of the members of this  
27. Body explaining what the present status of interstate  
28. system in Illinois is. I don't need to stand here and  
29. tell the members of this Body the deplorable condition...

30. PRESIDING OFFICER: (SENATOR KENNETH HALL)

31. Pardon...pardon me just a moment, Senator Knuppel.  
32. Now we...we just simply must have some order, Gentlemen,  
33. would you please break up the caucus on this side of

1. the aisle. Well I know...now you want to be courteous to  
2. your fellow Senators, so disperse a little bit, will you,  
3. Gentlemen. It's unfair to ask any Senator to try to  
4. continue under this conditions. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Gentlemen, this to me is the most important bill that  
7. I brought before this Body in the seven or eight years  
8. that I've been here as far as my constituency is concerned.  
9. I don't need to tell you, you've seen the pictures. Quincy,  
10. where is it and how do you get there? All of west central  
11. Illinois has been neglected in the highway system. And  
12. in the eight years I've been here, Gentlemen, I have never,  
13. I have never voted against a road, a bond issue for anybody  
14. else in the very hope that if you don't send a ship out  
15. you can't expect your ship to come in. I have...I have  
16. voted for the six hundred million dollar bond issue under  
17. Ogilvie I've voted for the bond issue for the crosstown  
18. here just a few months ago, which was important to both  
19. the Governor and the members from Chicago. I've voted  
20. for every piece of legislation in the hopes, in the hopes  
21. that some day we might get a four lane highway in the  
22. part of the heart of west central Illinois where it's  
23. required. As you know, I'm probably...I've been described  
24. as one of the ten worst Senators, as the worst behaved,  
25. as a twentieth century savage. Now I can explain that,  
26. I grew up in the wilderness. I grew up in the wilderness.  
27. And I'm standing here tonight, I'm standing here tonight  
28. to ask you not to let that happen to any other young man  
29. now in west central Illinois. I'm asking you and I'm telling  
30. you too, that I voted...I voted for a second span on the  
31. McKluge and I voted for the Pekin Bridge. I voted for  
32. every road project that's come before this Body, whether  
33. it was a Democrat or a Republican. Now what I'm asking

1. you to do is build a passage way out of that wilderness.  
2. Out of...out of oblivion for every young man and women  
3. who lives in west central Illinois and let them find their  
4. way into the light of civilization. You know, really, I  
5. never knew, I never knew that chickens lived with chickens  
6. until I got out of there. I thought they lived with hoot  
7. owls. That's just how far out we were,Gentlemen. And  
8. I'm just asking you here now to vote for a simple two  
9. million dollar appropriation. Now just a couple of days  
10. ago Senator Soper and I carried on a...a fight here when  
11. the Department of Corrections said they had two million  
12. dollars to provide conjugal relations for the inmates at  
13. the different State penal institutions. I'm just asking  
14. you to put that two million dollars up there where if  
15. the Governor needs to spend it to speed the road to  
16. west central Illinois, he can. As between roads for  
17. west central Illinois or sex for inmates, I'm asking  
18. you to make your priority, roads for west central Illinois.  
19. Thank you.

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Any discussion? Senator Soper.

22. SENATOR KNUPPEL:

23. That...that deserves a vote.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Senator Soper.

26. SENATOR SOPER:

27. Thank you very much, Mr. President. But Senator Knuppel,  
28. if you'll remember there's just a slight...slight mistake  
29. that you made. The Director of penal institutions says  
30. that he didn't have the two million dollars to spend and  
31. that's just the difference between what you said that  
32. we should take it from someplace where we shouldn't spend  
33. it and put it in someplace where we should spend it.

1. Now if we had the two million dollars, Senator Knuppel, I'd  
2. be the first one to vote for your proposition. But at this  
3. time I think we ought to allow the Federal Government to  
4. come in and treat us like it should treat us, like it  
5. treats other states and when we get that ninety percent  
6. from the Federal Government and we only have to come up  
7. with ten percent, then we'll all only need two hundred  
8. thousand and Senator Knuppel, I'll be happy to support you  
9. for two hundred thousand. Right now, no way.

10. PRESIDING OFFICER: (SENATOR KENNETH HALL)

11. Any further discussion? Senator Coffey.

12. SENATOR COFFEY:

13. Mr. President and members of the Senate. I think that  
14. I along with many other members of the Senate would be the  
15. first to say that we have a lot of roads in the State of  
16. Illinois that needs improvement. I think ought to point  
17. out that this two million dollars is not in the...in the  
18. Governor's budget, and the DOT budget and therefore, that  
19. I will have to oppose to this Item Veto. Also I think  
20. that this Body will be aware that the central Illinois  
21. Freeway has not been completed. And also, I think that  
22. we need to be aware that total cost of this project is  
23. somewhere around five hundred and forty million dollars.  
24. So I think we have a lot of priorities and I think the  
25. sponsor of this Item Veto is...is sincere in his remarks.  
26. I think it probably is a badly needed road, but at this  
27. time when the money is not available, I think that we  
28. should resist this Item Veto.

29. PRESIDING OFFICER: (SENATOR KENNETH HALL)

30. Any further discussion? Senator Knuppel will close.

31. SENATOR KNUPPEL:

32. There's just two or three points. Sometime I'd like  
33. to take you for a ride as my guest, Senator Coffey.

1. I've been down to Mattoon and Charleston and I've ridden  
2. on the roads down there, you got 57 shoots right on down  
3. by there. You look at a map of the freeway, this has been  
4. approved by the...as a four land unlimited access road by  
5. the Illinois Highway Study Commission. I know the Governor  
6. wants...wants to hold his point on this, but he came into  
7. our district and he said there were two roads and when he  
8. was campaigning he wanted votes, there were two roads had  
9. priorities and those two roads were the Central Illinois  
10. Expressway and the Chicago to Kansas City Expressway.  
11. Now he says he can't find the two million dollars. I  
12. don't think that's quite what...what the situation is  
13. and for Senator Soper, so that he hears what I have to  
14. say, Senator, we have on...on reliable authority that  
15. as far as the interstate system is concerned there's  
16. going to be only, only thirty-six miles funded in  
17. the future that the highway program...that highway program's  
18. over. So ninety-ten is gone. That is fallacious talk  
19. and reasoning and I passed that information out so every-  
20. body could see it. The only way we're going to build this  
21. road is on a seventy-thirty proposition and we're going to  
22. have to be ready for that money when it's appropriated.  
23. There's two different bills in Congress now. One for  
24. eight billion and one for twelve billion and I gave you  
25. that information and there is no ninety-ten, there is no  
26. more ninety-ten money. I wish there were, I'd be tickled  
27. to death to go for it, but we have worked very hard on  
28. this. We know what it is. We were promised the road.  
29. All I can say on that is, Gentlemen, as far as the State  
30. of Illinois is concerned, let's reannex Forgotonia, let's  
31. get it back, you know, we've forgotten it, let's get it  
32. back into the State of Illinois. Everybody knows and...and it's  
33. become the laughing stock of...of all the State of Illinois,



1. the Forgotonia land. And we need this road. We're worse  
2. than anyplace else in the whole United States probably.  
3. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
4. Senator Soper he just...he just closed.  
5. SENATOR SOPER:  
6. I know, but Mr. President...  
7. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
8. What...what, wait a minute. State...state your point.  
9. SENATOR SOPER:  
10. Personal privilege, my name was mentioned. When  
11. your name's mentioned aren't you allowed to say something  
12. about it?  
13. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
14. We have just...he has just closed now.  
15. SENATOR SOPER:  
16. I know, but you can't close by mentioning my name.  
17. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
18. I'm...I'm sorry Senator, I can't allow that.  
19. SENATOR SOPER:  
20. Well I got to uncloze it if my name is...he can't close  
21. it if my name is mentioned.  
22. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
23. The question is shall the item on page 18, lines 5th...  
24. 5-12 of House Bill 2379 pass the Item Veto of the Governor  
25. to the contrary, notwithstanding. Those in favor will vote  
26. Aye. Those opposed will vote Nay. The Secretary will call  
27. the roll.  
28. SECRETARY:  
29. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
30. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson, Demuzio,  
31. Donnewald, Egan, Glass, Graham, Grotberg, Guidice, Harber Hall,  
32. Kenneth Hall, Hickey, Johns, Joyce, Knuppel, Kosinski, Lane,  
33. Lemke, Leonard, Maragos, McMillan, Merlo, Mitchler, Moore, Netsch,

1. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads, Rock,  
2. Roe, Rupp, Sangmeister, Savickas, Schaffer, Shapiro,  
3. Smith, Sommer, Soper, Vadalabene, Walsh, Washington,  
4. Weaver, Wooten, Mr. President.

5. SENATOR KNUPPEL:  
6. " Would you call the absentees please?

7. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
8. There's been a request for the polls of absentees.  
9. Poll the absentees.

10. SECRETARY:  
11. Chew, Collins, Davidson, Graham, Grotberg, Lemke,  
12. Mitchler, Moore, Nimrod, Ozinga, Roe, Rupp, Weaver.

13. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
14. Nimrod, No. Lemke, Aye. On that question the Yeas  
15. are 36, the Nays are 15...having received the required  
16. three-fifths vote, it's declared passed, the Item Veto  
17. of the Governor to the contrary notwithstanding.

18. SENATOR SHAPIRO:  
19. Mr. President...

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
21. Senate...Senator Shapiro.

22. SENATOR SHAPIRO:  
23. I request a verification of the affirmative roll call.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
25. There's been a request for verification of the affirmative  
26. roll call. Will everyone please be in their seats. ...clerk,  
27. call the roll. Of the affirmative votes.

28. SECRETARY:  
29. The following voted in the affirmative; Berman, Bloom,  
30. Bruce, Buzbee, Carroll, Clewis, D'Arco, Daley, Davidson,  
31. Demuzio, Donnewald, Egan, Guidice, Harber Hall, Kenneth Hall,  
32. Hickey, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,  
33. Maragos, McMillan, Merlo, Netsch, Newhouse, Rock, Sangmeister,

1. Savickas, Smith, Vadalabene, Washington, Wooten, Mr. President.

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. The roll call has been verified. There he is right there.

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Senator Davidson.

7. PRESIDING OFFICER: (SENATOR KENNETH HALL)

8. Is Senator Davidson on the Floor? Is Senator Davidson

9. on the Floor? Strike his name from the roll. Senator

10. Knuppel. Request has been made for postpone consideration.

11. The bill will be postponed. Senator Carroll.

12. SENATOR CARROLL:

13. Just a point of parliamentary inquiry. Could we shut off the phones

14. during the Floor times so maybe some of the members could

15. be out on the Floor a little more often.

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. We'd have to lock the doors, Senator Carroll. And

18. Senator...Senator Knuppel, you have another motion, do

19. you wish to call it at this time? Well, read it.

20. SECRETARY:

21. I move that the item on page 18, lines 13 through 14

22. of House Bill 2379 Do Pass the Item Veto of the Governor

23. to the contrary notwithstanding. Signed, Senator Knuppel.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Senator Knuppel. You're on, go ahead.

26. SENATOR KNUPPEL:

27. I've already explained the bill, Gentlemen and it's

28. just a different segment. I'd like a roll call on it.

29. I feel very strongly that, you know, I've voted for every-

30. body else's creek bills, everybody else's roads and I've

31. never run creek bills here. This is my creek bill,

32. this is my biggie. I'll appreciate any help you can give

33. me.

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. Any discussion? The question is shall the item on  
3. page 18, lines 13, 14 of House Bill 2379 Pass the  
4. Item Veto of the Governor to the contrary notwithstanding.  
5. Those in favor will vote Aye. Those opposed will vote Nay.  
6. The Secretary will call the roll.

7. SECRETARY:

8. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
9. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
10. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
11. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
12. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
13. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga, Philip,  
14. Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,  
15. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh,  
16. Washington, Weaver, Wooten, Mr. President.

17. PRESIDING OFFICER: (SENATOR KENNETH HALL)

18. Newhouse, Aye. Hynes, Aye. Request for poll of  
19. absentees. Call the absentees.

20. SECRETARY:

21. Berning, Bloom, Bowers, Chew, Collins, D'Arco, David-  
22. son, Graham, Grotberg, Harber Hall, Mitchler, Moore, Rock,  
23. Sangmeister,

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Senator Knuppel. ...Request postpone. ...The bill will  
26. be postponed. Senator Hickey for 2379. Read the motion,  
27. Mr. Secretary.

28. SECRETARY:

29. I move that the item on page 24, line 10 through 13  
30. of House Bill 2379 be restored the Item Reduction of the  
31. Governor to the contrary notwithstanding. Signed, Senator  
32. Hickey.

33. SENATOR HICKEY:

1. Thank you, Mr. President.

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. Senator Hickey.

4. SENATOR HICKEY:

5. After thirty-five years of promises through seven  
6. Governors, we're at last trying to get a highway, a four  
7. lane highway down the center of northern Illinois.  
8. Certainly we should have all supported Senator Knuppel's  
9. plea for the isolation, against the isolation of  
10. Quincy and Forgotonia, but Rockford is the only city  
11. that doesn't have four lane access to Springfield  
12. other than Quincy in the State. This is not a new  
13. thing. Land has been acquired, plans have been...  
14. engineering has been done. What we need is the money  
15. and I realize that when the Governor Vetoed this,  
16. he can still withhold the funds if he wants to, but anyway  
17. I'm asking for restoration of the money which he reduced  
18. from House Bill 2379. The...the House has concurred  
19. in this action and I'm asking your favorable vote for  
20. the restoration of this item.

21. PRESIDING OFFICER: (SENATOR KENNETH HALL)

22. Any discussion? Senator Shapiro.

23. SENATOR SHAPIRO:

24. Well, Mr. President and Ladies and Gentlemen of the  
25. Senate. It is not without any reluctance or any hesitation  
26. that I arise to oppose this restoration. I want to point  
27. out to this Body, this a forty million dollar increase, from  
28. ten million to fifty million. It goes right through my  
29. home county and my Legislative District. But the truth  
30. of the matter is...is what the previous speaker did not  
31. tell you, is that the amount of money appropriated in  
32. bonds this past fiscal year is being spent up in her part  
33. of the highway, up in Winnebago County where a lot of

1. preliminary work is being done and where some of the construction  
2. is actually started. But I want to point out to you further  
3. is that there is no way, even if...we restore this money, that  
4. it can be spent in this fiscal year. It'll be strictly a  
5. motion in futility. In addition, it has been pointed out  
6. to me that the Series A Bond Fund does not have a balance  
7. sufficient for this large single project. The forty million  
8. increase would require reallocation among projects and  
9. programs, which we have already approved. In other words,  
10. someone else would lose what they think and understand  
11. that they are going to get in a way of a project or a  
12. program. I point out to you again, this restoration only  
13. requires thirty votes. I would urge everyone in the  
14. General Assembly from a prudent fiscal viewpoint to oppose  
15. the override.

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. Any further discussion? Senator Hickey, you may close.

18. SENATOR HICKEY:

19. Thank you, I'd like to point out that last year four  
20. hundred million in reappropriation money lapsed and at  
21. this point there's a hundred and forty-five million that's  
22. unobligated. This could be done and while ten million  
23. is to be spent at Rockford where this thing begins, at  
24. that rate, as I wrote the Governor once, at that rate,  
25. I'd be seventy-eight years old before I could drive on  
26. a four land highway to Bloomington, Illinois. And I'm  
27. pretty old, but I'm not...that's still a long way off.  
28. Now this may seem to be a symbolic gesture, but someone  
29. had pointed out, the Governor is great in symbolic  
30. gestures and I ask for your favorable vote.

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. The question is shall the item on page 24, line 10,  
33. 13 of House Bill 2379 pass the Item Veto of the Governor

1. to the contrary notwithstanding. ...Item Reduction of  
2. the Governor's Veto notwithstanding. Those in favor  
3. vote Aye. Those opposed vote Nay. The Secretary will  
4. call the roll.

5. SECRETARY:

6. Berman, Berning, Bloom, Bowers, Bruce, Buzbee, Carroll,  
7. Chew, Clewis, Coffey, Collins, D'Arco, Daley, Davidson,  
8. Demuzio, Donnewald, Egan, Glass, Graham, Grotberg, Guidice,  
9. Harber Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
10. Kosinski, Lane, Lemke, Leonard, Maragos, McMillan, Merlo,  
11. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga, Philip,  
12. Regner, Rhoads, Rock, Roe, Rupp, Sangmeister, Savickas,  
13. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Walsh,  
14. Washington, Weaver, Wooten, Mr. President.

15. PRESIDING OFFICER: (SENATOR KENNETH HALL)

16. Guidice, Aye. Lane, Aye. On that question the Yeas  
17. are 32, the Nays are 19. The item on page 2379...well,  
18. wait a minute, where is it? The item to restore on page 24,  
19. line 10-13, having received the required majority vote of  
20. Senators elected is declared restored the Item Reduction  
21. of the Governor to the contrary notwithstanding. Senator  
22. Shapiro.

23. SENATOR SHAPIRO:

24. Verification of the affirmative roll call.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. There's been a...request for a verification of the  
27. affirmative roll call. Will you please be in your seats.

28. SECRETARY:

29. The following voted in the affirmative; Berman, Bruce,  
30. Buzbee, Carroll, Clewis, D'Arco, Daley, Demuzio, Donnewald,  
31. Egan, Guidice, Harber Hall, Kenneth Hall, Hickey, Johns,  
32. Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard, Maragos,  
33. Merlo, Netsch, Newhouse, Rock, Sangmeister, Savickas, Smith,

1. Vadalabene, Washington, Wooten, Mr. President.
2. PRESIDING OFFICER: (SENATOR KENNETH HALL)
3. Senator Shapiro.
4. SENATOR SHAPIRO:
5. Senator Chew.
6. PRESIDING OFFICER: (SENATOR KENNETH HALL)
7. Well...Senator Chew was not recorded.
8. SENATOR SHAPIRO:
9. Okay. Senator Hall.
10. PRESIDING OFFICER: (SENATOR KENNETH HALL)
11. Senator Harber Hall.
12. SENATOR SHAPIRO:
13. Harber Hall.
14. PRESIDING OFFICER: (SENATOR KENNETH HALL)
15. Okay. Is Senator Harber Hall in the Chambers?
16. Right there.
17. SENATOR SHAPIRO:
18. Senator Bruce.
19. PRESIDING OFFICER: (SENATOR KENNETH HALL)
20. Senator Bruce, in the middle aisle over here.
21. SENATOR SHAPIRO:
22. Senator Buzbee.
23. PRESIDING OFFICER: (SENATOR KENNETH HALL)
24. Senator Buzbee. Right there in the back of the Chambers.
25. Yes. The roll has been verified. The Ayes are 32, the Nays
26. are 19. Senator Carroll. Move to reconsider. Senator
27. Johns moves that it lie upon the Table. All in favor say
28. Aye. Opposed Nay. The motion is Tabled. Senator Hynes,
29. would you...just a minute, Ladies and Gentlemen, we need your
30. attention for a moment. The President has something to say.
31. SENATOR HYNES:
32. Mr. President and members of the Senate, the electrician
33. has informed us that the work has been done and they're...they're now



HB 1500  
Recalled  
11-22-77

1. prepared to rewire the system. So in a moment I would ask  
2. the Senate stand at ease for just a few minutes while that is  
3. done and I would like to indicate that with leave of the Body  
4. the first order of business upon our return will be House  
5. Bill 1500 on the Order of 3rd reading in the Regular Session.  
6. That is the Criminal Law package, so with that the Senate  
7. will stand at ease for just a few minutes until the electricians  
8. have completed their work.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. The Senate will stand at ease. Don't stray away too  
11. far because we're going right back.

12.  
13.

14. (The following typed previously)

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33.

HB 1500  
Rec'd  
11/22/77

1.  
2.           The Senate will come to order. Ring the bell. Senator  
3. Netsch, are we going to go with your...oh, it's not your  
4. bill, I'm sorry. Senator Sangmeister. Try that, see if  
5. your mike is working. Senator Sangmeister. Mr...Senator  
6. Sangmeister.

7. SENATOR SANGMEISTER:  
8.           At this point, I would request that House Bill 1500  
9. be returned to the Order of 2nd reading for purposes of  
10. amendments and I believe Senator Roe has some...an amend-  
11. ment to offer.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
13.           Leave to return House Bill 1500 to 2nd reading for  
14. purpose of amendment. Is leave granted? Leave. The  
15. bill is now on 2nd reading.

16. SECRETARY:  
17.           Amendment No. 2 offered by Senator Roe and Bowers.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)  
19.           Senator Roe or Bowers. Senator Bowers, do you have  
20. the amendment? Just a moment, Senator Bowers. Go ahead,  
21. Senator Bowers.

22. SENATOR BOWERS:  
23.           Thank you, Mr. President. Actually the...the bills  
24. are or the amendments are on the...on the Secretary's  
25. Desk and I think they're Amendments 1 through 7.  
26. And at this time... there are only two? 2 through 7?

27. SECRETARY:  
28.           Senate...they are Amendments 2 through 8.

29. SENATOR BOWERS:  
30.           Okay. I think the proper motion at this point would  
31. be to Table Amendments 2 through 7 and I would so move.  
32. They're Committee Amendments.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Yes. Senator Netsch. Put Senator Netsch' mike on.

2. SENATOR NETSCH:

3. I think, Senator Bowers, they're not literally  
4. committee amendments because the...even those amendments  
5. that were put on in committee were inoperable once  
6. the bill was discharged from committee. But the...what  
7. ...what you are moving is that 2 through 7 be Tabled  
8. because all of 2 through 7 are now incorporated into  
9. Amendment No. 8. Eight is the bill now.

10. PRESIDING OFFICER: (SENATOR KENNETH HALL)

11. Senator Bowers, would you state your request again  
12. now.

13. SENATOR BOWERS:

14. Mr. President, at this point, I would move that  
15. Amendments 2 through 7 that are on the Secretary's  
16. Desk be Tabled.

17. PRESIDING OFFICER: (SENATOR KENNETH HALL)

18. Is there any discussion? You've heard the motion.  
19. All in favor say Aye. Opposed Nay. The motion carries.  
20. Amendments 2 through 7 of House Bill 1500 are now Tabled.

21. SECRETARY:

22. Amendment No...

23. PRESIDING OFFICER: (SENATOR KENNETH HALL)

24. Any further amendments?

25. SECRETARY:

26. Amendment No. 8 offered by Senator Roe.

27. PRESIDING OFFICER: (SENATOR KENNETH HALL)

28. Senator Roe.

29. SENATOR ROE:

30. Mr. President and members of the Senate. I move  
31. the adoption of Amendment No. 8, which is in effect  
32. and in substance and in whole, the bill that we will  
33. be considering presumably on 3rd reading in a few minutes.

1. I would be prepared to answer questions concerning this  
2. bill at this time, but I think there'll be a lengthy  
3. discussion after the amendment is presumably adopted,  
4. and I would move its adoption.

5. PRESIDING OFFICER: (SENATOR KENNETH HALL)

6. Any discussion? Senator Roe moves for the adoption  
7. of Amendment No. 8. All in favor say Aye. Opposed Nay.  
8. Amendment is adopted. Are there any further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR KENNETH HALL)

12. 3rd reading. Senator Weaver is recognized.

13. SENATOR WEAVER:

14. Is Senator Bruce on the Floor?

15. PRESIDING OFFICER: (SENATOR KENNETH HALL)

16. Senator Bruce? Is...is Senator Bruce in the booth  
17. back there? Senator Rhoads, for what purpose do you  
18. arise?

19. SENATOR RHOADS:

20. On a point of personal privilege.

21. PRESIDING OFFICER: (SENATOR KENNETH HALL)

22. State your point.

23. SENATOR RHOADS:

24. Thank you, Mr. President, members of the Senate.  
25. I know it's unusual during this order of business, but  
26. I have what is, for me, a very happy announcement and  
27. I don't know whether Senator Hynes is on the Floor to  
28. hear it or not, but I'm very pleased, I just got some  
29. news from Chicago that my predecessor from my district,  
30. Senator Terrel Clarke, has been slated by the Republican  
31. Party for Assessor of Cook County.

32. PRESIDING OFFICER: (SENATOR KENNETH HALL)

33. Thank you, Senator. Senator Graham, for what purpose

1. do you arise?

2. SENATOR GRAHAM:

3. I rise for...to make a request of the membership.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. State you request, Senator.

6. SENATOR GRAHAM:

7. I ask that we...the members give me consent to be

8. considered to join Senator Karl Berning as a cosponsor

9. of Senate Bill 1392 which is now residing in Rules

10. Committee. 1392, I'd like for leave.

11. PRESIDING OFFICER: (SENATOR KENNETH HALL)

12. You've heard the request. Is leave granted?

13. Leave is granted. Resolutions.

14. SECRETARY:

15. Senate Resolution 261 offered by Senators Mitchler,

16. Vadalabene and all Senators. It's congratulatory.

17. Senate Resolution 262 offered by Senator Mitchler and

18. ...Vadalabene it's...and all members. It's congratulatory.

19. Senate Resolution 263 offered by Senator Mitchler, Vadalabene

20. and all members. It's congratulatory.

21. Senate Resolution 264 offered by Senator Grotberg, Mitchler,

22. Vadalabene and all members. It's congratulatory.

23. Senate Resolution 264 offered by Senator Mitchler. It's

24. congratulatory.

25. Senate Resolution 265 offered by Senator Mitchler and Vadalabene.

26. It's congratulatory.

27. Senate Resolution 265 offered by...266 offered by Senators

28. Lane, Mitchler and Vadalabene and all members. It's congratulatory.

29. Senate Resolution 267 offered by Senators Kenneth Hall, Mitchler,

30. Vadalabene and all Senators. It's congratulatory.

31. Senate Resolution 268 offered by Senator Mitchler and Vadalabene

32. and all Senators. It's congratulatory.

33. Senate Resolution 269 offered by Senators Mitchler, Vadalabene

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1. and all Senators. It's congratulatory.
2. Senate Resolution 270 offered by Senators Mitchler, Vadalabene
3. and all Senators. It's congratulatory.
4. Senate Resolution 271 offered by Senator Mitchler and all
5. Senators. It's congratulatory.
6. Senate Resolution 272 offered by Senator Don Moore and all
7. Senators. And it's congratulatory.
8. Senate Resolution 273 offered by Senator Shapiro, Hynes
9. and all members. It's congratulatory.
10. Senate Resolution 274 offered by Senator Guidice and it's
11. a death resolution.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Consent Calendar. House Bills 3rd reading. House  
14. Bill 1500, Senator Sangmeister. Read the bill.

15. SECRETARY:

16. House Bill 1500.  
17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Senator Sangmeister.

21. SENATOR SANGMEISTER:

22. Thank you, Mr. President and members of the Senate.  
23. House Bill 1500 has been around for awhile and should be  
24. nothing new to you. A brief history on the bill is that  
25. even when I was a member of the House, the criminal law,  
26. Judiciary Committee, appointed a subcommittee which held  
27. extensive hearings throughout the State of Illinois to  
28. gather information on a revision of the criminal justice  
29. system. This committee has worked for a period of a  
30. couple years under the direction of a fine Representative,  
31. Representative Getty, and have put together a bill that  
32. I think is a fine bill. It was presented to you in the  
33. Spring. This bill has been somewhat revised since that

1. time, but is basically in the same position as it was then.  
2. And we, of course, at this point have brought it back up  
3. and are asking for your approval. I think it is important  
4. that we pass this kind of legislation in the State of  
5. Illinois. It is time that we respond to our constituents  
6. who want a tougher anticrime bill and the contents of this  
7. bill, believe me, will do it. I'm not the sponsor of  
8. legislation that I think we ought to sit here and go through  
9. every item of this bill, particularly when there has been  
10. distributed to you a very comprehensive breakdown and  
11. analysis of the bill. However, I just want to quickly  
12. present to you the things that it does do. Without question,  
13. we are moving from an indeterminate to a determinate  
14. sentencing in the State of Illinois. Yes, this bill does  
15. establish and create a Class X Felony. This bill will  
16. provide for one day of good time credit for each day  
17. served in a penal institution. Under certain circumstances  
18. it permits a judge to double the maximum sentence for  
19. heinous crimes and repeat offenders. Skipping over to  
20. number 9 on your analysis, I think is a good portion  
21. of the bill or a good requirement in the bill which  
22. requires trial judges to state for the record the reasons  
23. for the sentence imposed and makes the reasons for a  
24. sentence a public record. We are creating the Prison  
25. Review Board, which is independent of the Department  
26. of Corrections, to review rules and regulations with  
27. regard to good time. We are abolishing the old Parole  
28. and Pardon Board. We are creating a twelve man Criminal  
29. Sentencing Commission to monitor the new system of  
30. determinate sentencing. I would suggest to you that  
31. you review your analysis of House Bill 1500. This is  
32. important legislation. But, like I say basically it  
33. has not changed that much from the original bill. We are

1. asking for your approval. The Senate cosponsor with me on  
2. this bill is Senator Egan, who will close the debate. If  
3. there are any questions, we'd be happy to answer to them.

4. PRESIDING OFFICER: (SENATOR KENNETH HALL)

5. Is...any further discussion? Senator Glass.

6. SENATOR GLASS:

7. Thank you, Mr. President. I have a question of the  
8. sponsor, if he will yield.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. He indicates he will yield.

11. SENATOR GLASS:

12. Senator Sangmeister, as you stated, we have received  
13. a summary of the bill, as amended and I have a couple of  
14. questions regarding that summary. Item 6 indicates that  
15. there is a possibility of the imposition of consecutive  
16. sentences, in certain cases where a defendant was convicted  
17. of a Class X or Class I felony and severe bodily injury  
18. was inflicted. Is this true of whether or not it is  
19. the first offense or is this only on second or third  
20. offenses?

21. PRESIDING OFFICER: (SENATOR KENNETH HALL)

22. Senator Sangmeister..

23. SENATOR SANGMEISTER:

24. This could happen on the first offense.

25. SENATOR GLASS:

26. So that as long as one of the offenses was either a Class X  
27. or Class I felony and there was severe bodily injury inflicted,  
28. there could be a consecutive sentence for that offense even  
29. though perhaps one of the other convictions was not for  
30. a Class I or Class X, is that right?

31. SENATOR SANGMEISTER:

32. That is correct.

33. SENATOR GLASS:

34. And the other question I have deals with item 13 on  
35. the release dates that will be set for certain prisoners.



1. Will there be release dates set by the Prisoner Review  
2. Board for all inmates and if not, which ones will not have  
3. release dates set?

4. SENATOR SANGMEISTER:

5. They're each...each inmate will be given a notice,  
6. which is laid out in the Act to each inmate where they  
7. have the choice to remain under the present Parole and  
8. Pardon Board system or to elect for the new Prison  
9. Review Board to set a release date for them. Except for  
10. those who...ended up being twenty years or more, sentence  
11. will not have that privilege.

12. SENATOR GLASS:

13. So as to those with a sentence of twenty years or more,  
14. I take it that's an initial sentence of twenty years or more.

15. SENATOR SANGMEISTER:

16. The minimum sentence of twenty years or more.

17. SENATOR GLASS:

18. Right. The minimum sentence of twenty years or more.  
19. Those individuals will have no choice of selecting a release  
20. date, but will have to appeal to the Parole and Pardon Board.

21. SENATOR SANGMEISTER:

22. That is correct.

23. SENATOR GLASS:

24. And if the Parole and Pardon Board is then abolished,  
25. I take it its functions will be taken over by the...what the...  
26. Prisoner Review Board?

27. SENATOR SANGMEISTER:

28. As to that portion, that is correct.

29. SENATOR GLASS:

30. Thank you.

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. Senator Hickey.

33. SENATOR HICKEY:

1. Thank you, Mr. President. I...I want to make a few  
2. comments and I'll make them as fast as I can. But this  
3. weekend I've been reading two documents. One is a new  
4. book that just came off of the press this last week. I...I'd  
5. like the attention of the Body, please.

6. PRESIDING OFFICER: (SENATOR KENNETH HALL)

7. Just a moment, Senator Hickey. Will you please give  
8. Senator Hickey your attention Ladies and Gentlemen. Go  
9. ahead Senator Hickey.

10. SENATOR HICKEY:

11. This...this book came off the press this last week.  
12. It's called, Let the Record Show, Memoirs of a Parole  
13. Board Member, Margie Sturgis, who happens to be from  
14. Rockford. She's just gone off of the...of the Parole  
15. Board and wrote this about its proceedings and its  
16. problems. And she made two points in particular. One  
17. is that at the time that the material for this bill was  
18. first produced the Governor at that time, Governor Walker,  
19. used a figure of recidivism from the...through the Parole  
20. Board of thirty-three percent. But she points out that  
21. he was including mandatory releases. Either because the  
22. statutory releases or completion of maximum sentences  
23. without parole. Actually, at that time, the recidivism  
24. rate was fourteen percent, which is really not bad at  
25. all. But I think that that misinformation has...has  
26. prevailed. At the same time that the work for this was  
27. started, a new chairman was appointed for the Parole  
28. Board who started in a program of something I can call  
29. nothing less than harassment of the Parole Board,  
30. its members and its procedures. They started searching  
31. the Parole Board members when they entered prisons to  
32. do their work. They denied them rooms which they had been  
33. using formerly to do their work in some of the prisons

1. and made them go into the prison yard to do their work.  
2. They discharged a efficient and capable executive secretary.  
3. They didn't allow them to have secretaries for the work  
4. that they needed to do. It seems to me, very obvious, that  
5. this was all done in the name of a get tough law and order  
6. policy which was adopted at that time which we are pursuing  
7. in this legislation. One of her quotes is that "basic  
8. attitudes must be rehabilitated before meaningful reform  
9. will successfully come on its own." The other document  
10. I read this weekend was a front page article of the  
11. June 22nd New York Times, which maybe some of you have  
12. seen, which reports on an assessment of the get tough  
13. Rockefeller laws in New York State. After two years,  
14. the results of mandatory sentencing were fewer convictions,  
15. more trials, increase in court backlogs and fewer actually  
16. sentenced to prison. That is it completely missed the  
17. mark. Does this reform, I'd like to say to all of you,  
18. really have validity or is it merely political expediency?  
19. Are we as politicians addressing the real issue of crime  
20. in the streets or are we succumbing to bandaid solutions  
21. because of requests for quick and easy answers? Do we  
22. want to look tough so we can get reelected? Possible  
23. answers to these questions really disturb me. Saying  
24. that, let me also say paradoxically, I'm going to vote  
25. for this bill, but for one reason only. Not because I  
26. have any faith in its working to eliminate crime, and  
27. this is no reflection on my seatmates who have worked  
28. so hard to get this in the best shape it could be in,  
29. but so that we can see here in Illinois the same way  
30. as they learned in New York that getting tough won't  
31. work here any better than it worked there.. And then,  
32. maybe then, all of us who really want to do something  
33. about crime, will be willing to spend time, attention

1. and money, Senator Schaffer, on root causes, to prevent it  
2. before it happens. When will we do something about forty  
3. percent unemployment of minority use? When will we have  
4. a State administration that's willing to spend money on  
5. conseling for youths whose family...families have failed  
6. them, or for foster care. We must also have merit selection  
7. of judges, relief of the overcrowding of prisons, special  
8. handling of the sex criminal, these all scream for our  
9. attention. Okay, let's vote for HB 1500. Let's vote it  
10. out, but it's really a very, very small, if not totally  
11. ineffective beginning on helping our sick society to, which  
12. we all belong and for which each of us has a heavy responsi-  
13. bility. Thank you for your patience.

14. PRESIDING OFFICER: (SENATOR KENNETH HALL)

15. There has been a request for leave for TV coverage.  
16. Is leave granted? Leave is granted. Senator Maragos.

17. SENATOR MARAGOS:

18. Will the sponsor yield to several questions?

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Senator Sangmeister indicates he will yield.

21. SENATOR MARAGOS:

22. Senator Sangmeister, what is the effective date of  
23. this act in all its phases?

24. SENATOR SANGMEISTER:

25. Reason I was asking here is I was changed around,  
26. it is now February 1st. The reason that we finally  
27. settled on that date is because we...there is obviously  
28. going have to be throughout the State of Illinois some  
29. seminars conducted for attorneys and for judges and also  
30. to implement the...the procedures within the penal institutions;  
31. on making their choices to whether they want to remain under  
32. the parole system or the new release date and all that.  
33. We figured we had to have some more time. That was the

1. reason we picked February 1st.

2. SENATOR MARAGOS:

3. Is it a fact, however, that some other effective dates  
4. by which the Judiciary can act, go beyond that date? On  
5. certain sentencing?

6. SENATOR SANGMEISTER:

7. Not to my knowledge, no, Sam.

8. SENATOR MARAGOS:

9. Is that...is that effective date for crimes after  
10. February 1 or is that the date that the...what is the...  
11. what is the crime to be committed to come under this Act.

12. SENATOR SANGMEISTER:

13. Well that's...well the...February 1st will be the  
14. effective date of the Act. Any crimes committed prior  
15. to that is going to be under the old law, that is correct.

16. SENATOR MARAGOS:

17. Now, why...why did the committee and the sponsors and  
18. whoever else worked on this bill consider a new offense  
19. of...heinous battery, why...did they have presently in  
20. the definitions a sufficient crimes or categories to  
21. cover that act? That, those acts?

22. SENATOR SANGMEISTER:

23. Well, specifically, which...which section you referring  
24. to?

25. SENATOR MARAGOS:

26. Well, you have a new offense called the Class X offenses.  
27. You have a heinous battery. Now...

28. SENATOR SANGMEISTER:

29. Yes.

30. SENATOR MARAGOS:

31. Was...how does that differ from aggravated battery, for  
32. instance, in the old...under the...

33. SENATOR SANGMEISTER:

1. Well, first getting your question of the Class X offenses,  
2. yes, it is in the bill and of course I don't need to explain  
3. to you that, that was the Governor's proposal which we have  
4. accepted and it is in the bill setting out a separate category  
5. of crimes. And also we felt that heinous battery was a...  
6. we're trying to get at the violent crimes, okay, and that's  
7. the reason...

8. SENATOR MARAGOS:

9. No...I'm not trying to be facetious...I...I'm learning  
10. because I figured that aggravated battery covered most of  
11. the...crimes that the heinous batteries covering under  
12. this act. I was just wondering whether there was any  
13. specific reason why you changed the nomenclature? If a  
14. person is sentenced to a life sentence, is there any  
15. possible way that that person can ever get out of jail,  
16. during his natural, his or her natural life?

17. SENATOR SANGMEISTER:

18. Yes, there's one way and the only way is executive  
19. clemency.

20. SENATOR MARAGOS:

21. Not by any action on the part of the...the prisoner  
22. and...on the part of anyone else?

23. SENATOR SANGMEISTER:

24. No, it's executive clemency.

25. SENATOR MARAGOS:

26. Now, what is...you're abolishing the Parole and Pardon  
27. Board and you're, and you're instituting that new board  
28. called the...

29. SENATOR SANGMEISTER:

30. ...Prison Review Board.

31. SENATOR MARAGOS:

32. Prison Review Board. What is the life of that Prison  
33. Review Board? The reason, I understand, what...my definition

1. ...understanding, that Prison Review Board is to take care  
2. of those who are eligible for parole under the present act  
3. and how long a term have you given that Review Board?

4. SENATOR SANGMEISTER:

5. Okay, the way it's structured in the Statute it would  
6. continue on indefinitely and the members have six year terms.

7. SENATOR MARAGOS:

8. Well, the only thing is, I think we're...we're adding  
9. another agency that...

10. SENATOR SANGMEISTER:

11. Well...

12. SENATOR MARAGOS:

13. ...won't be any better and more expensive, I feel, than  
14. ...than the old one that's being abolished.

15. SENATOR SANGMEISTER:

16. Well, it's a necessary that we have, but I'm not sure  
17. it's going to be any more expensive or less. One thing  
18. that we took under consideration is do we retain the  
19. old Parole and Pardon Board and the new Prison Review  
20. Board and we came to the decision that we're better to  
21. abolish one of the boards and put...put it all under the  
22. Prison Review Board.

23. SENATOR MARAGOS:

24. Has fiscal implications been fully studied and as  
25. I...full fiscal note of what this Act will do as far as  
26. needing additional judges and needing additional incarceration  
27. in correctional institutions?

28. SENATOR SANGMEISTER:

29. No, there's not. Senator Maragos, I don't think there's  
30. any way that you could come up with a fiscal note as to what...  
31. this is a get tough crime bill, I'm the first one to admit  
32. that and what that is going to mean, I...I do think we have  
33. to accept our responsibilities on the other end of this

1. thing and that is if we need penal institutions, we're  
2. going to have to support them. We can't have it both  
3. ways. But I...I can't possibly give you a...an idea  
4. of what the fiscal impact may be.

5. SENATOR MARAGOS:

6. I...I want it understood that I not trying to  
7. put the sponsor of this legislation on the spot, I  
8. was just asking for my own information because this  
9. is a very important piece of legislation and I'd  
10. like to state, Mr. President and members of the  
11. Senate, that we have to be prepared in voting for  
12. this bill to also to have the concomitant legislation  
13. and appropriations the next five or six years to implement  
14. the points that we are bringing here because it will  
15. cost millions of dollars for penal institutions and  
16. millions of dollars for judicial and other personnel  
17. that will be needed to take care of this thing if this  
18. is going to work, otherwise the forebodes that were  
19. given by, stated by Mrs....Senator Hickey that we'll  
20. have the logjams in the courts and it will be even worse...the  
21. cure will be worse than the malady and I think we should be  
22. prepared and every Legislator who does vote for this should  
23. be prepared to vote for millions of dollars to come in  
24. the near future to implement the purposes for which  
25. this legislation is being sponsored..

26. PRESIDING OFFICER: (SENATOR KENNETH HALL)

27. Senator Berning. You...did you...you indicated  
28. you wanted to speak, Senator Berning.

29. SENATOR BERNING:

30. I'll pass.

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. Senator Graham.

33. SENATOR GRAHAM:

34. Mr. President I'd like to ask the Senator from Joliet



1. a question. Okay...I'm sorry.

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. He indicates he'll yield.

4. SENATOR GRAHAM:

5. Senator Sangmeister, when we abolish the Parole Board,  
6. which we are, in effect, doing now, how many members  
7. are we going to have with the Prison Review Board then?

8. SENATOR SANGMEISTER:

9. There'll be ten members, same as the Parole and Pardon  
10. Board. Same...

11. SENATOR GRAHAM:

12. Be the same.

13. SENATOR SANGMEISTER:

14. ...same...same amount of members.

15. SENATOR GRAHAM:

16. Their salaries will be the same?

17. SENATOR SANGMEISTER:

18. No, I think there's been an increase. Yes, there's  
19. been a five thousand dollar increase.

20. SENATOR GRAHAM:

21. Who appoints them, the Governor?

22. SENATOR SANGMEISTER:

23. Yes.

24. SENATOR GRAHAM:

25. Mr. President and members of the Senate, I might  
26. also add...

27. SENATOR SANGMEISTER:

28. I might say, Senator, that's with the advise and  
29. consent of the Senate.

30. SENATOR GRAHAM:

31. Yes.

32. SENATOR SANGMEISTER:

33. Okay.

1. SENATOR GRAHAM:

2. Same as it is now. With regard to some of Senator  
3. Hickey's statements and I too knew Mrs. Sturgis and I watched  
4. her in operation. And for Senator Maragos, this subject  
5. matter is not completely new to me as we talk about the  
6. added expense that we're going to incur with regard to  
7. the implementation of this bill. I'd like to suggest  
8. to you that when we used to have it under the Department  
9. of Public Safety and I and M budget, when it got up  
10. to ninety million dollars, we thought the world had  
11. come to an end. Last year we passed a budget for  
12. corrections for a hundred and twenty-four million  
13. dollars. Yes, we're going to pay the bill. I'm not  
14. so sure that I have completely abandoned my idea  
15. that indeterminate sentences are not the best. I haven't  
16. abandoned that entirely. I'll tell you one thing, when  
17. the Fogel -Walker program came out, I had a few meetings  
18. throughout the State and I talked with some judges and  
19. the judges didn't want it. You know why? Because we  
20. were telling them statutorily what their limitations  
21. were. I agreed with them then. First of all, I thought  
22. Fogel was a misspent...missile sent in the wrong  
23. direction and his Governor at that time did more to  
24. destroy the correction institutions in the State of  
25. Illinois than any other two governors we've ever had.  
26. But I've changed my mind, perhaps only temporarily.  
27. I can say to this Senate, and I think they're going to  
28. pass this crime package, and I think perhaps I'm going  
29. to vote for it, but with the mandatory sentence, let  
30. me remind you, that some time along the line, we are  
31. going to be turning criminals out because they have  
32. completed their sentence and they're out...

33. END OF REEL

1.  
2. perhaps, under no rule supervision as was proposed by  
3. Mr. Fogel, but we've changed that concept and has changed my  
4. mind in this regard. We've got a three years hold on them.  
5. So, perhaps, we have alleviated one problem then that the  
6. former administration didn't try to solve and that is in  
7. ninety days or so they can't be back in court and costing  
8. us some more money to retry them again. Under the provisions  
9. of this bill for three years if the goof up they're going  
10. back. They're going to lose one year and they're going to  
11. serve their time, the rest of their sentence and they're  
12. going up for three more years under supervision again. If  
13. they do it again they'll be there for a long, long time. I  
14. have, perhaps, talked to more parole members, more prisoners,  
15. more sentencing attorneys and more wardens than anyone in  
16. the State of Illinois. They want something more than we  
17. have now. My only comfort in this is the fact that we only  
18. have one way to go and that's up. I do believe, I do believe  
19. and let me suggest to the members of this Senate that under  
20. this new or this new Parole Review Board that we're going to  
21. be suggesting to that we advise and consent to. That some of  
22. us joined with me in asking some of these members that are  
23. presented to us for confirmation what their attitudes are with  
24. regard to parole procedures. Find out and more importantly,  
25. perhaps, the Governor should know that the Parole Review  
26. Board that will go into effect when this bill passes shouldn't  
27. be a glorified boy scout camp. These people owe us something  
28. and the Governor owes us something, too, to present to us  
29. the list of ten people who are best qualified to handle a  
30. more...most important job that will ever be called upon to  
31. handle in the criminal history of the State of Illinois be-  
32. cause we are overcrowded and still we can't have a Parole  
33. Board...Parole Review Board that's ready to turn the rascals loose.

1. That's not what we want. That's what we told the judge that  
2. we didn't want. We don't want them on the street and they  
3. sent them to jail. I thought about this a long time. I  
4. reviewed every proposal that came in, in this regard. I  
5. wasn't so sure the full time Parole Board was good a long  
6. time ago. My mother always said that a wise man changes  
7. his mind, a fool never does. I think this is the best  
8. possible compromise package that could be arrived at by the  
9. minds that are more directed towards criminal justice than  
10. the Senator from Barrington, certainly. I think one of the  
11. most astute members of the group that has helped put some of  
12. these ideas together certainly is a former Chairman of the  
13. Parole Board, Senator Jack Bowers. Senator Sangmeister has  
14. been brought up in this area. He knows where they are. He  
15. knows the problems that exist around the penitentiary and  
16. you've got a good job. I'm willing to risk my vote on the  
17. future of this taking into consideration that a lot of work  
18. has gone into it. We don't have anything to lose, Ladies  
19. and Gentlemen, and I certainly am going to support whole-  
20. heartedly the passage of House Bill 1500.

21. PRESIDING OFFICER: (SENATOR KENNETH HALL)

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Thank you, Mr. President. As I have reviewed the documents  
25. that have been laid before us on this bill I am impressed more  
26. and more with the way that those of us in this Chamber are  
27. required to take things on faith. Personally, I have great  
28. faith in my colleagues, Senators Sangmeister, Bowers, Netsch,  
29. the many people who have worked building on the Fogel-Walker  
30. proposals of two years ago, all through those long series of  
31. hearings in the House. But I think that the comments made  
32. by Senators Hickey and Maragos are valid and we must be  
33. prepared to adjust as time goes on. The thing I find most

1. depressing and most defensive in the bill, is perhaps that  
2. which I might be expected, most naturally, to accept having  
3. come from a television background and that is the merchandising  
4. aspect of this bill in Class X. I realize the Governor has...will  
5. work himself up into a massive snit if he doesn't have it and  
6. so we must give it to him. But I think it really should be  
7. Class I-NP or something that goes along with the gravity  
8. of the subject and not a merchandising trick. I suggest to  
9. you though, that Senator Hickey's statements are really true.  
10. That getting tough is going to satisfy the public's rage against  
11. crime, but I don't think it will really succeed in getting  
12. at the core of the problem. I hope once we have passed this  
13. bill and do what we can to facilitate its implementation that  
14. we do come back here and seriously address the root of crime  
15. and those are vastly more complex problems. I certainly want  
16. to thank them for finally bringing this before us in a package that  
17. I believe has general assent, with that one...the one exception,  
18. the one objection I made,I heartily endorsed the bill and plan  
19. to vote for it.

20. PRESIDING OFFICER: (SENATOR KENNETH HALL)

21. Senator Rock.

22. SENATOR ROCK:

23. Thank you, Mr. President and Ladies and Gentlemen of the  
24. Senate. I,too, as I'm sure many have and many will, rise in  
25. support of House Bill 1500 as amended. I think public commendation  
26. should be given to Senators Sangmeister, Egan, Bowers, Roe and  
27. Netsch for the yeoman like work they did trying to effect this  
28. compromise. It is, admittedly, a compromise in the best  
29. definition of a compromise is that it's salable but nobody is  
30. particularly completely happy. I think I fit in that category. But I  
31. also want to point out to the Chief Executive of this State  
32. the month or so ago I received in the mail from the United  
33. Republican Fund or Illinois Republicans a letter and the letter

1. goes on at great length and I will not bore you with the  
2. whole substance of it, but he says, yes, this is a fund-  
3. raising letter, but I hope you'll do more than just give  
4. some money and hope it's well spent, I'm asking you to use  
5. the enclosed contribution envelope to make a conditional,  
6. underline conditional donation of fifteen dollars, twenty-  
7. five dollars, fifty dollars, a hundred dollars or more to  
8. the Illinois Republican Party. The condition would be that  
9. the funds would only be used to support legislators who have  
10. backed up, might live within our means budget and the Class X  
11. sentencing reforms. I would suggest to the Governor that that  
12. list is getting longer and longer and we are all entitled to  
13. some of that money.

14. PRESIDING OFFICER: (SENATOR KENNETH HALL)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Mr. Chairman and members of the Body, I'm going to vote  
18. for this bill, not paradoxically or for any other reason except  
19. that I think that you should indulge people. That's what the  
20. judges have been doing with the criminals. They are easy on  
21. them and I think we should indulge the Governor in this in-  
22. stance. I think this bill is that out of sight, out of mind  
23. bill. You know, grab them quicker, keep them longer, hide  
24. them farther back and if they're out of sight they're out  
25. of mind. Now we don't have the prisons to put them in. Our  
26. prisons are overcrowded, so what we're going to do is we're  
27. going to vote a fifty-eight million dollar appropriation here  
28. to build two prisons that won't be done for three or four  
29. years and we're going turn criminals that are now in prison  
30. out in order to put those who aren't in, in. And I submit  
31. to you that England tried this centuries ago. That we have  
32. a problem that we can't solve. I know that after this is  
33. passed somebody is going to come out and say, we solved the

1. problem with respect to crime. Ladies and Gentlemen, the  
2. big problems of the world, religion, war, crime, poverty,  
3. all of those things are problems that we can only minister  
4. to during our short tenure here on earth and all of these  
5. things have been tried before. At one time they had five  
6. hundred and twelve hanging crimes in England going as far  
7. as hanging someone for stealing a loaf of bread. It didn't  
8. solve the problem of crime. I agree with virtually every-  
9. thing Senator Hickey said except the comment about merit  
10. selection of judges. I don't know what that has to do with  
11. it and...but otherwise I agree with it. And the longer we  
12. keep them there the greater the need for conjugal relations  
13. and so that bill will be back again and again and we'll be  
14. spending two million dollars to see that those prisoners have  
15. those conjugal relations that...that these people want. Now,  
16. let's be honest about it. Sexual repression is a cause. I  
17. got a thing through the mail here the other day and it...it...  
18. it was a picture showed...showed children, abused children  
19. and they said sexual...repression was the...was the biggest  
20. cause of abused children and that people who didn't have  
21. sexual repression they had unwanted children and if you  
22. allowed abortions then...then there wouldn't be any abused  
23. children. That's just about how confused all of this is. I  
24. think the bill is unduly harsh on first offenders, particularly,  
25. when you come from a community such as I've always lived in and  
26. some youngster playing chicken with some other youngsters get  
27. a gun in his hands some way and gets...gets arrested and charged  
28. with armed robbery, maybe...maybe he actually didn't shoot any-  
29. body. It's a serious crime, no question about that, but what  
30. young people sometimes will do for pure acceptance is really  
31. amazing and so you send this young man away for six years and  
32. I think he'd be better off on parole or probation or in the  
33. county jail where he can be on a work program where those people

1. who know him, know what his problem is, maybe, and can help  
2. him a little bit. I think it...it would be better if I saw  
3. him on the street and said, how are you getting along, Joe and  
4. you know what you did was a terrible mistake sometimes in some  
5. manner in the conversation and to help that boy get arranged  
6. in...in sports or other interests than to have him away at  
7. one of the penal institutions where he...where he only learns  
8. better how to do what he did. I just think that what we are  
9. mad about in this State, is really, we're mad about turning  
10. the repeat offender loose and I think this bill is unduly  
11. harsh, but I think that...that the people want it or they  
12. think they want it. I think the politicians want it or think  
13. they want it and the quickest way, sometime, the quickest  
14. way sometimes, is to cut the cancer out. Let's have it. Let's  
15. get it. Let's see what it costs. There is no free lunch. Let's  
16. put them all in jail, let's keep them there for three years, at  
17. least, and if they're bad boys let's keep them there for six.  
18. I don't know that that's what the reaction is of these people  
19. if they think about the crime. Some people, you know, get along  
20. real well until somebody starts to push them and then they  
21. spill soup all over hell or do worse and this is what I'm trying  
22. to say. I don't think that putting these young people away for  
23. a mandatory six years is going to help this State one bit, but if  
24. we do it and if we see what it's going to cost in dollars and  
25. cents and human misery and if we see what it's going to cost  
26. when these people come in front of us, more and more of them, and  
27. maybe they'll soon be the majority wanting...wanting conjugal  
28. relations and for the people to pay for it and when we see  
29. that we followed an archaic philosophy of punishing criminals, we'll  
30. be back here to correct our mistake. And the sooner we're at  
31. it the sooner we try it, the sooner we'll get back to enlighten  
32. criminal procedures and...and criminal law. Now Gentlemen, you're  
33. going to have to have more judges. You're going to pay lawyers



1. more because you have defense. None of these people ever  
2. have money, you know. You're going to be paying for...for  
3. public defenders and public appeals and we're going to pay  
4. the whole price, clear down to the conjugal relations and  
5. we're going to pay one tremendous price and when we've  
6. done it, and all you people know it, in the back of your  
7. mind here, but it's the practical thing for the moment. Put  
8. them out of sight. Put them in Southern Illinois just as far  
9. away from Chicago where the crime problems in the metropolitan  
10. areas are. Put them in Southern Illinois where it costs the  
11. people of the State of Illinois more to ride up and down the  
12. highways. Where you have more...more automobile accidents and  
13. more people killed. Where you use more energy. If I've  
14. ever seen an ill conceived piece of legislation so far as  
15. first offenders are concerned then this, I'd be hard put.  
16. I'm going to vote for it not paradoxically, I'm going to vote  
17. for it because it's what you want and I want to put it in your  
18. ear.

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Senator Guidice.

21. SENATOR GUIDICE:

22. Thank you, Mr. President and members of the Senate. I think  
23. we misnamed this bill by calling it Class X. I think we should  
24. call it Class A because we can give it a meaningful interpretation  
25. because I think we finally handled abortion. We've only had this  
26. amendment before us for about an hour and I've only had that  
27. opportunity to review it. I'd like to point out some of the  
28. defects that I see in this bill. First of all, we're talking  
29. about aggravated arson and we're calling that a Class X felony.  
30. Well, we've include it now in that particular problem that any  
31. person who suffers great bodily harm or permanent disability or  
32. disfigurement as a result of the fire or explosion doesn't  
33. necessarily even have to be on the premises. It could be three,

1. four...houses down. A woman can get excited about it and  
2. suffer a mental breakdown. Are we going to include that in  
3. the Class X felony? We've also put in here now deviate...  
4. sexual assault: This is a fourteen year old that we're talking  
5. about. Fourteen years or over can be guilty of this particular  
6. conduct. Now if we're going to use that particular individual,  
7. is he going to stay there for six years? Is this what we're  
8. going to do for this young person? Armed violence. Now what  
9. we're talking about here is a three inch knife carried on  
10. the person who commits a felony. This becomes Class X. Well,  
11. I come from an urban area that I'm sure that in the...in the  
12. farm areas and the like most of these young boys do carry these  
13. type of knives. He gets into an automobile and we'll put him  
14. away for six years, too, now. In looking at the Prison Review  
15. Board, if this bill passes, and it certainly looks like it's  
16. going to pass, we're going to give the defendant a choice. We're  
17. going to say, okay you can take a fixed date or you can stay  
18. before the Parole Board. The only problem is we don't tell  
19. them what the fixed date is going to be before he makes that  
20. choice. So he has to roll the dice, not knowing what's going  
21. to happen to him. Now we go in these various sections in the...  
22. in the like and we got what the court will be able to consider  
23. in certain areas as far as the presentencing area is concerned.  
24. Here it can be waived if there's an agreement as to the amount  
25. or to the sentence that's going to be imposed, but it must be  
26. included in the record only the bad conduct of the defendant.  
27. This is all that's going to go up when it ever does and if it  
28. ever does go up. No mitigation, nothing else involved here.  
29. And I think we've really taken the...the bull by the horns  
30. to stop appeals. I...I think this is terrific. If you appeal  
31. your sentence and as a result of that appeal you are also  
32. appealing the sentence that was...handed down, well, the  
33. Appellate Court is going to be able to raise that sentence. I ask

1. would you as...as an individual after a conviction bring an  
2. appeal. Go through this particular problem with the possibility  
3. of having your sentence increased in the extended term provision.  
4. In this Section here where we have an extended term that's...  
5. that's proposed we come to the unique situation that all we  
6. can do is argue aggravation. No mitigation at all, just  
7. aggravation. Wouldn't want to give the defendant a chance.  
8. We don't want to give the accused a chance. Not according to  
9. this bill. Now we've rushed this bill through...it went through  
10. the committee...with many, many compromises, I gather, but this  
11. bill was just put before us. A few days, given the opportunity,  
12. if this is what we could find in an hours work, I'm sure we'll  
13. find much more, but we don't want to spend those few more days.  
14. We're willing to let the defendant spend three, four, five more  
15. years because we don't want to give it three more days.

16. PRESIDING OFFICER: (SENATOR KENNETH HALL)

17. Senator D'Arco.

18. SENATOR D'ARCO:

19. Thank you, Mr. President. Everyone that has spoken on  
20. this bill says that it's a compromise bill and they really don't  
21. like it, but they're going to vote for it anyway. Well, I  
22. really don't like it and I'm not going to vote for it. Basically,  
23. the problem I have with the bill, one problem is that a dope  
24. offender under this bill, a person who is in possession of  
25. thirty grams of heroin is considered under the category of Class X.  
26. Now dope offenders, there's a direct correlation between dope  
27. offenders and people who commit crimes. In fact, many of the  
28. serious crimes are committed by people who are dope offenders.  
29. But in the State of Illinois we don't take that fact into  
30. consideration when we sentence a person for committing an  
31. armed robbery or when we sentence a person for committing a  
32. burglary or when we sentence a person for committing a retail  
33. theft because the fact that he's a dope addict and that fact

1. stimulates him to commit that crime is not taken into consideration  
2. by the sentencing judge when he imposes this Class X six year  
3. minimum mandatory sentence on this person. We, in the State of  
4. Illinois, have not taken it under consideration to, maybe,  
5. devise a plan where dope addicts can get their supply of dope  
6. under very controlled circumstances in a very controlled area  
7. under very controlled situations. We do not consider that  
8. appropriate, yet fifty percent of serious crime is committed by  
9. people who are, in fact, dope addicts. This bill will increase  
10. the penalties for serious crimes. If, in fact, the bill does  
11. not reduce serious crime, will we come back again and pass a  
12. more serious law. Will we realize that there is a direct  
13. correlation between people who are unemployed and people who  
14. commit crimes, as the rate of unemployment increases the crime  
15. rate increases. What does that tell you? Under this bill, if  
16. a man goes in a store and he steals the value of something that  
17. is over a hundred and fifty dollars and he has a three inch  
18. knife in his possession he doesn't even have to take it out of  
19. his pocket, he is guilty of armed violence, as defined in the  
20. Class X Section of this bill. That means he has to serve a  
21. mandatory six years in jail. Now one of the factors that may  
22. have contributed to this man committing that crime may be the  
23. fact that he's unemployed. He may be stealing for the purposes  
24. of providing food for his family. Is that...this bill going to  
25. solve that problem? No, my friends. This is a simplistic  
26. solution to a complicated problem and that's what this bill  
27. is about to undertake. Now my independent friends have all  
28. sided with the Governor on this bill. They are only independent  
29. when it suits their purposes to be independent, i.e., the State  
30. Board of Election bill. They made a deal on that bill. I'd  
31. rather be a regular Democrat who has a mind of his own than an  
32. independant Democrat who has none.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. I think my...my being called  
4. upon now is, perhaps, appropriate since I had the distinct  
5. impression that some of that was directed against me. I  
6. have made no deals on State Board of Elections and I have  
7. not on this either, Senator D'Arco. I think I would like to  
8. make a couple of comments, though, despite the length of the bill and  
9. it is an enormous, bulky thing. I think there are three  
10. basic premises which are incorporated in House Bill 1500,  
11. as it is now before you. The first is the concept of determina  
12. sentencing. That means a fixed sentence within a statutory  
13. range that is set out in the bill for all categories of crimes  
14. and it means, basically, if not the total abolition of parole,  
15. certainly a redefinition and limitation of the concept of  
16. parole. This is a concept and a premise that has not, really,  
17. been tested. No one knows for sure whether it is going to have  
18. good effects or bad effects. But there are, because it does  
19. involve a certainty, both for the system and for the prisoner.  
20. There are some very attractive, if not compelling, arguments to  
21. be made for that concept. The second premise of the bill, is  
22. that sentencing should really be much more serious and this  
23. may sound strange but, I think, in fact, it is true formal  
24. process than it has been in the past in the State of Illinois.  
25. This is reflected in the provisions of the bill that require  
26. the maintenance of formal records, that those records be kept  
27. in tact, that they always be a part of any prisoner's record  
28. from that point on. It...it includes the fact that there are  
29. specific factors, both in aggravation and in mitigation, that  
30. are set out in the bill and that must be taken into account.  
31. It includes the fact that sentences are repealable. It includes  
32. the requirement of presentence investigation and report and  
33. other provisions. All of these premises which have to do with

1. turning the sentencing process into a much more deliberative  
2. and formal and serious process, I think, are sound premises  
3. and they are, perhaps, the greatest strength in the bill. The  
4. third premise, is that increased sentences, particularly, for  
5. violent crimes are a good thing and should be incorporated there-  
6. in. I should point out that while there are increased mandatory  
7. minimums for the violent crimes there are the possibility of  
8. longer terms for some of those crimes,also. There also is  
9. actually a reduction in the specified period of sentence for  
10. some of those crimes that are not in the violent category. But...  
11. the premise itself, though, is that longer periods of time in  
12. prison, somehow, is going to relate to a reduction in crime or  
13. produce some other good effect. It seems to me that if any-  
14. thing, this is not only an unproved premise, but, perhaps, a  
15. very dangerous one. I think it should be noted that the bill  
16. is,as almost everyone has noted, an extremely tough bill, an  
17. extremely tough bill. I think some of its premises are sound  
18. and very sound. Some of the premises are either untested or,  
19. in my judgment, clearly unsound. Most of, in fact, almost all  
20. of what is good in House Bill 1500 was there in the first place.  
21. Most of what is not good and some of it is very not good consists  
22. largely of the addition of Class X and Class X is as phony now  
23. as it was when it was first proposed a long time ago. But given  
24. the circumstances, I think the bill has been made as responsible  
25. as it possibly can be under what our very pressure circumstances  
26. for all members of the General Assembly. Finally, I think it  
27. should be clear and I'm glad that some other speakers have  
28. called attention to this. That the entire bill deals with  
29. sentencing. It does not deal with deterrence of crime. It is  
30. not going to solve the crime problem. It has nothing to do with  
31. that. What it does deal with is sentencing and sentencing alone.

32. PRESIDING OFFICER: (SENATOR KENNETH HALL)

33. Senator Coffey. Senator Coffey, you know...Senator Hynes.

1. SENATOR HYNES:

2. Mr. President and members of the Senate. I, too, rise  
3. in support of this bill and as many speakers have pointed out  
4. it is, in fact, a compromise. It is an area in which compromise  
5. is, perhaps, most difficult because of the nature of the subject  
6. matter. But I am a first hand witness to the kind of dedication  
7. and work that has gone into this product on the part of Senator  
8. Netsch and Senator Sangmeister, Senator Egan, Senator Roe,  
9. Senator Bowers, Representative Getty, Representative Katz and  
10. a number of others. It is a tough bill. It is a very tough  
11. bill, but it is one that, I think, is reasonable. It is one  
12. that, I think, answers the...the call that we have been hearing  
13. from the citizens of this State. I don't think any member here  
14. would be totally satisfied with every single provision and I  
15. think that if each member had the chance to sit down and write the  
16. bill from the beginning there would be changes in, perhaps,  
17. every Section. But that's the nature of the legislative process  
18. and, frankly, based upon the kind of time and effort that has  
19. gone into this, I doubt very much if this legislature could put  
20. together a package that would be more acceptable to a majority  
21. of the members. And I, therefore, with a praise for the members  
22. that have worked so hard on this and am going to vote in  
23. favor of this bill.

24. PRESIDING OFFICER: (SENATOR KENNETH HALL)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. Thank you, Mr. President and I'll try to be brief. Let  
28. me begin by adopting by reference the statements of...of the  
29. first Senator to speak on this bill, I thought, handled it  
30. admirably. And for every reason that she gave I stand in  
31. opposition to this bill. A lot of people did work hard on  
32. this bill and I would congratulate them. I suspect that it's  
33. the best of a very bad situation that we can get. But the

1. problem here is that the bill addresses the symptoms and doesn't  
2. go to the disease at all. It's a bread and circuses bill and  
3. it's easy to have the circus and to provide the bread. Now  
4. we're sitting in the economy now where the unemployment is  
5. absolutely out of sight. And particularly among young people.  
6. If this is going to cure that problem then I am the queen of  
7. Romania. Now the fact of the matter is, that the concerns of  
8. this Body ought to be with building strong families, strong  
9. communities and a strong State. And we continually seem to  
10. look at the wrong end of the telescope. Here we're looking at  
11. incarceration. If you take Public Welfare, for example, we  
12. say we want to keep families together, that's the charge of  
13. this State and the Public Welfare Code. And the first thing  
14. we say, is that if a male is in the home, you stop getting  
15. aid to dependent children. It's nuts. We're not looking at  
16. building families at all and that's where we need to go. One  
17. of the things that I sense coming from the Governor's Office that  
18. I think is very enlightened, is the fact that they seem to be  
19. talking about looking at the social services from an umbrella  
20. sort...of an approach. You can't fragment them. You can't  
21. talk about incarceration over here on the one hand. Public Welfare  
22. here somewhere else. Public Health somewhere else. You're  
23. talking about trying to establish units or you're talking about  
24. nothing. And when you take that approach then you must necessarily  
25. talk about how do you provide social services in this State in  
26. such a fashion that the need for incarceration is reduced. If  
27. people have the opportunity to participate constructively in the  
28. social system then there'll be less and less need for incarceration.  
29. But what are we talking about. We're talking about putting people  
30. in cages where they'll be idle. Where the facilities are not  
31. designed either for rehabilitation at all and the fact is, we're  
32. schizophrenic about the whole thing. We can't determine whether  
33. we want to punish people or whether we want to rehabilitate them



1. or what we want to do with them. And until we get some kind  
2. of philosophy, some kind of guidelines by which we're going  
3. to function we're simply going to be in a state of hysteresis  
4. and that's where we are right now. These people are alienated.  
5. They're in an atmosphere not only of hostility from administration,  
6. but neutral hostility and neutral distrust among the inmates.  
7. We're at a point now where inmates aren't safe from each other  
8. and we've designed separate facilities for different kinds of  
9. inmates. It's crazy. We're going to spend more and more and  
10. more tax dollars in order to...to...to try to...to simply  
11. expand an unworkable situation. We're not talking about  
12. improvements. We're simply talking about stocking for sacking  
13. folks away. The net result is going to have to be that at  
14. some point we're going to run out of tax dollars to build and  
15. operate these facilities. We're going to have to push people  
16. right back into the community. I'm repeating some things that  
17. have been said but the pattern is all there. What we...the bill  
18. may have this result. The bill may give us the personal mental  
19. therapy that we have done something to release our energies to  
20. go on and talk again then about the provision of adequate social  
21. services. If it does that, perhaps, the bill would have done  
22. some good, but that's the only way in which I would see the bill  
23. would do some good. I will vote against this bill for the  
24. reasons I've just stated. Thank you, Mr. President.

25. PRESIDING OFFICER: (SENATOR KENNETH HALL)

26. Senator Leonard.

27. SENATOR LEONARD:

28. Mr. President. When the death penalty came before this  
29. Chamber I voted against it. It got lonely doing that. My  
30. criteria that evening was whether it would do any good and it's  
31. still my view that the death penalty will not save a single  
32. prison guard. Will not prevent a single assassination. I've  
33. been sitting here wondering if this will do any good and thinking

1. of felons and felonies I have known on the board. I think  
2. the answer is different on this. We heard something about  
3. arson when we started out. I can think of an arson I covered  
4. in Sterling, Illinois years ago, in which my fellow came into  
5. a...beauty parlor early on the 4th of July to torch up his  
6. lover's beauty parlor and collect the insurance money. Put  
7. two gallons of gasoline on the bottom floor, blew it to  
8. smithereens and killed four people that were in the apartment  
9. up above and I could never be sure if he thought the building  
10. was empty. Why didn't he walk upstairs and make sure. Obviously,  
11. he never considered that. There is...I have a...I have a strong  
12. feeling about arson. Once you touch that match it's like pulling  
13. the trigger. It's like igniting the bullet and you ought to be  
14. responsible for what's on the end of the gun. I do not think  
15. arson is having a bonfire on Saturday night. It's a serious  
16. thing and I...I kind of think if people are aware, that if  
17. people are injured it is a whole different ball game. Maybe  
18. it will do some good. I think of a murder and I think of a  
19. couple shootings that have been in my home town within the past  
20. month. One was a domestic quarrel. The husband shot the wife  
21. more times than I would care to mention and I have no doubt in  
22. my mind that this will do absolutely no good on that. I'm  
23. sure that he was not considering the death penalty or any other  
24. thing at that moment. We've had two other shootings, in essence,  
25. in my neighborhood. One, a spook who shot somebody going out to  
26. her garage one night and the other somebody trying to get some-  
27. body to get into his car and shooting somebody else on the street.  
28. Both of those are wanton and, I think, in this case, perhaps,  
29. it would do some good. I agree with my colleagues over here.  
30. This is not the total solution. We will be back and we're going  
31. to have to get to the cause of what causes these crimes, but I  
32. think there is also a time to post notice in Illinois that we do  
33. consider crime to be serious and it is something that will not be

1. forgiven and I intend to vote for this.

2. PRESIDING OFFICER: (SENATOR KENNETH HALL)

3. Senator Grothberg.

4. SENATOR GROTHBERG:

5. Mr. President and members of the Senate. I was not going  
6. to speak at all, but I am prompted to rise on two points. First,  
7. I think Senator Sangmeister and I may have kind of an exclusive  
8. on jails. So I would have you know that both in the case of  
9. the Joliet, the Pontiac, the Dwight and all over this State  
10. we've been getting ready for more prisoners, even though we're  
11. running over now. We're ready psychologically and if some  
12. appropriation bills go through probably physically and capitally.  
13. But the main reason I am forced to speak is a previous speaker  
14. has somehow equated proverty and crime. And anybody my age in  
15. this room that survived the Depression that made proverty and  
16. crimes synonymous is wrong. Poverty and crime are synonymous because  
17. of addlebrained judges that have had to much leeway to make it  
18. pay to be a criminal. Crime didn't pay when you and I were  
19. young in 1930 and I have been hungry and my parents had nothing  
20. to feed me and I'll be damned, but nobody stole anything because  
21. it was still wrong to steal. It doesn't seem to be so wrong  
22. to steal anymore. If this will do anything to straighten out  
23. an attitude I am going to vote for this bill on that issue alone  
24. because I've heard it long enough. We've sent money. We've  
25. sent energy. We've sent every resource there is to the poor  
26. and what we get is more rationale for rough stuff and wrong doing  
27. and I've been at the head of that parade, too, previous speakers  
28. on that issue and devoted half of my life to that cause and I'll  
29. continue to do it. I will never quit. But when I get a stroke  
30. to put in to say that there is a difference between right and  
31. wrong by-damn you better believe I'll vote Aye on this bill.

32. PRESIDING OFFICER: (SENATOR KENNETH HALL)

33. Senator Washington.

1. SENATOR WASHINGTON:

2. Mr. President, I'll be brief also. Practically everything  
3. has been said, but it's unfortunate, it seems to me, that this  
4. issue has been drawn at this time and that's one of the bad  
5. byproducts of having a...a Governor who has ambitions to be  
6. a new Governor and also President and maybe Emperor. But...as  
7. I see this, I...I wish we could of all listened to Jack Smitteror  
8. or read his testimony. He represented the Board of Managers  
9. of the Chicago Bar Association. He's a man of tremendous  
10. background. Former assistant state's attorney and he trotted  
11. out some very good statistics which support the gradual  
12. trend that we've had in this State toward acceleration and  
13. the modification and administration and implementation of...  
14. of the swift but sure concept and he points up that because of  
15. the speedy trial work we've done here in our laws, because  
16. of the...the compensation for victim of crimes, because of the  
17. proliferation of criminal court justices, because we've in-  
18. creased our court room space and concomitantly increased the  
19. states attorneys and a court of touche's et cetera and so forth  
20. and there's been a decrease in the criminal law backlog. There's  
21. been a decrease in the...in the the bargaining down of serious  
22. crimes, and there's been much evidence to indicate that if we  
23. stay on this particular track and accelerate it a bit more, we  
24. might well straighten up this horrible mess which the administration  
25. of criminal justice in the State of Illinois. But no, unfortunately,  
26. now we've drawn heads around a political issue. We have a  
27. Governor who is intent upon being re-elected by making felony X  
28. as popular as Doves or Coca-Cola or what have you and,unfortunately,  
29. we've got a Democratic opponent who, instead of drawing issue with  
30. the Governor on a very serious and fundamental issue is going  
31. along with this game hoping that the whole thing will be taken  
32. out of the public debate where it belongs. It belongs in public  
33. debate. I think it's a very legitimate question. A very

1. legitimate question as to whether or not increased penalties  
2. are going to do anything in this State other than exacerbate  
3. a bad situation. as over and against a true...tried and true  
4. concept of speedy trials and almost guaranteed apprehension  
5. and incarceration. That's a very legitimate area of public  
6. debate and I think we should go to the public with it. I've  
7. heard speaker after speaker indicate that the people want  
8. this bill. The people haven't read this bill. They don't  
9. know what's in it. The people expect us to come down here  
10. and analyze the situation to the best of our ability and come  
11. up with some solutions. This is a good, tough bill they said.  
12. You can go back to the public with it. Will you go back to  
13. the public with it? You going to lie to them and tell them  
14. this is going to be the solution. You know it's not. Every  
15. Session someone comes down here with a solution to the  
16. criminal law or to the crime burden and crime situation, says  
17. pass this bill and crime will go down before we walk out the  
18. door. Crime has gone up and the public is getting damn tired  
19. of it. They're getting of this...of this constant harassment  
20. and misleading attitude on the part of many political figures  
21. in this State who tell people that there are simple answers  
22. to complicated problems. I don't think the people want this  
23. bill. They want honesty. They want the kind of dialogue  
24. that Senator Knuppel gave them. I think they want the kind  
25. of dialogue that Senator Hickey gave. They want to know the  
26. cost of this. They want to know how serious it is. And as  
27. long as our leading public figures in this State waltz around  
28. this issue and come up with bandaid solutions we're not going  
29. to get it. We're going to put politicians in this State in  
30. even a poorer light. I, for one, don't want to be placed in  
31. that light. I think we should be very truthful with people.  
32. This bill isn't going to do a darn thing. It certainly is not going  
33. to enhance the administration of criminal justice. It certainly

1. going to be tied up for years in courts when question of  
2. constitutionality and in my humble opinion in many of those  
3. spots it will be declared unconstitutional. I'm not going  
4. to vote for this bill by no stretch of the imagination because  
5. I think it's deluding and misleading the citizens of this State  
6. and I think what we should do is Table this darn thing and put  
7. some more time and attention in it. Compromise, you're darn  
8. right it's a compromise because the political parties and the  
9. leaders of the two parties don't have the gall and the back-  
10. bone to just tell the people that the problem is too serious  
11. for any quick solutions. So I'm going to vote No.

12. PRESIDING OFFICER: (SENATOR KENNETH HALL)

13. Senator Egan will close the debate. Did you request...  
14. Senator Smith? Yeah. Senator Smith.

15. SENATOR SMITH:

16. That's...the Chair.

17. PRESIDING OFFICER: (SENATOR KENNETH HALL)

18. I'm sorry. I'm didn't see your light.

19. SENATOR SMITH:

20. Mr. President, friends, Ladies and Gentlemen. Again I have  
21. set here and listened at a long, long debate and I am convinced  
22. that nothing that I might say could possibly change a single  
23. vote here today. You, my friend to my immediate left, you  
24. said in the closing part of your speech that which I had con-  
25. cluded and I was fearful that I would be the only one here to  
26. vote against this that you have foisted upon the members of this  
27. General Assembly. I have noticed how gleefully men take the  
28. Floor when there's someone referred during the earlier part of  
29. this debate to the killing of human beings. The Gentleman that  
30. you...whose name you sought to recognize before me, a very good  
31. man, good lawmaker, my friend, my personal friend and a man  
32. whom I greatly admire, I differed, of course, with his conclusions.  
33. I notice that in the early civilizations, if you might call them

1. civilizations, they had various and sundry forms punishment. It's  
2. a sorry spectacle in my way of thinking, Mr. President, to  
3. think...I...I'm going to suspend and I'm not going to permit  
4. a roll call if my standing here will prevent it. I seldom  
5. take the Floor because I realize as you do, that you're  
6. not convincing anybody and nobody knows better than I, as  
7. I stand here now and I know Senator Ozinga is thinking I'm  
8. going to start on a long speech. I'm not. I'm going to  
9. criticize all of you. Those who have spoken for this bill  
10. and those who have remained silent. I could wish that I  
11. could remain silent. I have heard you stand here and talk  
12. about crime. You have never said anything yet in the course  
13. of this debate about any attempt on the part of this august  
14. Body to discuss crime in a sense of telling us what is a  
15. crime. A man may read, he may study until he becomes old  
16. like I am and he will learn something about the tides, Mr.  
17. President, and the currents of the wayward winds. But there's  
18. not a man here knows, I don't think there's one here foolish  
19. enough to claim that he knows where the storms are born that  
20. wreck and ruin. And if we, who represent the people here  
21. tonight, during the course of this debate, if we were to be  
22. brutally frank with our constituents, we would confess to  
23. them that we don't know where the storms are born that wreck  
24. and ruin and darkens all of the hellions of the mind and holds  
25. an individual in its firm embrace until the so-called fright-  
26. ful crime is done. We talk about the murderer. We talk about  
27. the man, as you've done here tonight. My friend back here  
28. made mention of the fourteen year old boy with the knife in  
29. his pocket and, as I understood what he said, if arrested, the  
30. fact of that knife being in his possession would...

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. Pardon me just a minute, Senator.

33. SENATOR SMITH:

1. All right.

2. PRESIDING OFFICER : (SENATOR KENNETH HALL)

3. Could we have a little order, please? Senator Smith  
4. is...is explaining his point in this bill and we'd like to  
5. have attention. Go ahead, Senator.

6. SENATOR SMITH:

7. There's hardly any need in my going ahead. I...I will  
8. have done, but little, but talk when I take my seat. Others  
9. have talked and to punish you a little further I might continue.  
10. You punished me by coming in here with this what you call a  
11. bill of something that any fourteen year old child could have  
12. done. You see, you worked four years and he could have done...  
13. he couldn't have done any worse if he had worked fifteen years  
14. longer and add the fifteen to the fourteen until he will have  
15. become twenty-nine years old. This is as great a monstrosity  
16. as I see it, as has ever been foisted or attempted to be foisted  
17. and you will pass it. But the day will come when you will  
18. rule your actions of this evening. I, myself, would have  
19. left. I would have left if I'd known that this thing was  
20. coming up. I wanted to leave anyway and I thought, when he  
21. talked about this thing being out of order in the next few  
22. minutes, he'd dismiss us and let us go. I'm sorry I didn't  
23. go whether he had dismissed us or not. This is a something  
24. that you, Ladies and Gentlemen, will live to rule that you  
25. foisted it upon the people of this State. You're not going  
26. to solve that which you call crime. It isn't enough for us  
27. to know that that which we call a crime does exist, something exists.  
28. I don't know whether it's a mental deficiency and I dare say  
29. you don't. I know it's time and I'm going to sit down right  
30. now. My friend says to take his time. If I thought I would  
31. accomplish something by standing here I'd accept the time of  
32. every speaker, every member who hasn't spoke. But I know it's  
33. not going to amount to a tinker's damn. You're going to



1. pass this thing and I regret to say it, but it's evident  
2. here that this bill will pass and it's not going to do,  
3. may I say, a duodecimal damn toward solving that which  
4. you, Ladies and Gentlemen, call a crime. I don't call any  
5. of it crime. I call it, I...merely weaknesses inherit in  
6. the scheme of things. Nothing more, nothing less. And until  
7. you find some way of hindering and preventing that which you  
8. so blightly call crime and criminals and I'm fearful about  
9. this bill. Nobody said it, so I just as well say it. The  
10. last man sentenced to death in this State was done under  
11. the rulings of your court and your brilliant judges and if  
12. the judge that did it, if he would be fair, if he'd be  
13. honest sitting there in his darkened or blackened robe, he  
14. would tell you honestly that he doesn't know whether that  
15. individual should be sentenced to one day, one year, thirty  
16. years or turned loose and given a medal. Under the  
17. existing circumstances that exists on the south side of the  
18. city, as I know you in favor of a bill like that or you'll  
19. be delighted for me to sit down so that you might guess the  
20. Yes vote and I don't know who said it, but you indicated by  
21. your needless interruption of a man who seldom takes the  
22. lectern to speak here about anything. I think it's a bad  
23. bill. I think that there's not a man in here, not a judge  
24. on a bench that can look at any man and tell what he deserves.  
25. You are going to put it into the law here tonight...as soon  
26. as you can what he deserves. You don't know, the human mind  
27. is blind to all who would look into it. The unfortunate thing  
28. that's being shown here tonight is, it's blind to so many of  
29. us who look out from it. Go ahead and do your best. Do your  
30. worst. Do whatever you will and you're not going to lessen  
31. the so-called crime that's rampant here in Springfield and  
32. certainly in the City of Chicago.

33. PRESIDING OFFICER: (SENATOR KENNETH HALL)

1. Senator Egan will close the debate.

2. SENATOR EGAN:

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

4. How much time do I have?

5. PRESIDING OFFICER: (SENATOR KENNETH HALL)

6. You've used your time up already, Senator.

7. SENATOR EGAN:

8. Senator Smith, you've taken most of my time, but I did

9. want to address just a few thoughts in closing. It appears to

10. me that this bill is really not a compromise, but a product

11. of a lot of hard work from a lot of people, all of whom are

12. sincere and I think the arguments that have been proposed

13. tonight in opposition to the bill really generate, at least,

14. in my mind some confidence in the fact that we really are

15. getting tough. And I hope that...I hope those that were

16. against some of the compromises that we did make during the

17. deliberation would agree with me that this, indeed, is a tough

18. criminal package. I think I'm probably the last man in...

19. in Illinois to...to absolutely and firmly state that the name

20. Class X is a good idea. I think even the Governor was willing

21. to back down when I was not. I am the sponsor of that concept

22. and he is the author. I like the idea because it represents

23. a good idea. It represents a...an idea that we must attend

24. to the reclassification of felonies and make some of those

25. which are not serious in the present structure more serious

26. and if some of those that are in the present structure more

27. serious than they should take them out. But Senator Maragos,

28. to answer your question about heinous battery, the idea of

29. battery and violence is contained presently in a Class III

30. felony concept, for which you can get no more than ten years

31. maximum and a three year minimum. To cite an example and the

32. reason that I think we have a new category of crime, which is

33. now heinous battery fit within the Class X category. The reason

1. that I brought it to mind is because I was consulted by a  
2. judge in Cook County who had just heard a case wherein a  
3. minor child was severely injured as a result of his forbidding  
4. to engage in a sexual act, a homosexual act with an adult who  
5. consequently, poured on this boy a solution caustic and as  
6. a result of that act the boy lost his...hearing in one ear,  
7. he lost one eye and he lost his entire face. For that crime  
8. under the present categories he could be sentenced to no more  
9. than ten years with a minimum of three and could be eligible  
10. for parole in eighteen months. I don't think that was tough  
11. enough. I think heinous battery is a good idea. I think the  
12. minimum sentence should be six years for that kind of a crime.  
13. I think we should remain in our steadfast attitude toward a  
14. population in Illinois, who I think is fearful and I think  
15. they're fearful and I think we know it. And I think we know  
16. that this is good, tough legislation and I think the category  
17. X is indicative of that intention and I think it's a good idea.  
18. I definitely support it. And I also want to say that there are  
19. people that have been involved in this legislation that should  
20. be commended. Number 1, the Governor himself who was involved  
21. in all of the negotiations and the deliberations on the  
22. legislation and I think, also, without trying to sound  
23. political that Comptroller Bakalis had influence in the  
24. legislation. Perhaps without his feeling in the matter we  
25. wouldn't have a bill tonight that we can vote on. Certainly,  
26. Speaker Redmond spent time along with President Hynes, who had  
27. many, many meetings over the many hours of deliberations. The  
28. Chairman of Judiciary II, Senator Netsch, worked tirelessly, as  
29. did the Chairman of Judiciary II in the House, Representative  
30. Katz. I think Senator Sangmeister demonstrated an awful great  
31. deal of interest in...in the compromises that he was able to  
32. make and in his leadership to get Representative Getty to come  
33. along and join with us and ultimately, we do have as a result

1. a bill that is a pretty good cross section of everybody in-  
2. volved. But now, of course, I do also want to say that the  
3. staff members did devote some time to this. They must have  
4. prepared a hundred and fifty thousand amendments during the  
5. deliberations over the past. I think I'm getting the signal  
6. that...

7. PRESIDING OFFICER: (SENATOR KENNETH HALL)

8. Yes, your time is up.

9. SENATOR EGAN:

10. ...that there's a roll call that's requested. But I  
11. think one more important fact and that is for all of you  
12. who feel that we're mistaking...we're...we're making a mistake  
13. tonight, this bill creates a commission which is empowered  
14. to do and whose duties are among other things to monitor this  
15. system which we are enacting tonight to look at the expense.  
16. To look at some of the antagonistic remarks that were made  
17. tonight and find out if there's really some truth and to  
18. continue to deliberate on the massive undertaking that we  
19. have tonight. And with that, I think I commend this to your  
20. favorable consideration.

21. PRESIDING OFFICER: (SENATOR KENNETH HALL)

22. The question is, shall House Bill 1500 pass. Those in  
23. favor vote Aye. Those opposed vote Nay. The voting is open.  
24. Senator, will you vote me No, please.

25.

26.

27.

28.

(END OF REEL)

29.

30.

31.

32.

33.

1.  
2. Have all voted who wish? Have all voted who wish?  
3. Take the record. On that question the Ayes are 48, the Nays  
4. are 7, none Voting Present. House Bill 1500 having received  
5. a constitutional majority is declared passed and the bill  
6. having received the affirmative vote of three-fifths of the  
7. members elected is effective as provided in the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. On the Order of House Bills, 3rd reading, House Bill  
10. 2433. Senator Berman, for what purpose do you arise?

11. SENATOR BERMAN:

12. I wish the record to show I pushed the button, but my  
13. key was not on. I...had my buttons been working, I would  
14. have voted Aye.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The record will so reflect. On the Order of House  
17. Bills, 3rd reading, House Bill 2433. Read the bill,  
18. Mr. Secretary.

19. SECRETARY:

20. House Bill 2433.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Mr. President and members of the Senate. The bill does  
27. exactly what it says. It's the supplemental appropriation  
28. of Federal funds which have been made available to the Office  
29. of Education since June 30th, 1977. I ask for a favorable  
30. vote.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is there any discussion? Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President. This is a supplemental  
2. appropriation for the Illinois Office of Education as  
3. Senator Davidson has indicated. It...it's...several  
4. things within it...important part is, that there is no  
5. General Revenue Funds nor will there ever be any future  
6. General Revenue Funds appropriated or expended for this  
7. purpose. This will strictly be grant funds and should  
8. those grant funds dry up these employees understand that  
9. they will be terminated at that time and there will not  
10. even be a request that we dip into the General Revenue  
11. to pay for these and I would, therefore, suggest that we  
12. do support Senator Davidson in this bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Regner.

15. SENATOR REGNER:

16. Yes, Mr. President and members of the Senate. I'm  
17. going to support the bill, but I would just like to point  
18. something out to the members that we should give consideration  
19. for next Spring when we may have a potential problem.  
20. Admittedly there are only two people that are affected by  
21. this supplemental with the Federal monies, but the information  
22. I have from consultations with State Board of Education members  
23. is that if these monies should terminate and the employee  
24. should terminate they would be eligible for Unemployment  
25. Compensation. And that's going to be a problem we're going  
26. to have to face next Spring when we're talking about many,  
27. many more than only two people and I just wanted to point  
28. that out to everyone.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Knuppel.

31. SENATOR KNUPPEL:

32. Well, how much is this supplemental appropriation?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Davidson.

2. SENATOR DAVIDSON:

3. Two hundred and fifty-four thousand eight hundred and  
4. sixty eight dollars.

5. SENATOR KNUPPEL:

6. And can we afford that?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Davidson.

9. SENATOR DAVIDSON:

10. I don't know whether we can afford it or not. It's Federal  
11. money. It's only been granted to the Office of...of Education.  
12. It's there under our rules. We have to reappropriate the  
13. money before they have the authorization to spend it.

14. PRESIDENT:

15. ...Senator Knuppel.

16. SENATOR KNUPPEL:

17. But nothing else. I mean, you know, I'm just going to  
18. kind of keep a little chart here about how much money we're  
19. getting and where it's going and so forth.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Senator Nimrod.

22. SENATOR NIMROD:

23. A...a question to the sponsor. I know it's indicated  
24. that it's Federal money and there's been some indication  
25. ...but what is it for? Is it something that we are just  
26. going to be taking on because Federal money is available  
27. or is it for some specific programs that we...we should be  
28. supporting?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Senator, it'll be for three additional staff. Two  
33. professionals and one clerical. It will make the State Board

1. of Education for model projects on aging, data survey, bicycle  
2. safety, headstart follow through, career education, teacher...  
3. centers and Indochina Refuge Children Assistance Act and most  
4. of the money...a big part of that money goes to the last one  
5. cause a number of areas in Illinois do have a high Vietnamese  
6. war refuge population and those children are having extreme  
7. difficult in trying to get a normal education due to the  
8. language barrier and a lot of this money does go to that  
9. effort for those children to be instructed in English or  
10. gain knowledge of English to be able to live a normal life.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Question is, shall House Bill  
13. 2433 pass. Those in favor will vote Aye. Those opposed  
14. will vote Nay. The voting is open. Have all voted who wish?  
15. Have all voted who wish? Take the record. On that question,  
16. the Ayes are 50, the Nays. 2 Voting Present. House Bill...  
17. 2433 having received the constitutional majority is declared  
18. passed and the bill having received the affirmative vote of  
19. three-fifths of the members elected is effective immediately  
20. upon its becoming a law. On the Order of House Bills, 3rd  
21. reading, House Bill 2434. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House...House Bill 2434.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President, this bill appropriates thirty thousand dollars  
30. to the Department of Children and Family Services to be used for  
31. services to the visually handicapped persons in Illinois nursing  
32. homes. The money will be used to pay the salaries, social  
33. security and State retirement contributions for three



1. rehabilitation teachers. Be happy to answer any questions on  
2. the bill. If not, ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any discussion? Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and Ladies and Gentlemen of the  
7. Senate. I rise to support Senator Schaffer and this...while  
8. this is thirty thousand dollars of General Revenue Funds, I  
9. might add that the administration did oppose this in the House  
10. and took a neutral position in the Senate. I...I, personally,  
11. think these are needed funds for rehabilitation of the  
12. visually handicapped and we should be supporting this  
13. appropriation of thirty thousand of General Revenue Funds.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Question is, shall House Bill 2434  
16. pass? Those in favor will vote Aye. Those opposed will vote  
17. Nay. The voting is open. Have all voted who wish? Have all  
18. voted who wish? Take the record. On that question, the Ayes  
19. are 53, the Nays are None. 1 Voting Present. House Bill 2434  
20. having received the constitutional majority is declared passed  
21. and the bill having received the affirmative vote of three-  
22. fifths of the members elected is effective immediately upon  
23. its becoming a law. On the Order of House Bills, 3rd reading,  
24. is House Bill 2435. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Hello...hello, Dolly...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Your mouth is not worn out yet, Senator.

29. SENATOR VADALABENE:

30. ...House Bill 2435 authorizes the Secretary of State  
31. beginning with the calendar registration year...1979...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. I understand there...are amendments that have been filed

1. with the Secretary. Is it your desire to call the bill back  
2. for the purpose of...

3. SENATOR VADALABENE:

4. Yes, there...yes, I...I had a Gentlemen's Agreement that  
5. I would bring this bill back to the Order of...

6. PRESIDING OFFICER:(SENATOR ROCK)

7. Senator Vadalabene seeks leave of the Body to bring  
8. House Bill 2435 back to the Order of 2nd reading for purposes  
9. of...amendment. Is leave granted? On the Order of House Bills,  
10. 2nd reading, is House Bill 2435.

11. SECRETARY:

12. Amendment No. 1, excuse me, offered by Senator Coffey.

13. PRESIDING OFFICER:(SENATOR ROCK)

14. Senator Coffey.

15. SENATOR COFFEY:

16. Mr. President and members of the Senate. This is a house-  
17. keeping Amendment. It amends the definition of the registration  
18. of the stickers to be consistent with the use of the terms  
19. "stickers" and "sticker" within the Statutes. Number two, it  
20. indicates that the sticker is to be placed upon the rear of  
21. the registration plate as the Secretary intended in his  
22. implementation. Number three, it provides for the authority  
23. for the Secretary to also require the sticker to be affixed to  
24. the front plate, if he so determines. And makes necessary  
25. changes to the Statutes if the two stickers are required. I  
26. would ask a favorable vote to accept this Amendment No. 1.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. All right. Senator Coffey is moving the adoption of  
29. Amendment No. 1 to House Bill 2435. Any discussion? Senator  
30. Vadalabene.

31. SENATOR VADALABENE:

32. Yes, thank you, Mr. President and members of the Senate.  
33. There's no need for this. Sufficient flexibility exists in

1. the current draft to issue two stickers administratively  
2. by rule. And if you'll turn to page 1 of the bill in Section  
3. I, line 18 through 21, it says registration stickers, a  
4. device or devices to be attached to a registration plate that  
5. will renew the registration and registration plate or plates  
6. for a predetermined period not to exceed one registration year  
7. and I would move to defeat this amendment.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the  
12. Senate. I, too, rise in opposition to Amendment No. 1. You  
13. will recall in the Committee on Executive Appointments when  
14. this bill was heard the Secretary of State testified that in  
15. his judgment this amendment, which was discussed, by the way,  
16. in that committee and was not offered, was in his judgment,  
17. unnecessary. Further, I might add, as we all well know, we're  
18. in the eleventh hour and to see...to send this bill, again, back  
19. to the House for concurrence, frankly, the Secretary...does  
20. not wish to do that. The amendment, in my judgment and in  
21. his, is totally unnecessary. He can, in fact, do this under  
22. the legislation as it is written and I would urge a No vote  
23. on the adoption of this amendment.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator...Vadalabene may  
26. close. Question is...Senator Coffey may close, I beg your  
27. pardon.

28. SENATOR COFFEY:

29. Mr. President and members of the Senate. I think there  
30. is...clarification necessary and I think Amendment No. 1 does  
31. do that. I think it's going to take care of a problem that's  
32. going to come up...when this bill is implemented. I would  
33. like to ask for a favorable roll call for Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. ...Question is, shall Amendment No. 1 to House Bill  
3. 2435 be adopted? Those in favor vote Aye. Those opposed  
4. Nay. The voting is open. Have all those voted who wish?  
5. Take the record. On that question, the Ayes are 27, the  
6. Nays are 30. Amendment No. 1 to House Bill 2435 fails.  
7. Are there further amendments?

8. SECRETARY:

9. Amendment No. 2 offered by Senator Coffey.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Coffey.

12. SENATOR COFFEY:

13. Mr. President...Mr. President and members of the Senate.  
14. Amendment No. 2 is an amendment that provides that the  
15. registration fees shall be consistent with the registration  
16. period for those vehicles required registered under the  
17. staggered system. As many of you might have on your desks  
18. the chart that shows that the registration is not consistent.  
19. They will be running from nine months to fifteen months and  
20. their...for their registration, it'll be an unfair  
21. charge to some and a benefit to others. And I think Amend-  
22. ment No. 2 is necessary to clear up this problem and I would  
23. ask a favorable roll call on Amendment No. 2.

24. PRESIDING OFFICER:(SENATOR DONNEWALD)

25. Is there debate? Question is, shall Amendment No. 2...  
26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, thank you, Mr. President and members of the Senate.  
29. Again, this is covered in Section 3, 4, 14I, paragraph 4 on  
30. page 8, which states, "for registration years...for the  
31. registration year 1980, the Secretary of State shall restagger  
32. the registrations contained in subsections 1 through 3 of  
33. this Section in a manner which will maintain a substantially

1. uniform monthly volume for nine expiration periods under a  
2. staggered registration system and the monthly expiration  
3. shall be at midnight on the last day of the month for the  
4. months of March through November of each registration year.  
5. And registration years after 1980 shall be on an annual basis  
6. except as provided in subsection K of Section 314. And  
7. also in Section 314K on page 9 it states, "for registration  
8. years after 1979 the Secretary of State shall fairly and  
9. equitably provide for the registration of vehicles of the  
10. first division and those vehicles of the second division  
11. as he should deem necessary in a manner, which will  
12. maintain a substantially uniform monthly volume of...  
13. vehicle registration through each calendar year"and I would  
14. move that we vote No on Amendment No. 2 to House Bill 2435.  
15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President and Ladies and Gentlemen of the  
19. Senate. I, too, rise again in opposition to Amendment No. 2.  
20. I think Senator Vadalabene has said, again, what was said in  
21. committee. The legislation as presented to us by the House  
22. gives, in fact, the Secretary the authority to do what  
23. Senator Coffey seeks to give him all...he has already. And  
24. I think, at this point, to send this bill back to the House  
25. is a mistake, so I would urge the defeat of Amendment No. 2.  
26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Coffey may close.

28. SENATOR COFFEY:

29. Mr. President and members of the Senate. I think, first  
30. of all, that we...we've gone...we are going to have other  
31. bills that are going back to the House for their consent and  
32. I see no reason why this one could not go back for the consent  
33. of the House, also. Vehicles newly acquired in January 1st to

1. the 15th in the calendar year to November 30th of the  
2. calendar year are going to be paying registration fees for  
3. only nine months. Vehicles newly acquired January 16th  
4. through the 31st of the calendar year to March 31st of the  
5. subsequent year is going to be paying a fee the same as the  
6. person for nine months and receiving fifteen months. A  
7. person with a vehicle newly acquired in February of the  
8. calendar year, March 31st or subsequent to there will be  
9. receiving a eleven month period. So I think that Amend-  
10. ment No. 2 is necessary to clarify this so it will be  
11. fair to all that acquire this vehicle permit that they  
12. all pay the same amount for the same...same time received.  
13. And I would ask your favorable vote on Amendment No. 2.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Question is, shall Amendment No. 2 to House Bill 2435  
16. be adopted? Those in favor vote Aye. Those opposed Nay.  
17. The voting is open. Have all those voted who wish? Take  
18. the record. On that question, the Ayes are 24, the Nays are  
19. 30. Amendment No. 2 to House Bill 2435 fails. Are there...  
20. are there further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. Senator VaGalabene. Read the bill a third  
25. time.

26. SECRETARY:

27. House Bill 2435.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator VaGalabene.

32. SENATOR VADALABENE:

33. Thank you, Mr. President and members of the Senate. House

1. Bill 2435 authorizes the Secretary of State beginning with the  
2. calendar registration year 1979 to stagger registration for  
3. vehicles of the first division, motor vehicles designed for  
4. carrying not more than ten persons and I appreciate a favorable  
5. vote.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. Thank you, Mr. President and speaker Sam...my...Senator  
10. Vadalabene and I are the sponsors of this bill and in closing  
11. I ask for a moment in closing to remind the Body and the  
12. Secretary that Amendments No. 1 and 2, although they were  
13. defeated, will surely be looking at us again in the Spring.  
14. They are needed amendments and we do not have the votes nor  
15. do we want to, Mr. President nor Mr. Secretary of State, to  
16. delay these proceedings. But hang on to your folder that you  
17. have. It's the only thing that explains the bill. It is  
18. almost a duplicate of the bill that...Senate Bill 1186 that  
19. I filed in the Spring and was defeated and suddenly became  
20. very popular. I've expressed my thanks to Secretary Dixon  
21. and to Sam Vadalabene for allowing to cosponsor this bill  
22. with them and to urge an Aye vote. But hang on to Amendments  
23. No. 1 and 2 because they're going to be needed to get...to  
24. finish the job when we come back in the Spring. I urge an  
25. Aye vote.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further discussion? Senator Berning.

28. SENATOR BERNING:

29. Thank you, Mr...President. Just a question of the  
30. sponsor. I...I have been attempting to determine from the  
31. bill what it is that is issued on a staggered basis. When  
32. I see on page 1 where it says registration stickers, a device  
33. or devices to be attached to a registration plate that will

1. renew the registration. My...my interest, then, centers on  
2. how the effectiveness or the effective date of that registration  
3. is apparent to anyone whose interest it is to legitimately  
4. determine whether a plate is valid or not. Will these be  
5. a series of multicolored stickers or will they have the  
6. date on in such fashion that it can readily be read by say,  
7. a law enforcement officer or just what will occur when a  
8. sticker is applied to my license plate in November and someone  
9. else applies a sticker to his license plate in May and someone  
10. else in June and September? How does the registration date  
11. termination get properly identified?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, the sticker...it will appear on the sticker the month  
16. and the year that it expires and it'll be one year from the...  
17. the day that they applied.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Berning.

20. SENATOR BERNING:

21. The sticker, which assumedly will be about the size of  
22. a postage stamp will be stuck in the corner of a license plate  
23. and a law enforcement officer is supposed to be able to see  
24. this?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. It'll be an inch by an inch and a half reflectorized.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Rhoads.

31. SENATOR RHOADS:

32. Point of parliamentary inquiry...

33. PRESIDING OFFICER: (SENATOR ROCK)



1. Yes.

2. SENATOR RHOADS:

3. ...how many votes are needed to pass?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. As I understand it, the bill has an immediate effective  
6. date. Thirty-six votes will be required. Senator Coffey.

7. SENATOR COFFEY:

8. Mr. President, I have a question to the sponsor.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Indicates he will yield. Senator Coffey.

11. SENATOR COFFEY:

12. How many, Senator, how many vehicles will be under the  
13. staggered program and how many of these...these vehicles  
14. are under the second division vehicles?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Vadalabene.

17. SENATOR VADALABENE:

18. No second division and six point two are the first class  
19. initially.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Coffey.

22. SENATOR COFFEY:

23. There's been a question brought to myself on an estimate  
24. by the Department of Transportation and that there will be a  
25. revenue loss between twenty-three and twenty-four million  
26. dollars from the Road Fund in Fiscal Year 1979. Do you have  
27. an answer? Is that true or...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. The projected loss will be about twelve million dollars,  
32. but the D.O.T., Department of Transportation has agreed to the  
33. concept of this legislation.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Coffey.

3. SENATOR COFFEY:

4. One of the questions I have and then I'll be through here.  
5. What will the dollar savings...what dollar savings are there  
6. anticipated by the staggering system? Is there any?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. The answer to that is that it will...they will save in...  
11. in the area of temporary help, but at this particular time  
12. it cannot be analyzed what the...what the total saving would  
13. be, Senator Coffey.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Vadalabene may close the  
16. debate.

17. SENATOR VADALABENE:

18. I move for a favorable vote.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. The question is, shall House Bill 2435 pass?  
21. Those in favor will vote Aye. Those opposed will vote Nay.  
22. The voting is open. Have all voted who wish? Have all voted  
23. who wish? Have all voted who wish? Take the record. Senator  
24. Vadalabene.

25. SENATOR VADALABENE:

26. Could I poll the absentees? Can I postpone consideration?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. You may certainly postpone. Consideration will be post-  
29. poned at sponsor's request. Senator Hynes, for what purpose  
30. do you arise?

31. SENATOR HYNES:

32. Mr. President and members of the Senate. For the purpose  
33. of asking for a very, very brief recess for a meeting of the

1. Rules Committee. The reason for this is that there are  
2. three bills in Rules that passed the House that make technical  
3. changes with respect to the State Employees Deferred Com-  
4. pensation Program. These technical changes are necessary  
5. if the program is to be implemented and we need to approve  
6. these bills, read them a second time tonight if...if they  
7. are to be passed tomorrow. So with that preface I would  
8. ask for a very brief recess and there will be a meeting  
9. of the Rules Committee in the hallway behind Senator  
10. Shapiro's desk immediately.

11. PRESIDING OFFICER: (SENATOR ROCK)

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

13. SENATOR WOOTEN:

14. On the off chance that there is any...there shouldn't  
15. be a loss of membership, but I want to announce right now  
16. the Executive Committee will meet tomorrow morning an  
17. hour before Session begins to consider three resolutions  
18. and I would like to waive the Six Day requirement so that  
19. Senate Joint Resolution 59 will be the third resolution to  
20. be considered tomorrow morning.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. You've heard the question. Is leave granted  
23. to waive the Six Day posting requirement...to deal with  
24. Senate Joint Resolution 59? Leave is granted. All right,  
25. the Senate will just stand at ease for a few moments while the  
26. Rules Committee meets. Do you want me to sing something?  
27. That would be good. All right, the Senate will come to order.  
28. There's been a request to the Chair. There are two bills  
29. on the Order of House 3rd that sponsors have indicated they  
30. wish brought back for the purpose of amendment.  
31. We'll deal with those so that we can give  
32.

33. Continued on next page.

1. Enrolling and Engrossing a break. House Bills, 3rd  
2. reading is House Bill 2476. Senator Moore seeks leave of the  
3. Body to bring that bill back to the Order of 2nd reading for  
4. the purpose of an amendment. Is leave granted? Leave is  
5. granted. On the Order of House Bills, 2nd reading is House  
6. Bill 2476.

7. SECRETARY:

8. Amendment No. 4 offered by Senator Carroll.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Carroll on 2476. This is for the B.E.D.

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. First, I believe it would be  
14. appropriate that we having voted on the prevailing side, I would  
15. move to reconsider the vote by which Amendment No. 2 was  
16. adopted for purposes of Tabling Amendment No. 2. Amendment No.  
17. 2 was the one that had taken down the grant for C.D.B. for  
18. energy management to the figure of two dollars to allow the  
19. Governor to send the letter. We have since gotten better  
20. information from C.D.B. as to why they need this Federal money  
21. and I would, thereby, move to Table Amendment No. 2 having voted  
22. on the prevailing side, I would move to reconsider the vote by...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right. Senator Carroll, having voted on the prevailing  
25. side moves to reconsider the vote by which Amendment No. 2 to  
26. House Bill 2476 was adopted. Is there any discussion? All  
27. those in favor signify by saying Aye. All those opposed. The  
28. Ayes have it. The amendment...the vote on the amendment is now  
29. reconsidered. Senator Carroll now moves to Table Amendment No.  
30. 2 to House Bill 2476. Is there any discussion? All those in  
31. favor signify by saying Aye. All those opposed. The Ayes have  
32. it. Amendment No. 2 is Tabled. Further amendments, Mr.  
33. Secretary?

AB 2497  
Recall  
11/22/77

1. SECRETARY:

2. Amendment No. 4 offered by Senator Carroll.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. This would be, in effect,  
7. the substitute amendment. It's in the amount of ninety-four  
8. thousand dollars for the operation of energy management for  
9. State buildings and facilities to C.D.B. This is the amount  
10. by which by letter they had indicated to us they had thought  
11. they had already had and had allocated people and programs to  
12. and we would, therefore, support the appropriation at that  
13. figure, which is ninety-four thousand dollars. I would move  
14. adoption of Amendment No. 4.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. All right. Senator Carroll has moved the adoption of  
17. Amendment No. 4 to House Bill 2476. Is there any discussion?  
18. All those in favor signify by saying Aye. All those opposed.  
19. The Ayes have it. The amendment is adopted. Any further  
20. amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. 3rd reading. On the Order of House Bills, 3rd reading  
25. is House Bill 2497, Senator Weaver.

26. SENATOR WEAVER:

27. Thank you, Mr. President. I think Senator Bruce has an  
28. amendment on the Secretary's Desk...

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce on the Floor? All right. Senator Weaver  
31. seeks leave of this Body to bring House Bill 2497 back to the  
32. Order of 2nd reading for purposes of an amendment. Is leave  
33. granted? Leave is granted. On the Order of House Bills, 2nd

1. reading is House: Bill 2497. Mr. Secretary.

2. SECRETARY:

3. Amendment No. 1 offered by Senator Bruce.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President. You may recall in the last  
8. Session we passed several pieces of legislation dealing with  
9. conflict of interest. I was chairman of the committee.  
10. Senator Philip had a couple of bills in there and we also  
11. passed the bills sponsored by Senator Weaver dealing with  
12. savings and loans and banks. Those other provisions carried  
13. a five percent...seven percent. This bill was the only one  
14. in the lot that had a five percent interest allowed concerning  
15. banks and savings and loans. The amendment would increase that  
16. five percent interest to seven and a half percent making consistent  
17. with the State Officials Law and all the other public bodies in  
18. the State. In all of the other Acts we've used the term "interest"  
19. rather than pecuniary interest, which has a more limited definition  
20. and would make this amendment would add the word "interest" rather  
21. than pecuniary interest so that even if you had an interest was  
22. not monetary in nature it would be a conflict, which is consistent  
23. with all of the other Acts and also that it would require a  
24. majority vote before any provision could be enacted, where if  
25. one of the members had a conflict, that is consistent with the  
26. other provisions of the other Act dealing with school boards and  
27. everyone else and I would think that this would be a reasonable  
28. provision. I think Senator Weaver is in favor of the amendment  
29. and I'd move its adoption.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Senator Bruce moves the adoption of  
32. Amendment No. 1 to House Bill 2497. All those in favor signify  
33. by saying Aye. All those opposed. The Ayes have it. The

1. amendment is adopted. Any further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. 3rd reading. Senator Carroll. 2450. All right. On the  
6. Order of House Bills, 3rd reading, House Bill 2450. Read the  
7. bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 2450.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President and Ladies and Gentlemen of the  
16. Senate. This is similar to legislation we had passed last June  
17. whereby Cook County by ordinance had raised its fees. We then  
18. put in the appropriate legislation to do it by State Statute.  
19. It was passed by both Houses. We then passed legislation to do  
20. it state-wide for the other counties as well as the county of  
21. Cook and then agreed with the Governor to let them sign just  
22. the state-wide bill. After that was signed there was recognized  
23. to have been a technical defect in it and it was suggested we  
24. thereby go back to putting in the bill to cure the defect as to  
25. Cook County and Representative Darrow who had handled the state-  
26. wide bill put in the bill...with that understanding and passed  
27. the House and I would now ask for a favorable roll call in the  
28. Senate.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any discussion? The question is, shall House Bill  
31. 2450 pass? Those in favor will vote Aye. Those opposed will  
32. vote Nay. The voting is open. Have all voted who wish? Have  
33. all voted who wish? Take the record. On that question, the

1. Ayes are 51, the Nays are None. 1 Voting Present. House Bill  
2. 2450 having received the constitutional majority is declared  
3. passed and the bill having received the affirmative vote of  
4. three-fifths of the members elected is effective immediately  
5. upon its becoming a law. Senator D'Arco. On the Order of  
6. House Bills, 3rd reading, House Bill 2464. Read the bill,  
7. Mr. Secretary.

8. SECRETARY:

9. House Bill 2464.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. What this bill does, Mr. President, is appropriate to the  
16. Medical Center Commission the sum of five hundred and fifty  
17. thousand dollars for demolition purposes at a facility where  
18. Alden's warehouse is presently sited. The purpose of that  
19. is so that Saint Luke's Presbyterian Hospital could then build  
20. on that same site a cancer research hospital that it is in  
21. the planning stages of building and I would ask for a favorable  
22. vote.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? The question is, shall House Bill 2464  
25. pass? Those in favor will vote Aye. Those opposed will vote  
26. Nay. The voting is open. Have all voted who wish? Have all  
27. voted who wish? Take the record. On that question, the Ayes  
28. are 55, the Nays are None. None Voting Present. House Bill  
29. 2464 having received the constitutional majority is declared  
30. passed and the bill having received the affirmative vote of  
31. three-fifths of the members elected is effective immediately  
32. upon its becoming a law. Senator Sommer. On the Order of  
33. House Bills, 3rd reading is House Bill 2467. Read the bill,



1. Mr. Secretary.

2. SECRETARY:

3. House Bill 2467.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER:(SENATOR ROCK)

7. Senator Sommer.

8. SENATOR SOMMER:

9. Mr. President and members. This is the periodic bill for

10. payment of claims...Is there supposed to be an...is there an

11. amendment filed on this one, Mr. Secretary?

12. PRESIDING OFFICER:(SENATOR ROCK)

13. No, is there one filed? Senator Carroll, there is no

14. amendment filed. I understood there was to be an amendment

15. also for fifteen thousand dollars for court reporters. Senator

16. Sommer.

17. SENATOR SOMMER:

18. ...why don't we withdraw this and figure it out.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. Take it out of the record for momentarily,

21. at least. On the Order of House Bills, 3rd reading is House

22. Bill 2468. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 2468.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. Senator Moore.

29. SENATOR MOORE:

30. Thank you, Mr. President and members of the Senate. House

31. Bill 2468 makes an appropriation for eight thousand dollars for

32. the ordinary and contingent expenses of the Illinois Govern-

33. mental Salary Study Commission that includes the legislative,

1. executive, judicial branches of government. I'd ask for a  
2. favorable roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is, shall House  
5. Bill 2468 pass? Those in favor will vote Aye. Those opposed  
6. will vote Nay. The voting is open. Have all voted who  
7. wish? Have all voted who wish? Take the record. On that  
8. question, the Ayes are 48, the Nays are 6. None Voting  
9. Present. House Bill 2468 having received the constitutional  
10. majority is declared passed and the bill having received  
11. the affirmative vote of three-fifths of the members elected  
12. is effective immediately upon its becoming a law. Senator  
13. Rhoads, for what purpose do you arise?

14. SENATOR RHOADS:

15. I just want the record to show that if I had been  
16. voting my own button it would have been No.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The record will so indicate. Senator Ozinga, on the Order  
19. of House Bills, 3rd reading is House Bill 2469. Read the bill,  
20. Mr. Secretary.

21. SECRETARY:

22. House Bill 2469.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. ...members of the Senate. This bill merely appropriates  
29. four thousand two hundred and twenty-two dollars to the Liquor  
30. Control Commission for debts incurred in Fiscal Year '77 and  
31. it's effective immediately. Urge your favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Question is, shall House Bill 2469 pass?

1. Those in favor will vote Aye. Those opposed will vote Nay.  
2. The voting is open. Have all voted who wish? Have all  
3. voted who wish? Take the record. On that question, the Ayes  
4. are 47, the Nays are 4. 2 Voting Present. House Bill 2469  
5. having received the constitutional majority is declared  
6. passed and the bill having received the affirmative vote  
7. of three-fifths of the members elected is effective immediately  
8. upon its becoming a law. On the Order of House Bills, 3rd  
9. reading, House Bill 2471. Read the bill, Mr. Secretary.  
10. SECRETARY:  
11. House Bill 2471.  
12. (Secretary reads title of bill)  
13. 3rd reading of the bill.  
14. PRESIDING OFFICER: (SENATOR ROCK)  
15. Senator Bowers.  
16. SENATOR BOWERS:  
17. Thank you, Mr. President. House Bill 2471 does as the  
18. Calendar indicates. Appropriate an additional thirty-four  
19. thousand five hundred and sixty-six dollars to the Department  
20. of Transportation for use by the Department of Aging as part  
21. of the Highway Safety Program. There was an amendment put  
22. on by the Senate...that amendment merely line items the...  
23. the various parts of the appropriation. It also transfers  
24. to Contractual Services twenty-seven thousand three hundred  
25. instead of personnel. That's in order to save any issue  
26. with respect to Unemployment Compensation, et cetera. I  
27. would ask for a favorable roll call unless there are any questions.  
28. PRESIDING OFFICER: (SENATOR ROCK)  
29. Any discussion? Senator Carroll.  
30. SENATOR CARROLL:  
31. Thank you, Mr. President and Ladies and Gentlemen of the  
32. Senate. As has been indicated this is some thirty-four thousand  
33. dollars for giving to the Department on Aging to decide whether

1. or not the elderly of this State are paying improper insurance  
2. rates. Our original question was why was this not being  
3. handled by someone like the Department of Insurance at no  
4. cost or possibly the Insurance Laws Study Commission, which  
5. I think, would be the appropriate person to deal with an  
6. area..of insurance as opposed to a department that is  
7. dealing with so many other areas. It has been indicated to  
8. us, although not in writing yet, that no other agency would  
9. have been able to receive this grant. With that understanding  
10. and that commitment that that is true, which I tend to doubt,  
11. I would support this. I know Senator Bowers feels very  
12. similar to myself on this attitude, but I would remind the  
13. members that what we're doing here is giving a department  
14. monies to ask another department how come that department isn't  
15. getting information that department should be getting.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any discussion? Question is, shall House Bill 2471 pass?  
18. Those in favor will vote Aye. Those opposed will vote Nay.  
19. The voting is open. Have all voted who wish? Have all voted  
20. who wish? Take the record. On that question, the Ayes are  
21. 53, the Nays are None. 2 Voting Present. House Bill 2471  
22. having received the constitutional majority is declared  
23. passed and the bill having received the affirmative vote of  
24. three-fifths of the members elected is effective immediately  
25. upon its becoming a law. On the Order of House Bills, 3rd  
26. reading is House Bill 2467. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 2467.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PESIDING OFFICER: (SENATOR ROCK)

32. Senator Sommer.

33. SENATOR SOMMER:

1. Mr. President and members. This is the Periodic Awards  
2. Bill for the Court of Claims. The amendment that was spoken  
3. of can be handled in...in the next bill that's submitted in  
4. the Spring, so there's no need for it.

5. PRESIDING OFFICER:(SENATOR ROCK)

6. All right. The question is, shall House Bill 2467 pass?  
7. Those in favor will vote Aye. Those opposed will vote Nay.  
8. The voting is open. Have all voted who wish? Have all  
9. voted who wish? Take the record. On that question, the Ayes  
10. are 57, the Nays are None. None Voting Present. House Bill  
11. 2467 having received the constitutional majority is declared  
12. passed and the bill having received the affirmative vote  
13. of three-fifths of the members elected is effective immediately  
14. upon its becoming a law. On the Order of House Bills, 3rd  
15. reading, House Bill 2472. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 2472.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER:(SENATOR ROCK)

21. Senator Coffey.

22. SENATOR COFFEY:

23. Mr. President and members of the Senate. The objective  
24. of this bill is to provide for a supplementary funding in two  
25. areas. Number one, the Federal P.L. 733 Agriculture Marketing  
26. Service Fund for fifty-seven thousand three hundred and, Number  
27. two, the reimbursement of the grain inspection overtime of  
28. forty-four thousand six hundred and the Social Security benefits  
29. of two thousand six hundred and I'd ask your favorable roll call.

30. PRESIDING OFFICER:(SENATOR ROCK)

31. Is there any discussion? The question is, shall House Bill  
32. 2472 pass? Those in favor will vote Aye. Those opposed will  
33. vote Nay. The voting is open. Have all voted who wish? Have

1. all voted who wish? Take the record. On that question, the  
2. Ayes are 55, the Nays are None. None Voting Present. House  
3. Bill 2472 having received the constitutional majority is  
4. declared passed and the bill having received the affirmative  
5. vote of three-fifths of the members elected is effective  
6. immediately upon its becoming a law. Senator...On the Order  
7. of House Bills, 3rd reading is House Bill 2473. Read the  
8. bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 2473.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Walsh.

15. SENATOR WALSH:

16. Mr. President and members of the Senate. House Bill 2473  
17. would appropriate eight hundred and ninety-one thousand  
18. three hundred and five dollars to the Department of Revenue  
19. from the Motor Fuel Tax Fund. This money is required as the  
20. result of an Act of the General Assembly last Spring, which  
21. imposed a tax on commercial motor carriers for mileage driven  
22. over Illinois roads on gas purchased out of the State. The  
23. eight hundred and ninety-one thousand is for administration  
24. of reports and issuance of permits, et cetera, which is to be  
25. handled by the Department of Revenue as provided for under  
26. Senate Bill 664, which was passed last Spring. I'd urge your  
27. support.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? Senator Schaffer.

30. SENATOR SCHAFFER:

31. The sponsor would yield for a question?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The sponsor indicates he will yield. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Senator Walsh, I think you know what the question is.  
3. Basically, is this money to be used indirectly or directly  
4. to collect the R.T.A. Gas Tax?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. ...Senator...

7. SENATOR SCHAFFER:

8. ...any way, shape or form?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Walsh.

11. SENATOR WALSH:

12. No.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Question is, shall House Bill 2473  
15. pass? Those in favor will vote Aye. Those opposed will vote  
16. Nay. The voting is open. Have all voted who wish? Have all  
17. voted who wish? Take the record. On that question, the Ayes  
18. are 50, the Nays are 2. None Voting Present. House Bill 2473  
19. having received the constitutional majority is declared passed  
20. and the bill having received the affirmative vote of three-  
21. fifths of the members elected is effective immediately upon  
22. its becoming a law. On the Order of House Bills, 3rd reading,  
23. House Bill 2474. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill...excuse me, House Bill 2474.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Mr. President, House Bill 2478 appropriates a million  
32. one hundred and fifteen thousand four hundred and two dollars  
33. for the Division of Vocational Rehabilitation. It's all

1. Federal money. It's for additional money for the Migrant and  
2. Seasonal Farm Workers Program and for the Client Assistant  
3. Fund. I'd be happy to answer any questions.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any discussion? Senator Maragos.

6. SENATOR MARAGOS:

7. Senator Schaffer, you mean 2474. Is that correct? And  
8. how much are the funds, again, did you say?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. The total of a million one hundred and fifteen thousand  
13. four hundred and two dollars.

14. PRESIDING OFFICER:(SENATOR ROCK)

15. Senator Maragos.

16. SENATOR MARAGOS:

17. Do you like the process by which we have to appropriate  
18. the Federal funds?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Yes.

23. PRESIDING OFFICER:(SENATOR ROCK)

24. Senator Maragos.

25. SENATOR MARAGOS:

26. Don't you think, then, it's fitting that tomorrow whenever  
27. Senator Hynes brings up the bill...House Bill 186 that you  
28. should support it? Because this is exactly what...Senate Bill  
29. 186 is trying to do to have this process, which you think and  
30. everyone else knows is a very good process and I think we should  
31. get some...some more votes on your side because I think it's a  
32. very good process and I'm going to vote for your bill today.

33. PRESIDING OFFICER:(SENATOR ROCK)



1. Any further discussion? Question is, shall House Bill  
2. 2474 pass? Those in favor will vote Aye. Those opposed will  
3. vote Nay. The voting is open. Have all voted who wish?  
4. Have all voted who wish? Take the record. On that question  
5. the Ayes are 46, the Nays are 4. None Voting Present. House  
6. Bill 2474 having received the constitutional majority is  
7. declared passed and the bill having received the affirmative  
8. vote of three-fifths of the members elected is effective  
9. immediately upon its becoming a law. On the Order of House  
10. Bills, 3rd reading, House Bill 2475. Read the bill, Mr.  
11. Secretary.

12. SECRETARY:

13. House Bill 2475.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Berning. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President and members of the Senate.  
20. House Bill 2475 increases the Fiscal Year '78 appropriation  
21. for Emergency Services and Disaster Agency with fifty-four  
22. thousand and one hundred dollars from the Federal Civil  
23. Preparedness Fund for the operations of our Hazardous  
24. Materials Program.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Is there any discussion? Senator Maragos.

27. SENATOR MARAGOS:

28. I'd like to ask a similar question to Senator Berning.  
29. Does he like this process?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning.

32. SENATOR BERNING:

33. No.

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Further discussion? Senator Maragos.  
3. SENATOR MARAGOS:  
4. Then you think we should not vote for your bill, then  
5. if you don't like this process. Is that correct?  
6. PRESIDING OFFICER: (SENATOR ROCK)  
7. Senator Berning.  
8. SENATOR BERNING:  
9. You...you should vote for this bill because of the...  
10. Hazardous Materials Program, which we have mandated.  
11. PRESIDING OFFICER: (SENATOR ROCK)  
12. Any further discussion? The question is, shall House Bill  
13. 2475 pass? Those in favor will vote Aye. Those opposed will  
14. vote Nay. The voting is open. Have all voted who wish? Have  
15. all voted who wish? Take the record. On that question, the  
16. Ayes are 50, the Nays are None. None Voting Present. House  
17. Bill 2475 having received the constitutional majority is  
18. declared passed and the bill having received the affirmative  
19. vote of three-fifths of the members elected is effective  
20. immediately upon its becoming a law. On the Order of House  
21. Bills, 3rd reading, House Bill 2476. Read the bill, Mr.  
22. Secretary.  
23. SECRETARY:  
24. House Bill 2476.  
25. (Secretary reads title of bill)  
26. 3rd reading of the bill.  
27. PRESIDING OFFICER: (SENATOR ROCK)  
28. Senator Moore.  
29. SENATOR MOORE:  
30. Thank you, Mr. President and members of the Senate. House  
31. Bill 2476 is amended. It appropriates additional funds from  
32. the Federal Energy Policy and Conservation Fund to the Energy  
33. Division of the Illinois Department of Business and Economic

1. Development. It's all Federal funds in the amount of nine  
2. hundred and nine thousand four hundred and four dollars. I'd  
3. appreciate a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any discussion? Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President and Ladies and Gentlemen of the  
8. Senate. This is one of those where it's interesting to see  
9. how innovative the State has been in trying to figure out a  
10. way to shovel out the State...the Federal tax dollars that we  
11. are now receiving into the State. Some of these projects are  
12. amazing. They are Federal funds. They claim we will lose them  
13. if we don't spend it. We might be better off to save us our  
14. Federal taxes as opposed to State dollars. Just remind the  
15. sponsor and others that there's a commitment not to later  
16. seek State dollars, General Revenue Funds when these Federal  
17. taxes we are paying dry up.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Question is, shall House Bill  
20. 2476 pass? Those in favor will vote Aye. Those opposed will  
21. vote Nay. The voting is open. Have all voted who wish? Have  
22. all voted who wish? Take the record. On that question, the  
23. Ayes are 53, the Nays are 1. 1 Voting Present. House Bill  
24. 2476 having received the constitutional majority is declared  
25. passed and the bill having received the affirmative vote of  
26. three-fifths of the members elected is effective immediately  
27. upon its becoming a law. On the Order of House Bills, 3rd  
28. reading, House Bill 2478. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 2478.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. House Bill 2478 appropriates the total of four hundred  
4. and twenty-seven thousand one hundred and ninety dollars in  
5. Federal funds to the Department of Children and Family  
6. Services. Senator Maragos and a process that I, personally,  
7. feel very comfortable with and for certain projects. Be  
8. happy to go into further detail if anyone is interested.  
9. Appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? Senator Hickey.

12. SENATOR HICKEY:

13. Senator Schaffer, I'm interested. What...what...how  
14. will this enhance their program?

15. PRESIDING OFFICER:(SENATOR ROCK)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Specifically, it...adds an additional...all Federal funds.  
19. Twenty thousand dollars to the Child Welfare Service, a hundred  
20. and thirty thousand to the Migrant Day Care Program, seventy-  
21. nine thousand to the Federal Child Abuse Program, Federal grant  
22. for Child Abuse Programs, six hundred and ninety dollars for  
23. the Contractual Service for the Metropolitan Area Project, which  
24. I believe, is in Chicago and last but not least, twenty-five  
25. thousand five hundred dollars for the Conseling Services, a  
26. subject near and dear to the Senator from Rockford.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. Further discussion? Question is, shall House Bill 2478  
29. pass? Those in favor will vote Aye. Those opposed will vote  
30. Nay. The voting is open. Have all voted who wish? Have all  
31. voted who wish? Take the record. On that question, the Ayes  
32. are 50, the Nays are None. None Voting Present. House Bill  
33. 2478 having received the constitutional majority is declared

1. passed and the bill having received the affirmative vote  
2. of three-fifths of the members elected is effective  
3. immediately upon its becoming a law. Senator Hynes, on  
4. 2479. On the Order of House Bills, 3rd reading, is House  
5. Bill 2479. Read the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 2479.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President and members of the Senate. First, I would  
14. like to, for the record, indicate that I intended to vote  
15. Aye on House Bill 2474 and inadvertently voted No. With  
16. respect to House Bill 2479, this is an...an extremely  
17. important piece of legislation, which would provide  
18. representation and indemnification to State employees  
19. in civil proceedings that are brought against them alleging  
20. degradation of constitutional rights when the actions involved  
21. arose out of the employment and were within the scope of the  
22. employment of the...the person sued. No indemnification will  
23. be given in the case of intentional or willful or wanton  
24. misconduct. It is, in my judgment, a piece of legislation  
25. that is long overdue. It is very important in terms of  
26. enabling a dedicated civil servants of this State and  
27. elected officials who are also dedicated to pursue their  
28. duties without fear that they will be personally responsible  
29. for inadvertent actions that may give rise to these lawsuits.  
30. In many cases the expenses of litigation and the cost of  
31. defending groundless lawsuits involves a more serious threat  
32. to the person and the ultimate threat of judgment, which in...  
33. in a groundless case will not take place. This bill has

1. received overwhelming support in the House and in the Senate  
2. Committee and I would urge your favorable support.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is, shall House  
5. Bill 2479 pass? Those in favor will vote Aye. Those opposed  
6. will vote Nay. The voting is open. Have all voted who wish?  
7. Have all voted who wish? Take the record. On that question,  
8. the Ayes are 52, the Nays are 2. None Voting Present. House  
9. Bill 2479 having received the constitutional majority is  
10. declared passed and the bill having received the affirmative  
11. vote of three-fifths of the members elected is effective  
12. immediately upon its becoming a law. On the Order of House  
13. Bills, 3rd reading, House Bill 2480. Read the bill, Mr.  
14. Secretary.

15. SECRETARY:

16. House Bill 2480.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER:(SENATOR BRUCE)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Thank you, Mr. President. House Bill 2480 as the Calendar  
23. suggests appropriates a sum of money totaling a million eight  
24. hundred and twelve thousand eight hundred dollars to the  
25. Department of Aging. These are Federal funds that were made  
26. available after the FY-78 budget. There was...there was a  
27. Senate amendment that...made the operation monies line item  
28. ...line item appropriations so they could be monitored and  
29. unless there are any questions I would ask for a favorable  
30. roll call.

31. PRESIDING OFFICER:(SENATOR BRUCE)

32. Is there discussion? Senator Knuppel.

33. SENATOR KNUPPEL:

1. It's Federal money. It doesn't hurt if it comes out  
2. of the left pocket.

3. PRESIDING OFFICER:(SENATOR BRUCE)

4. Further debate? The question is, shall House Bill  
5. 2480 pass? Those in favor vote Aye. Those opposed vote  
6. Nay. The voting is open. Have all voted who wish? Have  
7. all voted who wish? Take the record. On that question,  
8. the Ayes are 54, the Nays are None. None Voting Present.  
9. House Bill 2480 having received the constitutional  
10. majority is declared passed. House Bill 2482. Senator Smith.  
11. And the bill having received the affirmative votes of three-  
12. fifths of the members elected is effective immediately upon  
13. its becoming a law. Senate Bill 2482. Senator Smith. House  
14. Bill 2482...

15. SECRETARY:

16. House Bill...

17. PRESIDING OFFICER:(SENATOR BRUCE)

18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 2482...

21.

22.

23.

24.

(END OF REEL)

25.

26.

27.

28.

29.

30.

31.

32.

33.

1. (Secretary reads title of bill)  
2. 3rd reading of the bill.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Senator Smith is recognized.  
5. SENATOR SMITH:  
6. Mr. President and Ladies and Gentlemen of the Senate.  
7. Like so many of the last few bills that have been called,  
8. may I say for the edification of Senator Knuppel, that this  
9. ...this bill is about to attempt to appropriate certain  
10. additional Federal Funds for the purposes of the FEPC  
11. Commission here in the State of Illinois. Our local FEPC  
12. has...is working on the contract with the Federal Body  
13. and they are negotiating a new treaty and I trust that  
14. you will do me the courtesy, Senator, you raise your  
15. hat to cast your vote for this bill, 2482.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Is there discussion? The question is shall House  
18. Bill 2482 pass. Those in favor vote Aye. Those opposed  
19. vote Nay. The voting is open. Have all voted who wish?  
20. Have all voted who wish? Take the record. On that  
21. question the Ayes are 51, the Nays are 5. None voting  
22. Present. House Bill 2482 having received a constitutional  
23. majority is declared pass and the bill having received  
24. the affirmative vote of three-fifths of the members elected  
25. is effective immediately upon its becoming a law. House  
26. Bill 2492, Senator Rock. Read the bill, Mr. Secretary.  
27. SECRETARY:  
28. House Bill 2492.  
29. (Secretary reads title of bill)  
30. 3rd reading of the bill.  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32. Senator Rock.  
33. SENATOR ROCK:



1. Thank you, Mr. President, Ladies and Gentlemen of the  
2. Senate. House Bill 2492 is a supplemental appropriation  
3. to the office of the Secretary of State in the amount  
4. of six hundred thousand dollars. Five hundred and sixty  
5. thousand of which will come from the road fund, forty  
6. thousand from General Revenue. This is to pay the negotiated  
7. wage increase for some eighteen hundred employees in the  
8. Motor Vehicle Section of the Office of the Secretary  
9. of State. I would solicit your favorable support.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Egan. Is there discussion?  
12. The question is shall House Bill 2492 pass. Those in favor  
13. vote Aye. Those opposed vote Nay. The voting is open.  
14. Have all voted who wish? Have all voted who wish? Take  
15. the record. On that question the Ayes are 47, the Nays  
16. are 6, 1 Voting Present. House Bill 2492 having received  
17. the constitutional majority is declared passed and the  
18. bill having received the affirmative vote of three-fifths  
19. of the members elected is effective immediately upon its  
20. becoming a law. House Bill 2494, Senator Roe. Read the  
21. bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 2494.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Roe.

28. SENATOR ROE:

29. Mr. President and members of the Senate. This a  
30. supplemental appropriation to the State Appellate Defender  
31. in the amount of thirty-eight thousand, six hundred and  
32. seven dollars. In order to provide some more bodies to that  
33. ...that provision...and I'd appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Harber Hall.

3. SENATOR HARBER HALL:

4. Will...will the sponsor yield for a question?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Indicates he will yield. Senator Harber Hall.

7. SENATOR HARBER HALL:

8. There are a...I guess...I guess that means yes, you'll

9. answer this, Jack. There are bodies and then there are

10. bodies. I wonder if these bodies are lawyer bodies?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Roe.

13. SENATOR ROE:

14. I think that there are five bodies involved in...in

15. this supplemental and so I would tend to think that they

16. probably aren't lawyers, if I'm correct about

17. there being five.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Harber Hall.

20. SENATOR ROE:

21. They are lawyers, excuse me, Senator Hall.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Harber Hall.

24. SENATOR HARBER HALL:

25. Then if these are attorneys to be used in the Appellate

26. Defender System, I wonder why it is recognized just in the

27. short period between one July and the time that we're voting

28. on this now, a need for five additional people. Why...why

29. wasn't that contemplated in the Regular Session?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Hall...Roe.

32. SENATOR ROE:

33. It's because of the death penalty, Senator Hall.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Well, we don't have too many death penalties, Senator.  
3. I don't...I don't hardly believe there would be enough death  
4. penalties considered in...in this State to require five  
5. lawyers in any period of time. I...I'm really serious,  
6. I just don't understand why we have to come in here and  
7. hire five new attorneys in the defender system.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator Roe.  
10. SENATOR ROE:  
11. I think Senator Hall, it's probably an anticipation  
12. of the...the appeals that will be forthcoming.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator...further discussion? Senator Philip.  
15. SENATOR PHILIP:  
16. Yes, will the sponsor yield for a question?  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Indicates he will, Senator Philip.  
19. SENATOR PHILIP:  
20. Is this the program that was initiated by the Federal  
21. Government some years back? Where they came in with so-called  
22. seed money for...for public defenders for the Appellate  
23. Court? And then three or four or five years later, they  
24. decided to not give us any more money and now we've been  
25. funding it completely and you're coming in for a supplemental  
26. appropriation. How much is the supplemental appropriation?  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Senator Roe.  
29. SENATOR ROE:  
30. Thirty eight,607 and I'm...I'm just the Senate sponsor,  
31. Senator Philip, of this particular measure. I'm trying...  
32. wasn't there another question you asked me too?  
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Philip.

2. SENATOR PHILIP:

3. Yeah, I...I don't want to confuse you with any facts.

4. I'll ask you another question. How do they determine and

5. who determines whether your case is worthwhile, appealing

6. to the appellate court?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Roe.

9. SENATOR ROE:

10. The defendant. In other words, if he...if he wants

11. to appeal anything in the State of Illinois from speeding

12. on up and can't afford it, he has a right to an attorney.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Philip.

15. SENATOR PHILIP:

16. You...you know, you forgot to say, Senator, for free,

17. absolutely no cost to that so-called convicted criminal.

18. I suppose one of these days the Federal Government will come in and

19. say, we ought to have public defenders for...the Supreme

20. Court. And if that convicted criminal had been convicted

21. in the the circuit court and he thinks he got a bum deal,

22. we'll go to the appellate court and then we'll really

23. cap it off and say he ought to be able to go to the

24. Supreme Court and we will give him free legal counsel

25. once again. To say the least, it's a bad system, it

26. hasn't worked. We're putting five more lawyers to work

27. and God bless the lawyers. And you haven't answered the

28. question...you haven't answered the question what it's

29. going to cost. What is the amount of the appropriation

30. and how do you pay the lawyers? I'd like to know, is this

31. on a per diem or just...just flat cash?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Roe. Could we have some order please.

1. SENATOR ROE:

2. It's a 38607 total, Senator Philip. And that's for one  
3. half year for five persons salary. Okay. And it is a  
4. Federal Program. It was originally an ILEC program and  
5. I mis-spoke a minute ago when I said that you had a right  
6. to an attorney in a speeding case, I was being a little  
7. facetious, but for the most part it is the defendänt based  
8. on the type of a conviction that he might receive who has  
9. basically the right to determine whether or not he's going  
10. to be representated by counsel if he doesn't have funds  
11. to hire counsel.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Philip.

14. SENATOR PHILIP:

15. I...I'm assuming that you voted for Class X which  
16. is tougher on criminals. Now we here...here turn around  
17. an hour later and we're going to spend more money to  
18. defend them. It really doesn't make any sense to me at  
19. all, Senator.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Roe.

22. SENATOR ROE:

23. Mr. President, this request is not out of order.  
24. I'd like to know who gave me this bill?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. It was assigned to you by the Democratic Leadership,  
27. Senator Roe.

28. SENATOR ROE:

29. Well, I...I just want to thank them very much. Senator  
30. Knuppel.

31. SENATOR KNUPPEL:

32. I just want to remind everybody that voted for Class X.  
33. That's the mayonnaise on that sandwich, there's no free

1. lunch. And we're going to get a lot more of it down the  
2. road fellows.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further debate? Senator Mitchler.

5. SENATOR MITCHLER:

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

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates he will yield.

9. SENATOR MITCHLER:

10. If he can answer this. This is supplemental appropriation  
11. addition to the one we passed during the Regular Session. What  
12. was the appropriation for this program during the Regular  
13. Session, you know?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Roe.

16. SENATOR ROE:

17. 1.9 million dollars, Senator Mitchler.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Roughly two million dollars. Now that's out of the  
22. General Revenue Fund? And is this the first time that  
23. we've appropriated this money out of the General Revenue  
24. Fund?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Roe.

27. SENATOR ROE:

28. No, no, it is not the first time. It's about the  
29. third year that we have.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Well, there was talk about seed money from the Federal

1. Government coming in and that expired some three years ago,  
2. is that it? And now we're on our own for the past three years  
3. ... is that assuming, is that the correct answer?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Roe.

6. SENATOR ROE:

7. Well as you know, Senator Mitchler, the weather has  
8. been pretty bad all over Illinois recently and the crops  
9. have been poor and you're...you're basically...you're  
10. basically correct.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Mitchler. Further debate. The question is...  
13. Senator Roe, did you wish to close? Senator Roe. Oh, the  
14. question is shall House Bill 2494 pass. Those in favor vote  
15. Aye. Those opposed vote Nay. The voting is open. Have all  
16. voted who wish? Have all voted who wish? Take the record.  
17. On that question the Ayes are 38, the Nays are 11,...3 Voting  
18. Present. House Bill 2494 having received the constitutional  
19. majority is declared passed and the bill having received the  
20. affirmative vote of three-fifths of the members elected is  
21. effective immediately upon its becoming a law. House Bill  
22. 2495, Senator Regner. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 2495.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Regner.

29. SENATOR REGNER:

30. Mr. President and members of the Senate. This bill transfers  
31. two hundred and one thousand twenty dollars from various Line  
32. Items into the contractual Services line. The reason for it  
33. is the number of...pollution and antipollution cases that have

1. been filed by the Attorney General make these funds necessary  
2. in contractual services for outside and I'd ask for a  
3. favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Knuppel.

6. SENATOR KNUPPTEL:

7. How much of this is for safety deposit box rentals?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Regner.

10. SENATOR REGNER:

11. None that I know of.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Buzbee.

14. SENATOR BUZBEE:

15. Question of the sponsor. Am I to understand that this  
16. is a line item transfer so that the Attorney General will  
17. be able to hire outside attorneys other than those that are  
18. already on his payroll?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Regner.

21. SENATOR REGNER:

22. Where it's necessary, yes.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Well why is it necessary at all or don't...don't we  
27. have smart lawyers working for the Attorney General? Or  
28. do...do they have a law degree or what?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Regner.

31. SENATOR REGNER:

32. One, it's the unanticipated court cases have  
33. involved in the FY'78 and that's nuclear waste at Morris,



1. Wilsonville and Sheffield cases and two, is the court cases  
2. expected to be concluded in FY'77, they're continuing into  
3. FY'78.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Well, my question still is, why can't in house attorneys  
8. with or without law degrees take care of these cases without  
9. having to hire outside attorneys?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Regner.

12. SENATOR REGNER:

13. Well, two reasons, one it...requires specialization  
14. in these areas and also the work load is such that they  
15. don't have sufficient people on staff. I realize one  
16. of the questions probably forthcoming will be...well  
17. maybe we didn't need the amount of monies that were  
18. appropriated in the various line items last Spring, but  
19. I think that that's a question for the next fiscal  
20. budget in the Spring.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Well, my next question is, how much total funds are  
25. we talking about transferring from line item to line item.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Regner.

28. SENATOR REGNER:

29. I didn't hear the question.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. I say what is the total amount of...of dollars being

1. transferred?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Regner.

4. SENATOR REGNER:

5. Two hundred and one thousand and twenty dollars.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. How...how much do we spend everywhere in the Attorney

10. General's office for outside legal counsel?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Regner.

13. SENATOR REGNER:

14. Senator Buzbee, I don't have that figure in front

15. of me right now, but I can get it for you. Probably in

16. the morning.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Well,how much do we spend for on staff attorneys in

21. the Attorney General's office?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Regner.

24. SENATOR REGNER:

25. Well,the total budget for the Attorney General is

26. approximately seven million dollars. As to specifics,

27. I don't have that right in front of me at this time.

28. SPRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Well,I would request that you hold this bill till

32. tomorrow morning till we can get those figures.

33. PRESIDING OFFICER: (SENATOR BRUCE)

H B 2497  
3rd Reading  
11/22/77

1. Senator Regner.
2. SENATOR REGNER:
3. Sure, hold it.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. The bill will be held. House Bill 2497, Senators Weaver-
6. Donnewald. Read the bill, Mr. Secretary.
7. SECRETARY:
8. House Bill 2497.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Weaver.
13. SENATOR WEAVER:
14. House Bill 2497 is strictly revisory. It will clarify
15. the provisions of House Bill 2326 and Senate Bill 1317
16. passed during the Spring Session. If there are any questions
17. I think Senator Buzbee put an amendment on to make them
18. conform and I don't think there's any problem with the
19. bill. If anybody has any question, I'll be glad to try to
20. answer it.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there further debate? The question is shall House
23. Bill 2490... Is there debate? The question is shall
24. House Bill 2497 pass. Those in favor vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish?
26. Take the record. On that question the Ayes are 56, the
27. Nays are none, 1 Voting Present. House Bill 2497 having
28. received the constitutional majority is declared passed
29. and the bill having received affirmative vote of three-fifths
30. of members elected is effective immediately upon its becoming
31. a law. House Bills, 2nd reading. Senator Graham, 2477.
32. Read the bill, Mr. Secretary.
33. SECRETARY:

1. House Bill 2477.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations I

4. offers two amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. First, with leave of the

9. Body, I'd like to Table Committee Amendment No. 1. Apparently

10. we had cut a little bit too deep and they have justified

11. some of these dollar expenditures. We have a Floor Amendment

12. to offer to cut it down to the level they seem to be able

13. to afford. I would thereby move that we Table Committee

14. Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to Table Committee Amendment No. 1.

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

18. Amendment No. 1 is Tabled.

19. SENATOR CARROLL:

20. Amendment No. 2, Mr. President, with leave. Amendment

21. No. 2 was to delete certain potential grants for projects

22. that will not be ready to fund during fiscal '78, but are

23. more appropriately funded through fiscal '79 leaving

24. in those projects that they can actually handle during

25. fiscal '78. I would move adoption of Committee Amendment

26. No. 2.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. You've heard the motion to adopt Amendment No. 2.

29. Is there discussion? All in favor say Aye. Opposed Nay.

30. The Ayes have it. Amendment No. 2 is adopted. Further

31. amendments?

32. SECRETARY:

33. Amendment No... No further committee amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Amendments from the Floor?

3. SECRETARY:

4. Amendment No. 3 offered by Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Amendment No. 3 which is the Floor Amendment to replace  
11. Amendment No. 1 is a reduction of some ten thousand dollars  
12. in their administrative personal service item. They, in effect,  
13. are going to not use contractual and switch it into personal  
14. service. I would move adoption of Amendment No. 3.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. You heard the motion to adopt. Is there discussion?

17. Senator Regner.

18. SENATOR REGNER:

19. Senator Carroll, what this does, in effect, is reduce  
20. operations ten thousand seven hundred dollars. Is that  
21. correct? Okay.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Motion is to adopt Amendment No. 3.  
24. All in favor say Aye. Opposed Nay. The Ayes have it. Amend-  
25. ment No. 3 is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 3rd reading. House Bill 2481, Senator Regner. Read  
30. the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 2481.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations I  
2. offers 3 amendments.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right. 2481. Senator Regner. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. Committee Amendment No. 1  
7. deletes the appropriation for administrative expenses of  
8. the new committee called the Illinois Occupational  
9. Information Coordinating Committee. Reflecting the  
10. view that there's no apparent need for another staff to  
11. be involved in the collection and dissemination of statistics.  
12. I would move adoption of Committee Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Heard the motion to adopt. Is there discussion?  
15. All in favor say Aye. Opposed Nay. The Ayes have it.  
16. Amendment No. 1 is adopted. Further amendments?

17. SECRETARY:

18. Committee Amendment No. 2.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President. Committee Amendment No. 2  
23. deletes the appropriation to be the division of energy to  
24. establish an interagency coordination to improve energy  
25. related services, et cetera, et cetera, et cetera. I think  
26. we've already dealt with that in a bill that was Federally  
27. Funded a few moments ago and I would move adoption of  
28. Committee Amendment No. 2.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Heard the motion to adopt.  
31. Senator Nimrod.

32. SENATOR NIMROD:

33. Is...a question of the sponsor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates he will yield. Senator Nimrod.

3. SENATOR NIMROD:

4. Senator Carroll, are...are you aware whether any  
5. of these funds have anything to do with authorizing them  
6. to do any study on lifeline rates, funds for this particular  
7. program on the...energy program?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Carroll.

10. SENATOR CARROLL:

11. Direct answer is no, I'm not aware that any of this  
12. has to do with lifeline. That was never indicated in  
13. any of it. That we are aware, however, that we have  
14. passed substantial monies for the Division of Energy  
15. and Federal grants that we discussed a while ago. We  
16. can detail those again. There didn't seem to be the  
17. need to duplicate once again these monies.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Yeah, I have only one cause it just came to my attention  
22. today and I was really concerned about that that the Division  
23. of Energy has and BED has transferred this authority over  
24. at the Manpower Department and if we're doing that, if  
25. we're providing funds to do something which we might not  
26. do it. Let's, why don't we let this bill go and if I find  
27. out between now and tomorrow, would you agree to bring it  
28. back for reconsider of this particular amendment?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. On behalf of Senator Regner, I would agree to bring it  
33. back.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? The motion is to adopt Amendment  
3. No. 2. All in favor say Aye. Opposed Nay. The Ayes have  
4. it. Amendment No. 2 is adopted. Further amendments?

5. SECRETARY:

6. Committee Amendment No. 3.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President. This amendment was offered  
11. by the other side of the aisle in committee to add extra  
12. help money to conduct crisis intervention programs. They  
13. were seeking a hundred and ninety-one thousand, eight  
14. hundred and seventy-five dollars in this increase and we  
15. would move the adoption of Committee Amendment No. 3.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? All in favor say Aye. Opposed  
18. Nay. The Ayes have it. Amendment No. 3 is adopted.  
19. Further amendments?

20. SECRETARY:

21. No further committee amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Any amendments from the Floor?

24. SECRETARY:

25. Amendment No. 4 offered by Senator Regner.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Regner is recognized.

28. SENATOR REGNER:

29. Mr. President and members of the Senate. This adds  
30. twenty-seven thousand, eight hundred and sixty dollars  
31. to the bill. It's for the Department of Personnel for  
32. monitoring of jobs funded from the Comprehensive  
33. Employment Trainee Act. I move its adoption.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? All in favor...Senator Carroll.

3. SENATOR CARROLL:

4. Well, I would lukewarm support this. It seems that  
5. we're adding another layer of bureaucracy cause the  
6. money's available to monitor jobs that it's the...department's  
7. ...function to create and monitor, but if that's the wish  
8. of the Republican side to waste the taxpayers' money, so be it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. You heard the motion to adopt Amendment No. 4. All  
11. in favor say Aye. Opposed Nay. The Ayes have it. Amend-  
12. ment No. 4 is adopted. Further amendments?

13. SECRETARY:

14. Amendment No. 5 offered by Senator Kenneth Hall.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Kenneth Hall is recognized.

17. SENATOR KENNETH HALL:

18. Thank you, Mr. President, Ladies and Gentlemen of the  
19. Senate. This amendment sets forth in a separate appropriation  
20. the amount including the appropriation for the Manpower's  
21. Office Balance the State Appropriation in the event that  
22. office should be requested by the Federal Government to take  
23. over the administration of program now conducted by the  
24. City of East St. Louis as a so-called prime sponsor. The  
25. Governor's Office of Manpower has been told by the Federal  
26. Regent Office that the State office is likely to ask...to  
27. be asked to assume the function in the near future. Setting  
28. forth this cost will make certain that the appropriation  
29. involved cannot be used in other areas in the event East  
30. St. Louis does not lose its status as a prime sponsor.  
31. I move for the adoption of this amendment.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. You heard the motion to adopt. Is there discussion?

1. Senator Regner.

2. SENATOR REGNER:

3. Mr. President and members of the Senate. I realize  
4. Senator Hall wants this amendment because it does specify  
5. East St. Louis, however, I think he's being very shortsighted  
6. because in the long haul it could hurt the area very, very  
7. much. If there were determined due to the formula based  
8. in cooperation with the prime sponsor, which is the Governor's  
9. Office and Manpower and the U. S. Department of Labor. If  
10. it were determined under their formula that East St. Louis  
11. were to get more than these monies if this amendment were  
12. not adopted, those additional monies could be transferred  
13. to and spent in East St. Louis. Under this amendment, it's  
14. very shortsighted because no more monies than are actually  
15. appropriated under this amendment could be spent. I think  
16. it's a shortsighted amendment and it ties the hands...of  
17. the...of the State in using the Federal monies that are  
18. available and I think the amendment should be defeated.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Kenneth Hall.

21. SENATOR KENNETH HALL:

22. Well, Senator, in answer to you, we certainly have  
23. enough here now and we use the figures that were given to  
24. us and we'll be back here next April so there's no...no  
25. need to worry about that now. And I've discussed this  
26. with your side and also with the director.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? On the motion to adopt Amendment  
29. No. 5 all in favor say Aye. Opposed Nay. The Ayes have  
30. it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. Amendment No. 6 offered by Senator Carroll.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. This amendment and some of the  
4. ones to follow, were discussed in committee with relation  
5. to a different bill which has not yet come out of committee.  
6. And in order to make sure they are viable and live to act  
7. upon in the remaining time in the Session, we thought it  
8. better to also include them in here and see what happens  
9. with that other bill at a future time. This one deals with  
10. the Illinois Commerce Commission and the low income consumer  
11. interest group whereby they were, excuse me, seeking to  
12. add certain funds to create a committee to go before a  
13. commission to argue about the activities that the commission  
14. was going to do. This would eliminate those funds and  
15. a hundred and eight thousand dollars and I would move adoption  
16. of Amendment No. 6.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Regner.

19. SENATOR REGNER:

20. Question of the sponsor of the amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates that he will yield.

23. SENATOR REGNER:

24. Senator Carroll, did I hear you right when you said  
25. this and the rest of the amendments that are going to be  
26. offered are chicken from other bills that aren't being  
27. called or may not be called. I know you don't like the  
28. word pork, so I call it chicken in your behalf.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Yes, since the other one was being called the Christmas  
33. Tree, we decided to come up with the Hanukkah Bush and we'd  
34. use this vehicle as the Hanukkah Bush, the other one you

1. can call the Christmas Tree if it gets out of committee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further...Senator Regner.

4. SENATOR REGNER:

5. I...I just had it whispered in my ear that there's  
6. going to be another amendment tomorrow also.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Anything is possible. We're still in Session.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Wooten.

13. SENATOR WOOTEN:

14. Yes, Mr. President, I rise in opposition to this  
15. amendment. The Illinois Public Action Counsel has  
16. stressed that this money is needed to help small, or  
17. rather low income consumers, plead their cases before  
18. the Illinois Commerce Commission and utility rate  
19. cases. It would also provide funds so that they could  
20. get experts to come and testify, provide travel expenses.  
21. It seems to me that perhaps by inadvertence the Governor  
22. has done a real public service to the low income people  
23. in the State and I for one would be reluctant to see it  
24. stricken out of his bill. So I rise in opposition to  
25. the amendment.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Washington.

28. SENATOR WASHINGTON:

29. Mr. President, I agree with Mr. Wooten. It seems to  
30. me that anyone confronted with the maze which is the  
31. Commerce Commission's rate making mysticism certainly  
32. needs all the help he can get and the consumer, particularly  
33. poor people are at a loss to even understand just what's

1. involved in those commissions. I dare say most of the  
2. members here would be totally and completely lost just  
3. trying to understand what they're talking about in those  
4. meetings. I think it's a very, very good appropriation  
5. here. To take it out would simply mean that on many  
6. people who are dependent upon and victims to a certain  
7. extent of the great rate making authority which the  
8. State has the power to do. The victims of utilities  
9. which are foisting rates upon them in which they know  
10. nothing about and are simply trying to discover how it  
11. functions. It seems to me if we take this money out  
12. we leave those people defenseless and in leaving them  
13. defenseless we actually leave ourselves defenseless  
14. because who's speaking for us before the Commerce Commission.  
15. If anyone knows, I'd like to know, and if you vote against  
16. this appropriation for this amendment, in effect, your  
17. saying you don't want to know what's going on, but I  
18. certainly want to know and if I don't have in intelligence  
19. to find out, I would certainly want someone else to do so.  
20. I think it's a very good appropriation here and we should  
21. not take it out.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Thank you, Mr. President and members of the Senate.  
24. In reference to this amendment I rise in support of this  
25. amendment. Coming out of the Community Action Program  
26. and since serving as the Executive Director, I'm sorry  
27. I'm in opposition to this amendment. It strikes the...the  
28. hundred and eight thousand...one hundred eight thousand  
29. eight hundred dollars coming out of the Community  
30. Action Program. It would be totally inconsistent with  
31. me to support this amendment. I rise in opposition.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, Mr. President, I...I rise quite frankly, not  
3. knowing where I stand on this amendment. And I...I have  
4. a question...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Question, Senator Buzbee?

7. SENATOR BUZBEE:

8. Mr. President could...could we have some order, please.  
9. It's...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. We will try, Senator Buzbee.

12. SENATOR BUZBEE:

13. There's a very noisy...very noisy crowd...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Could we have some order, please. Senator Buzbee  
16. is recognized.

17. SENATOR BUZBEE:

18. I guess I...my question is of Senator Wooten since  
19. he is the first person who rose in opposition to...to  
20. the deletion. I have some considerable empathy with this  
21. ...with this cause that the amendment, rather pardon me,  
22. that the line item espouses. However, I'm really quite  
23. confused and I'm quite sincere in this. I'm quite  
24. confused as to how far government is supposed to go in  
25. this line of...of thinking. As an example, if we did this,  
26. would it not be fair to also provide a...an advocacy  
27. committee to appear before the Enviromental Protection  
28. Agency to plead the case of industries who get adverse  
29. rulings from the enviromental...or could get adverse  
30. rulings from the Enviromental Protection Agency. Now  
31. obviously, there's a difference in...in wealth from  
32. those, between those groups that...that we're talking  
33. about. But I think the analogy can be made there.

1. And so I...I'm asking you philosophically, where do we draw  
2. the line. And...and if we do draw the line, should...should  
3. we establish the precedent to start with.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Though not within the rules, with leave of the Body,  
6. Senator Wooten may answer the question. Senator Wooten.

7. SENATOR WOOTEN:

8. Thank you, Mr. President. Senator Buzbee, such lines  
9. of demarcation tend to float back and forth. I...I don't  
10. know where one could stake out a space to build a Hadrian's  
11. Wall in a matter like this, but the plain fact is that those  
12. large businesses have people in their employ to protect  
13. their interest. The situation that I confront in my district  
14. office and I think you do too. I get all kinds of complaints  
15. from people who object to increases in rates, want to know  
16. what they can do and what I can tell them is write the  
17. Commerce Commission or object to them and I must confess,  
18. I'm not very happy with that because that really isn't  
19. much of a recourse for an individual, particularly one of  
20. limited funds. When you're talking about philosophically  
21. what is a government supposed to do, it's supposed to make  
22. life possible in a society that's divided along a thousand  
23. different lines. It seems to me that if we have an Office  
24. of Consumer Services that one of the services it ought  
25. legitimately be able to offer to the consumer is somekind  
26. of technical assistance in dealing with something like  
27. the Illinois Commerce Commission. Now that is a relatively  
28. independent group and if the citizens want to go before  
29. that, they don't call us as advocates, we can be advocates  
30. in a roundabout way. But this gives them a more direct  
31. way of addressing the commerce commission before which  
32. many people with limited means feel totally helpless. I  
33. think this is a good program. I don't think it's going to

1. open the floodgates to all kinds of...of...similiar programs  
2. for industry. I think it is a means of giving individual  
3. citizens some opportunity, some means to confront utilities.  
4. And if you don't, I'm sure you know, that there's a great  
5. deal of rage and frustration... among people who are dealing  
6. with rising utitivity costs. Put it simply, this would give  
7. them some means of addressing the Commerce Commission. I  
8. think they should have it. If this will give them the  
9. technical expertise then by all means, I'm for it. And that's  
10. why I resist the amendment.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. I don't know, Senator, Mr. Hadrian lives in your district,  
15. I don't believe he lives in mine. But I...I, gee that was  
16. beautiful what you said, I...I'm still...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. For what purpose does Senator Weaver arise? Senator  
19. Weaver.

20. SENATOR WEAVER:

21. I rise to move the previous question.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well...right into Senator. Senator Buzbee, your time  
24. has expired. If you will conclude your remarks. Further  
25. debates? Senator Hickey.

26. SENATOR HICKEY:

27. It seems to me that this is important enough to have  
28. a roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right. Is there further debate? There's been a  
31. request for a roll call. The motion is on to adopt Amend-  
32. ment No. 6 to House Bill 2481. Those in favor will vote  
33. Aye, those...Senator Carroll may close.



1. SENATOR CARROLL:

2. Thank you, Mr. President. I think though many  
3. may have missed it, Senator Buzbee did hit the gravamen  
4. of the issue and I think that is this. How do you like  
5. that, okay? The issue though is this, we've talked  
6. about it all night tonight, we've talked about it all  
7. afternoon this afternoon. Are we going to create layer  
8. upon layer upon layer of bureaucracy, where now we  
9. are going to say to the citizen, no, go to a commission  
10. that's go to the commission that's going to go to the  
11. commission to get you an answer that the first commission  
12. should have given you in the first place. There are  
13. forty other agencies of State government that would also  
14. be required, not required, but eligible to get a...an advocate's  
15. office like this to go just before the Commerce Commission.  
16. I think these people do need a voice, I think the answer to  
17. that is to reevaluate the Commerce Commission itself and  
18. restructure it. Not to waste more money creating more  
19. layers of people for them to filter through instead of the  
20. citizen himself going to the government and getting a  
21. redress of his grievance. Further we talked about seed  
22. money tonight. This again is the same thing. When it gets  
23. to be two million and it's General Revenue Funds, we are  
24. in big trouble. This is still our money. We are still  
25. paying taxes to support this program. This may be a good  
26. program. But we've been talking about it all night, we've  
27. been talking about it all day. It's time we do draw  
28. the line and say no, let's not add another layer, let's  
29. start taking away the layers, that's why we offered this  
30. amendment.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Newhouse, Senator Carroll has closed. Senator  
33. Newhouse. Well...well, I think, Senator Newhouse, maybe everything

1. has been said on this particular...we ought to go, we ought to enforce  
2. the rule, he has closed the debate.

3. SENATOR NEWHOUSE:

4. I will...I will abide by the will of my conferrers.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Thank you, Senator. For what purpose does Senator Buzbee  
7. arise?

8. SENATOR BUZBEE:

9. Parliamentary inquiry, Mr. President. I really was  
10. very serious in my questioning awhile ago and I was in  
11. the middle of my questioning when I was cut off from  
12. debate by the movement of the previous question and I  
13. think that is outside of the purview of our rules and I  
14. do have one final question I wanted to address to the  
15. sponsor of the amendment.

16. PRESIDING OFFICER: (SENATOR BUZBEE)

17. Well, Senator Buzbee, your time had expired, you are  
18. eligible under our rules having had everyone else speak  
19. to address the Body a second time on the motion. And  
20. although it stretches the rule somewhat, since Senator  
21. Carroll has closed.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. Everybody here knows that  
24. seldom do I rise to speak on...on any topic and my...my  
25. question to Senator Carroll is this. Would not this kind  
26. of function normally be handled in a consumer advocacy  
27. sort of office which at one time did exist in this State?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll.

30. SENATOR CARROLL:

31. I don't know.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? Senator Newhouse, you were

1. gracious enough to rule that you would not use your time  
2. and I'm going to invoke your graciousness one more time.  
3. The question is on the motion to adopt Amendment No. 6  
4. to House Bill 2481. Those in favor will vote Aye. Those  
5. opposed will vote Nay. The voting is open. Have all  
6. voted who wish? Have all voted who wish? Take the record.  
7. On that question the Ayes are 25, the Nays are 26. The  
8. motion to adopt is lost. Senator Carroll requests a  
9. verification of those who have voted in the negative.  
10. Will the members please be in their seats. Secretary  
11. will call those who have voted in the negative.

12. SECRETARY:

13. The following voted in the negative; Berman, Bloom,  
14. Bowers, Bruce, Coffey, Davidson, Graham, Grotberg, Hickey,  
15. Joyce, Leonard, McMillan, Maragos, Mitchler, Netsch, Newhouse,  
16. Ozinga, Regner, Rhoads, Rupp, Sangmeister, Schaffer, Shapiro,  
17. Washington, Weaver and Wooten.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll, do you question the presence of any  
20. of those who voted in the negative? Senator Carroll.

21. SENATOR CARROLL:

22. Senator Harber Hall.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is Senator Harber Hall on the Floor?

25. SENATOR CARROLL:

26. Oh, excuse me, I thought he was red. Take him off  
27. anyway. I thought I heard the Secretary read his name.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll, did you wish to strike his name?

30. SENATOR CARROLL:

31. Might as well.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. We...we...we will affirm the...those who voted in

1. the negative first.

2. SENATOR CARROLL:

3. Is Senator Weaver on the Floor?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver is...at the...

6. SENATOR CARROLL:

7. Oh, they've grabbed him back. Okay. Governor's

8. Office has brought him back. Okay.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further...further members that you question the

11. presence of?

12. SENATOR CARROLL:

13. No further members.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. All right. On that question on verified roll call

16. the Ayes are 26, the Nays are 25. The motion to adopt

17. ...the Ayes are 25, the Nays are 26 and the motion to

18. adopt is lost. Further amendments?

19. SECRETARY:

20. Amendment No. 7 offered by Senator Carroll.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll is recognized.

23. SENATOR CARROLL:

24. Thank you, Mr. President, this is some of the chicken

25. that goes into the Hanukkah Bush that had been in the

26. other bill. It is a hundred and fifty thousand, Mr. President,

27. for the Richland County Fair, seven and a half million for

28. Luke College, 6.68 million for Triton, five hundred thousand,

29. Senator Wooten for WIU-TV, a hundred and eighty seven thousand

30. for probation officers in Cook County, ninety-five thousand

31. for probation officers downstate, a million for the Mazon

32. River and twenty thousand for Kankakee. I would move adoption

33. of Amendment No. 7. I see that some of my opponents on the

1. last amendment like this one.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Senator Rhoads.

4. Senator Rhoads. Oh, there's been a request for a roll

5. call. The motion is to adopt Amendment No. 7. All those

6. in favor will vote Aye. Those opposed will vote Nay.

7. The voting is open. Have all voted who wish? Have all

8. voted who wish? Take the record. On that question the

9. Ayes are 32, the Nays are 23, none Voting Present. Amend-

10. ment No. 7 is adopted. Further amendments?

11. SECRETARY:

12. Amendment No. 8 offered by Senator Carroll.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Carroll is recognized.

15. SENATOR CARROLL:

16. Thank you, Mr. President. This is also an item that

17. had been in the other bill and it dealt with the construction

18. to CDB for schools. There was a problem with the dollar

19. amount and the unallocated portion in the Gentleman's

20. agreement that has always stood in the allocation of the

21. three hundred million in bonds when they were authorized.

22. Whereby two hundred million would go to downstate schools

23. and a hundred million to the Chicago schools. It seems

24. that some of the monies, downstate is getting near to

25. that mark where they would go over their two hundred

26. million and rather than have them violate the agreement

27. at this time, until we can reach some understandings,

28. this would put the money in at the five million requested

29. for Chicago and 10.8 which seems to be the unappropriated

30. or unallocated portions of the two hundred million remaining

31. for the downstate schools. I would move therefore, the

32. adoption of Amendment No. 8 and if we can reach some under-

33. standings later, there may be some changes.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion on the motion to adopt Amendment  
3. No. 8. Senator Regner.

4. SENATOR REGNER:

5. Just asking Senator Carroll to repeat the last state-  
6. ment he made.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR REGNER:

10. The last sentence.

11. SENATOR CARROLL:

12. Well, since there had been some understandings reached  
13. which show up on the charts, year in and year out, as to  
14. the allocation of the two hundred million and the one  
15. hundred million, and since the testimony before the  
16. committee on the other bill was that there was going  
17. to be a breach of that understanding, it was felt that  
18. we better have a better understanding before it's breached.  
19. And that should that understanding arrive, we've asked  
20. for it in writing, I don't think we'll get it in writing,  
21. but so that all the departments of the Governor know that  
22. the Governor has made the committment and don't try and  
23. violate it without his approval or approbation, should  
24. that happen tomorrow, I'm sure these figures would change.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. It is clear now that the breach of understanding must  
27. be in writing. So, is there further discussion? Those  
28. in favor say say Aye. Like to have a roll call, Senator  
29. Regner? Request for a roll call. The question is on the  
30. adoption of Amendment No. 8 to House Bill 2481. Those  
31. in favor vote Aye. Those opposed vote Nay. The voting  
32. is open. Have all voted who wish? Have all voted who  
33. wish? Take the record. On that question the Ayes are

1. 37, the Nays are 19, none Voting Present. Amendment No. 8  
2. to House Bill 2481 is adopted. Further amendments?

3. SECRETARY:

4. Amendment No. 9 offered by Senator Carroll.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. Amendment No. 9 deals with  
9. forty-four thousand dollars to the Land and Water Fund of  
10. the Department of Conservation which was an amount added to  
11. the other bill by the House and to which we are adding  
12. to this vehicle bill in case this be the only one that  
13. survives the Session of the General Assembly. I would  
14. move adoption of Amendment No. 9.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion to is adopt...to adopt Amendment No. 9.  
17. Is there discussion? Senator Regner.

18. SENATOR REGNER:

19. This is a good amendment and should be adopted.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion to adopt...Senator Carroll? Senator  
22. Carroll.

23. SENATOR CARROLL:

24. As much as we know who's district this is now in  
25. and didn't know before, we might also reconsider this  
26. one tomorrow, but I would now move the adoption of  
27. Amendment No. 9.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. On the motion to adopt. All in favor say Aye.  
30. Opposed Nay. The Ayes have it. Amendment No. 9 is  
31. adopted. Any further amendments?

32. SECRETARY:

33. Amendment No. 10 offered by Senator Carroll.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll is recognized.

3. SENATOR CARROLL:

4. Thank you, Mr. President. Amendment No. 10 is a  
5. problem that the House failed to deal with, but has now  
6. asked us to. Apparently because of a, I assume, a court  
7. decision, former Representative Webber Borchers has  
8. been declared to be entitled to the salaries for a  
9. legislative year in the amount of twenty thousand dollars  
10. for January, 1976 through December 31st, 1976 and we've  
11. been asked to add into this appropriation bill so that  
12. he may make his claim that the courts have allowed  
13. the twenty thousand dollars appropriation.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The motion is to adopt  
16. Amendment No. 10. All in favor say Aye. Opposed Nay.  
17. The Ayes have it. Amendment No. 10 is adopted. Further  
18. amendments?

19. SECRETARY:

20. Amendment No. 11 offered by Senator Davidson.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Davidson is recognized.

23. SENATOR DAVIDSON:

24. Yes, Mr. President and members of the Senate. This  
25. is everybody's tree and since 2470 still resides in  
26. committee and everything else has been added to this  
27. bill except the one big item to finish a partially built  
28. building. This amendment puts three million eight hundred  
29. thousand dollars in this bill so we can finish building  
30. the Public Affairs Building at Sangamon State that's  
31. standing out there half built. It's a necessary item  
32. to finish this project. We know it all went over, but  
33. the estimates are there and we need this to finish this building.



1. Appreciate a favorable adoption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is to adopt Amendment No. 11. Is there  
4. discussion? Senator Carroll.

5. SENATOR CARROLL:

6. Well, I rise at this time to oppose this amendment. I  
7. don't think they have justified the commitment of State  
8. dollars for this amount for this project at this time. I  
9. think there are two basic problems with this that were  
10. brought about by themselves in discussing committee on  
11. the other bill. One of them is that apparently traditionally  
12. performing art centers, like in Peoria, were paid for out  
13. of local funds, not State dollars and secondly, there's  
14. been mass confusion over the biddings and rebiddings and  
15. rebiddings thereof, on this project. It would seem to me  
16. a better way to go, and after having discussed this with  
17. substantial number of people, a better way to go would  
18. be to not fund the project at this time, require thereby  
19. appropriate bidding procedures be followed, new bids  
20. be let and new amounts be computed. I would therefore  
21. oppose this amendment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Rupp.

24. SENATOR RUPP:

25. Thank you, Mr. President. I echo the remarks of  
26. Senator Carroll. I wish there was some way that we  
27. could vote yes on a project and no on a bid arrangement.  
28. This is exactly what I would do in this case, but I  
29. do ask that it...I don't like to have the project go down,  
30. but because there's no other way we seem to be able to do  
31. it, I do ask for that particular vote. Thank you.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bloom. Is there further discussion? Further

1. discussion? Senator Davidson may close.

2. SENATOR DAVIDSON:

3. Yes, Mr. President. There's a couple small items  
4. which no one seems to address. One is the bids came in,  
5. they were rejected, second, bids went out for an alternate  
6. part which stripped this building trying to get in what  
7. was the then money available if they stripped it. They  
8. stripped it so bad that even the elevator which would have  
9. taken handicapped people to a multi-level building, then  
10. you know as well as I that the first person who was  
11. handicapped filed a suit or asked, they'd be back in  
12. there doing this. This amount of money would let this  
13. building be built and as its originally designed it's  
14. nothing to preclude the CDB from putting it out for another  
15. bid. They haven't said they would not. They haven't said  
16. anything. Maybe you may or may not agree with how they  
17. did it. We all agree that the cost estimate by the cost  
18. consultants to the architects were certainly not correct.  
19. But Tishman and Company which is resided in Chicago, is  
20. the ones who made this cost and said you're staying in  
21. it. It was bid on '72 prices, it came in over. You can't  
22. leave a building out here half finished. I urge you to  
23. adopt this amendment, they can go it out on rebid and I  
24. ask for a roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to adopt Amendment No. 11 to House Bill  
27. 2481. There's been a request for a roll call. Those  
28. in favor will vote Aye. Those opposed will vote Nay.  
29. The voting is open. Have all voted who wish? Have all  
30. voted who wish? Take the record. On that question the  
31. Ayes are 21, the Nays are...28, 3 Voting Present. The  
32. motion to adopt is lost. Further amendments, Mr. Secretary.

33. SECRETARY:

34. Amendment No. 12 offered by Senator Sommer.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Sommer is recognized, on Amendment No. 12.

3. SENATOR SOMMER:

4. Mr. President and members, this involves the school  
5. construction bonds. What we're essentially aiming  
6. towards is...is providing opportunities for funding for  
7. a number of downstate schools. I also believe that there  
8. is money in this, this project for the City of Chicago.  
9. Now, this amendment adds five million dollars to the  
10. entire project for a couple of reasons. One, we will  
11. not be able to...fully fund the downstate qualifying list  
12. from the amount that's been appropriated. Secondly,  
13. it's our understanding that a school building downstate,  
14. I think in East St. Louis, is burned down which may require  
15. even greater funding and on an emergency basis than what  
16. we have provided here. This amount of money would provide  
17. sufficient monies to take care of all the pending and  
18. authorized school projects and including the emergency  
19. project that that we hear about.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Carroll.

22. SENATOR CARROLL:

23. Well, I know that Senator Sommer may or may not have  
24. mentioned that the last project on the list apparently,  
25. was in his district and under our version it wouldn't  
26. be funded, under this one it would be. Maybe that's the  
27. reason for the offering of the amendment. However, at  
28. this point in time, I would oppose the adoption of this  
29. amendment. I think it important that we do not overextend  
30. the Governor's obligation beyond that which he has committed  
31. to and this would do so. I don't think he would want us  
32. to spend five million over what he is really supposed  
33. to spend for these types of projects and I would think

1. that tonight it would be appropriate not to adopt this  
2. amendment and discuss it again in the morning. I would  
3. urge that we do not adopt Amendment No. 12.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer moves the adoption of Amendment No. 12.  
6. All in favor say Aye. Opposed Nay. There has been a  
7. request for a roll call. Those in favor will vote Aye.  
8. Those opposed will vote Nay. The voting is open. Have  
9. all voted who wish? Have all voted who wish? Take the  
10. record. On that question the Ayes are 26, the Nays are  
11. 29. The motion to adopt is lost. Further amendments?

12. SECRETARY:

13. Amendment No. 13 offered by Senator Regner.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Regner is recognized.

16. SENATOR REGNER:

17. Mr. President and members of the Senate. This is  
18. a left over from 2470, which is a transportation bill  
19. and appropiates four hundred seventy-three thousand,  
20. five hundred and twenty-two dollars for the telecommunications  
21. or radios in the State Police cars. A hundred and fifty of  
22. which we did appropriate the money for last Spring and police  
23. cars aren't very good without radio's and I would move the  
24. adoption of this amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Yes, thank you, Mr. President. This particular amendment  
29. deals with the original subject of the original bill that  
30. the House used as its vehicle to get over all the chicken  
31. barrel projects yet still in committee and I think Senator  
32. Regner's trying to make sure that the original program that  
33. became the vehicle gets taken care of. However, I think it

1. also interesting to note on this that there's been some  
2. discussion from CB'ers about putting CB's in these police  
3. cars, plus it's the old camel's nose game. They come in  
4. and say all we need is X number of dollars to buy some  
5. cars and they double that figure the next year when they  
6. come in and say now we need the motor, now we need the  
7. steering wheel, now we need the radio, now we need the  
8. tires. And I think we would be better served as a  
9. Legislative Body if they would come in front and tell us  
10. exactly what it costs to get an operating vehicle on  
11. the street rather than do it piecemeal and say, well,  
12. last year you provided the front wheels, this year let's  
13. give you the back wheels.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Weaver.

16. SENATOR WEAVER: .

17. Question of the sponsor.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Weaver.

20. SENATOR WEAVER:

21. Senator Regner, are these Federal funds for these  
22. radios?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Regner.

25. SENATOR REGNER:

26. I...would you repeat the question.

27. SENATOR WEAVER:

28. Are these Federal funds for these radios?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Regner.

31. SENATOR REGNER:

32. Federal money.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? The motion to adopt...  
2. you wish a roll call, Senator Regner? On the motion to  
3. adopt. All in favor say Aye. Opposed Nay. The Ayes  
4. have it. Amendment No. 13 is adopted. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President, having voted on the prevailing side on  
11. Amendment No. 6, I move that the vote on that amendment  
12. be reconsidered.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is on Amendment No. 6. The motion is  
15. reconsider the vote by which Amendment No. 6 to House  
16. Bill 2481 was adopted. Is there discussion? All right.  
17. Amendment No. 6 was lost and Senator Mitchler voted in  
18. the negative, which would make him...having...he has  
19. voted on the prevailing side. The motion is to reconsider  
20. the vote by which Amendment No. 6 was lost. Is that correct,  
21. Senator Mitchler. The motion is before the Body. Is there  
22. discussion? Senator Carroll. Senator Carroll.

23. SENATOR CARROLL:

24. I'm pleased to support Senator Mitchler.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Maragos. Senator Mitchler. Senator Mitchler.  
27. Senator Rhoads for what purpose do you arise?

28. SENATOR RHOADS:

29. To speak in favor of the motion to reconsider. I also  
30. voted on the prevailing side and have had it explained to  
31. me, Senator Carroll.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Well, there are still several members who would like to

1. know the subject matter of Amendment No. 6. Perhaps  
2. we could proceed along if Senator Carroll or Senator  
3. Mitchler would care to discuss the subject matter of  
4. Amendment No. 6. Senator Carroll.

5. SENATOR CARROLL:

6. I'm sorry, I didn't hear your question.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Several members have inquired as to the subject  
9. matter of Amendment No. 6.

10. SENATOR CARROLL:

11. Oh, Amendment No. 6 was the one that Senator Wooten  
12. and I and others were having philosophical debates  
13. about and it deals with the Consumers Advocate Office  
14. at the Industrial Commission and I had offered the  
15. amendment to take out the money as the...as I think  
16. you will recall, we had quite a bit of debate on it. Now, I...I'm  
17. sorry, the Commerce Commission, excuse me, Commerce Commission.  
18. And apparently some of those who voted the other way now  
19. see the wisdom of my remarks and I'm glad to hear it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Yes, Mr. President, in counseling with my staff, I  
24. find that I'm going to withdraw my motion at this time.  
25. I understand the bill is going to be brought back to  
26. 2nd tomorrow and at that time I can make that motion at  
27. that time. Thank you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Motion to reconsider Amendment No. 6 is withdrawn.

30. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. House Bill 2484, Senator Nimrod. Read
2. the bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 2484.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Are there amendments from the Floor? 3rd reading.
- 9.
- 10.
- 11.
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- 14.
15. END OF REEL # 7
- 16.
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- 33.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. We have...two Senators have indicated they have motions  
3. to make relative to discharge of committees from consideration.  
4. Is there leave to go to the Order of Motions? Leave is granted.  
5. Senator Carroll, as to...I was...I was told Senator Carroll  
6. that you had a motion relative to a bill in committee or,  
7. perhaps, a motion in writing.

8. SENATOR CARROLL:

9. Thank...I'm not sure which order we have, Mr. President.  
10. There is a bill residing in the Appropriations Committee...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Let's do that one first.

13. SENATOR CARROLL:

14. All right. 2470, I believe is the...the number and I  
15. think at this time, since we've debated most of those issues  
16. on it, I would move that the committee on Appropriations I  
17. be discharged from further consideration of House Bill 2470  
18. and that it be placed on the Calendar on the Order of 2nd  
19. reading.

20. PRESIDING OFFICER:(SENATOR BRUCE)

21. You've heard the motion to discharge on House Bill 2470.  
22. Is there discussion? All...Senator Walsh.

23. SENATOR WALSH:

24. Would the Gentleman explain the...what the bill does and  
25. the nature of the emergency?

26. PRESIDING OFFICER:(SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. It's an administration and appropriation request. I don't  
30. know how emergencied it is. However, it's the one we just dealt  
31. with, thirteen amendments on. We tacked all those, I think,  
32. on to the other one and for some reason some people feel that  
33. the first bill should also be out to be a vehicle available.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. I'll get to...

3. SENATOR WALSH:

4. 2470 is...is a subject matter...

5. SENATOR CARROLL:

6. Was the original...

7. SENATOR WALSH:

8. ...dealt with all of those amendments...

9. SENATOR CARROLL:

10. That was the Christmas tree version of the Hanukkah  
11. bush we just dealt with. Yes.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? On the motion to discharge  
14. House Bill 2470 from further consideration by the Senate  
15. Appropriations I Committee. All in favor say Aye. Opposed  
16. Nay. The Ayes have it and the bill is discharged and placed  
17. on the Order of 2nd reading. Senator Carroll, if you wish  
18. to have that bill considered by the Senate you may wish to  
19. have that bill read a second time tonight.

20. SENATOR CARROLL:

21. With leave of the Body we have the whole series of  
22. amendments similar to what we just passed and maybe to save  
23. time we can offer...we can waive the normal procedure and  
24. offer them at one time. Have them adopted and move the bill  
25. to 3rd and then deal with both bills tomorrow.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. For what purpose does Senator Sommer arise?

28. SENATOR SOMMER:

29. I...I would suggest, as an alternative, we simply move it  
30. to 3rd, as it stands now since the amendments are already on  
31. another bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. Well, in that case, let's just rerefer back to the  
3. committee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer.

6. SENATOR SOMMER:

7. As a suggestion, Senator Carroll, could we simply have  
8. it read a second time and left on second?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll.

11. SENATOR CARROLL:

12. In the spirit of compromise and cooperation, of course.  
13. Why don't we just read it a second time and leave it on the  
14. Order of 2nd reading?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well...House...House Bill...on the Order of Senate Bills  
17. ...on House Bills, 2nd reading there's House Bill 2470. Read  
18. the bill a second time, Mr. Secretary.

19. SECRETARY:

20. House Bill 2470.

21. (Secretary reads title of bill)

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

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Amendments from the Floor? The bill has been read a  
25. second time and we...will remain on the Order of 2nd reading.  
26. Senator Carroll moves that the bill remain on the Order of  
27. 2nd reading. It could be considered and passed tomorrow.  
28. The bill will remain on the Order of 2nd reading. It was just  
29. read a second time. It's a procedure, frankly, that I question  
30. whether we ought to begin but it's...it's an agreement that has  
31. been made. We will leave it on the Order of 2nd reading. It  
32. could be passed. All right. The bill is on the Order of 2nd  
33. reading and has been, in fact, read a second time. Senator

1. Egan. Senator Davidson. We were going to get to you,  
2. Senator Davidson, a moment when we get to Motions in Writing.  
3. We're still on motions...Is there leave to return to the Order  
4. of Motions? Senator Egan is recognized.

5. SENATOR EGAN:

6. Thank you, Mr. President and members of the Senate. I  
7. would move at this time to discharge the Committee on the  
8. Assignment of Bills on House Bills 2461, 2462 and 2463.  
9. These bills have been heard by the Rules Committee favorably.  
10. My motion is at this time to bypass the committee...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Egan. Senator Egan...may I...if you would just  
13. hold that motion for one moment the Rules Committee meeting,  
14. which was held...

15. SENATOR EGAN:

16. ...give me a minute, I'll tell you.

17. PRESIDING OFFICER:(SENATOR BRUCE)

18. If you will just hold your motion for one moment, we have  
19. not had a chance to read in the Rules Committee Report...

20. SENATOR EGAN:

21. All right.

22. PRESIDING OFFICER:(SENATOR BRUCE)

23. ...on those two bills. Senator Davidson. Is there leave  
24. to go to the Order of Motions in Writing? Senator Davidson  
25. is recognized.

26. SENATOR DAVIDSON:

27. Yes, Mr. President and members of the Senate. On Motions  
28. on Writing, I need...wish to withdraw with passage of 2470  
29. identifying the...or 79 identifying State employees. That  
30. motion is no longer necessary. I move to withdraw the motion...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is...is to withdraw the Motion in Writing. All  
33. in favor say Aye. Opposed Nay. The Ayes have it. The motion

1. is withdrawn. Senator Carroll. On the Order of Motions in  
2. Writing is a motion reference to Senate Bill 152. Senator  
3. Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President and Ladies and Gentlemen of the  
6. Senate. Senator Bruce filed this motion having voted on the  
7. prevailing side. The closing hours of the Session and  
8. actually the first few days of July, there were some misunderstandings  
9. on the Second Conference Committee Report on this bill. It  
10. originally had dealt with the area of five hundred feet from  
11. a school for the opening of an office of Unemployment Compensation  
12. and prohibiting that activity as substantive legislation. We  
13. also had the concept attached to appropriation bills. This matter  
14. went before the Supreme Court on two rehearings. During the  
15. course of conduct of that particular bill moving through the  
16. General Assembly, it became the conduit for amendments dealing  
17. with Federal compliance on Unemployment Compensation, et cetera,  
18. et cetera, et cetera. Toward the end of June, therefore, there  
19. was a lot of confusion over what was still in the bill. The  
20. Second Conference Committee stripped out all of the Federal  
21. compliance issued and other substantive issues leaving only  
22. the five hundred feet from a school and the Administrative  
23. Review Act. I know of no objection to the bill in that form.  
24. I think it was confusion in the last few moments when the  
25. Second Conference Committee Report was, in fact, filed. I,  
26. therefore, prevailed upon Senator Bruce to file the motion  
27. having voted on the prevailing side to reconsider the vote  
28. by which it failed so that we may pass it at this time. The  
29. Supreme Court having now ruled that that be the route that the  
30. General Assembly should take.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to reconsider the vote by which a Second  
33. Conference Committee Report on Senate Bill 152 failed. Further

1. discussion? All those in favor say Aye. Opposed Nay. The  
2. Ayes have it. The motion...is carried and the Conference  
3. Committee Report is before the Body. Are you ready to go...  
4. Is there leave to go the Order of Committee Reports? Committee  
5. Reports.

6. SECRETARY:

7. (Secretary reads Conference Committee Report)

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Assignment of Bills. Senator Bloom.

10. SENATOR BLOOM:

11. Yes, parliamentary inquiry on that...the piece of  
12. business before what the Secretary did. Don't we need a  
13. roll call to undo what was done? About the Second Conference  
14. Committee failed? I...I don't know.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well...right. It...

17. SENATOR BLOOM:

18. ...it would require thirty votes and it was the opinion  
19. of the Chair that there were...there was unanimous votes.

20. SENATOR BLOOM:

21. Whatever's fair, as long as we're covered.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan. The...the bill...

24. SENATOR EGAN:

25. Thank you, Mr. President...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. ...in which you have an interest are now residing in the  
28. Assignment of Bills Committee. Senator Egan is recognized.

29. SENATOR EGAN:

30. Yes, I...would again make the motion, Mr. President, to  
31. bypass the committee on the Assignment of Bills asking thereby,  
32. to suspend the rules to advance House Bills 2461, 2462 and  
33. 2463 to the Order of 2nd reading. These bills are technical

1. implementation bills to allow the deferred compensation plan  
2. for State employees to be able to be implemented in...in  
3. January. They are all technical. They are all necessary.  
4. The opinions of the Attorney General are that...along with  
5. the State Board of Investments and the...the proponents of  
6. the legislation that this is a necessary step to implement  
7. the concept in...in the new thing and this new thing for the  
8. State employees and I so move your...Mr. President.  
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. You've heard the motion. The motion is that the  
11. Assignment...the Committee on Assignment of Bills be  
12. removed from further consideration of House Bills 2461,  
13. 2462 and 2463. That they be placed on the...on the Order  
14. of 2nd reading and read a second time this evening. Is  
15. there discussion? All in favor say Aye. Opposed Nay. The  
16. Ayes have it and the Committee on Assignment is discharged.  
17. Is there leave to go to the Order of House Bills, 2nd reading?  
18. Leave is granted. House Bill 2461. Read the bill, Mr.  
19. Secretary.

20. SECRETARY:

21. House Bill 2461.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Any amendments from the Floor? 3rd reading. House Bill  
26. 2462. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 2462.

29. (Secretary reads title of bill)

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

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Any amendments from the Floor? 3rd reading. House Bill  
33. 2463. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 2463.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Are there amendments from the Floor? 3rd reading. All
7. right. All right...introduction of...introduction of bills.
8. SECRETARY:
9. Senate Bill No.1416 introduced by Senator Leonard.
10. (Secretary reads title of bill)
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. ...Senator Washington...
13. SECRETARY:
14. 1st reading of the bill.
15. SECRETARY:
16. Senate Bill No. 1417 introduced by the same sponsor.
17. (Secretary reads title of bill)
18. 1st reading of the foregone bills.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Rules Committee. A Message from the House.
21. SECRETARY:
22. A Message from the House by Mr. O'Brien, Clerk.
23. Mr. President - I am directed to inform the Senate
24. that the House of Representatives has adopted the following
25. joint resolution and the adoption in which I am instructed
26. to ask concurrence of the Senate to-wit: House Joint Resolution
27. Constitutional Amendment No. 22.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Executive Committee. Senator Graham. Resolutions.
30. SECRETARY:
31. Senate Joint Resolution No. 62 offered by Senator Washington.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Washington is recognized.



1. SENATOR WASHINGTON:

2. Mr. President and members of the Senate. At this time I  
3. move the suspension of the appropriate rules for the immediate  
4. consideration and adoption of Senate...House...pardon me...  
5. Senate Resolution No. 62. What it does, in effect, is to  
6. provide for an analysis by the Public Aid Advisory Committee and  
7. the study of the fee schedules now in existence and to report  
8. periodically back to the General Assembly with a final reporting  
9. date one year from today. I have spoken about this matter  
10. to the Chairman of the Public Aid Advisory Committee, Senator  
11. Moore, and he has no objections to this resolution being  
12. referred to his commission.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. ...is there discussion? Senator Rock.

15. SENATOR ROCK:

16. ...might I suggest that the hour is getting late. We have  
17. yet to go through the First and Special Sessions. Senator, I  
18. haven't seen the resolution, but I...you know, on your...your  
19. discussion, I have no quarrel with it. I might suggest, how-  
20. ever, that the Committee on Executive is meeting tomorrow  
21. morning. Why don't we just refer it right in there and waive  
22. the notice and run it out of committee tomorrow?

23. PRESIDING OFFICER:(SENATOR BRUCE)

24. Senator Washington.

25. SENATOR WASHINGTON:

26. I would see to that, Mr. Majority Leader. Yes.

27. PRESIDING OFFICER:(SENATOR BRUCE)

28. All right. Senator Washington changed his motion to  
29. suspend the Six Day Notice so that Senate Joint Resolution  
30. 62 might be heard in Executive Committee tomorrow morning  
31. at eight o'clock. You've heard the motion. All in favor  
32. say Aye. Opposed Nay. The Ayes have it and the rules  
33. suspended. The bill...the Senate Joint Resolution 62 will

1. be placed for a hearing tomorrow morning in Executive Committee  
2. eight a.m. Senator Rock. Motion in Writing.

3. ACTING SECRETARY: (MR. FERNANDES)

4. We...we move that Senate Committee on Labor and Commerce  
5. be discharged from further consideration of Senate Bills 1397  
6. through...1404 and that the bills be advanced to the Order of  
7. 2nd reading without further reference to committee. Signed,  
8. Senator Richard Walsh and Harber Hall.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator...Senator Walsh, do you wish to debate this  
11. motion tonight or tomorrow?...Senator Walsh.

12. SENATOR WALSH:

13. Mr. President, Senators Hall and I filed this motion  
14. and it relates to the unemployment insurance tightening bills  
15. that have been recommended out of the Rules Committee and I  
16. think if there's no objection we just have these bills placed  
17. on the Order of 2nd reading. The bills are the same as the  
18. bill which was revoted out of the Senate last Spring and I  
19. think the Senate should be given an opportunity to vote on  
20. these bills.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Hynes.

23. SENATOR HYNES:

24. Mr. President, what...what was the motion to...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to discharge the Committee on Labor and  
27. Commerce from further consideration of Senate Bills 1397  
28. through 1404. Senator Hynes.

29. SENATOR HYNES:

30. Mr. President, those bills were in the Committee on  
31. Assignment of Bills. Has the report from the Committee on  
32. Assignment of Bills been read in assigning them to Labor and  
33. Commerce?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. It was...I'm informed by the Secretary that it was read in  
3. this morning.

4. SENATOR HYNES:

5. The report was read in.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. You may recall, Senator Hynes, these bills were before  
8. the Rules Committee and the Rules Committee approved their  
9. being placed in the Senate Labor Committee.

10. SENATOR HYNES:

11. No...I...no, the Rules Committee sent them to Assignment  
12. of Bills.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Yes.

15. SENATOR HYNES:

16. And the Assignment of Bills has now assigned them to  
17. the Labor Committee?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. I would have to check, but I assume that that is, in fact,  
20. the motion is to discharge Labor Committee.

21. SENATOR HYNES:

22. Well, if the bills are in Labor Committee, then the motion  
23. ...the motion is in order.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. That...

26. SENATOR HYNES:

27. But I...I want to be sure the Assignment of Bills report  
28. has been read in. That's all.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. It was read in this morning, the Secretary informs me.  
31. They are, in fact, in the Senate Labor Committee. Is there  
32. discussion on the motion? Senator Savickas.

33. SENATOR SAVICKAS:

1. Well, Mr. President, I rise to object to this motion  
2. from further consideration of these bills since the committee  
3. hasn't even considered them yet. So we haven't even re-  
4. ceived them. I think that by, at this late date, the day  
5. before we adjourn to have bills come out of Rules Committee  
6. and go into committee for hearing and then just sidetrack  
7. that committee, it's...it's ridiculous. We should have a  
8. hearing if these bills affect compensation laws. We should  
9. have it in the committee.

10. PRESIDING OFFICER:(SENATOR BRUCE)

11. Further discussion of the motion? Senator Walsh.

12. SENATOR WALSH:

13. Mr. President...four of these bills are introduced by  
14. Senator Hall and four by me. Now we just had some bills dis-  
15. charged from...from committee and I don't know what committee  
16. because the Committee on Assignment of Bills didn't consider  
17. these deferred compensation bills that we now have before the  
18. full Senate and these are radical bills. It's a brand new  
19. concept where State employees are going to be given deferred  
20. compensation. We've all been told that it's hard to get  
21. qualified State employees because we aren't paying them  
22. enough money and now we've got a concept introduced whereby  
23. they're not going even collect the money they're being paid  
24. because there is such high tax brackets, they have to be  
25. paid deferred compensation. Now, this concept, the unemploy-  
26. ment insurance tightening bills were considered by the Labor  
27. and Commerce Committee at the Spring Session. They were  
28. voted out of the Senate at the Spring Session and we've been  
29. considering unemployment insurance during this Fall Veto  
30. Session. Seems to me, Mr. President, that these bills should  
31. be placed on the Calendar where we can let the people of the  
32. State of Illinois know that we're willing, ready and able to  
33. address ourselves to this very important subject. Now Senator

1. Hall joined me in this motion. Four of the bills are his and I  
2. think he would like to be heard on the motion.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hynes.

5. SENATOR HYNES:

6. Is the sponsor asking for the motion to be called now?

7. Is it...is it your intention to have the motion heard now?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Walsh. Senator Walsh.

10. SENATOR WALSH:

11. Mr. President, I was hoping that there wouldn't be any  
12. objection because we're sailing bills in, out and around committees  
13. and I thought that these, since they have been heard might...  
14. might achieve the same status. Now, if there is some objection  
15. to the motion, maybe Senator Hall had some thoughts.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Hynes.

18. SENATOR HYNES:

19. Well...I...I'd simply like to know when Senator Walsh  
20. would like his roll call and then we can have it reprinted  
21. for him. This is, obviously, is not a serious motion. Those  
22. bills sat in the Rules Committee. No one came in to ask  
23. that they be assigned. They...when...when the motion was  
24. made they were, in fact, assigned to the Committee on  
25. Assignment of Bills, approved by the Rules Committee and  
26. sent to Assignment of Bills. They've just now been read  
27. in today and this is an effort to take them away from the  
28. Committee on Labor and Commerce without even a hearing. And  
29. to refer to the other bills, the Deferred Compensation Bills,  
30. that we're talking about, I think is a very poor analogy.  
31. Those bills are desired by the administration and they are  
32. technical changes that are necessary in order for the program  
33. to go into effect. They are...if there is doubt about them,

1. as I think some members have, sobeit. But if that program  
2. was to have a chance at all to go into operation it is in  
3. the control of the administration whether it does or  
4. not they had to be passed. So this motion is not made  
5. with a serious purpose. The sponsor knows that it...it  
6. simply is not a good operational procedure to...discharge  
7. bills of this magnitude without a hearing in committee.  
8. ...the chairman of the committee has not even had an  
9. opportunity to examine the bills. They were...simply  
10. assigned there today. I...I just think the motion is...  
11. is dilatory. It's a...it's a effort to strike a political  
12. posture. And if we want...if we want to do that sobeit  
13. and take the roll call. And I think everyone that is  
14. interested in this subject matter will recognize it for  
15. exactly what it is.

16. PRESIDING OFFICER:(SENATOR BRUCE)

17. Senator Harber Hall.

18. SENATOR HARBER HALL:

19. Well, speaking for myself, I did feel that spending twenty  
20. minutes on a bill that was a duplication of another bill  
21. was somewhat dilatory and wasteful of time. I would just  
22. as soon get...get home and get some sleep like everyone else  
23. around here, but if we're going to discharge some bills and  
24. not others we thought that these bills were probably just  
25. as important as anything else that...that we've been  
26. discharging committees on. But I would respect the majority  
27. leaders views in...in this regard that it's obvious we don't  
28. have time to pass these important bills today and tomorrow.  
29. But...and if it meets with his approval I would suggest that  
30. Senator Walsh and I with...retreat this motion back to a  
31. filed written motion for hearing in the first part of January  
32. because we're very serious about these bills. Other people  
33. are very serious about them and I think we ought to get about them

1. in January and as...in response to the fact that the Labor  
2. and Commerce Committee has not heard these. This is not  
3. correct, Senator. Every...every word in this bill was part  
4. of a...a Senate Bill 1150 that was heard over and over again  
5. and passed, actually, in this House. So there's...there is  
6. no justification for the thought that we haven't, again,  
7. heard these because we have heard them. But if it meets  
8. with the majority leaders approval I would move that this  
9. motion that we have filed in writing remain on the...  
10. Secretary's Desk.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Well, Senator Hall, all you leave the Chair in somewhat a  
13. difficult position and since it's Senator Walsh is the main  
14. it...Senator Walsh.

15. SENATOR WALSH:

16. Will...will the...will the motion then remain on the  
17. Calendar...and it could be called then when the Senate re-  
18. convenes in January? All right. Well then, that would be  
19. my motion, Mr. President, that further consideration of...of  
20. the Motion in Writing be continued until the Senate reconvenes  
21. in January.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Walsh, if it would need no...need...there would  
24. be no reason to put a date on it. It will be on the Calendar  
25. on the...on the Order of Motions in Writing and you might  
26. call that any day that we are in Regular Session. Further  
27. business to come before the Regular Session? Senator Rock  
28. moves that the Senate stand adjourned until tomorrow morning  
29. at the hour of nine a.m. You've heard the motion to adjourn.  
30. All in favor say Aye. Opposed Nay. The Ayes have it. The  
31. Senate stands adjourned, Regular Session, till nine a.m.  
32. tomorrow morning.

33. (END OF REEL)