

NOVEMBER 28, 1978

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The Senate will please come to order. Will the guests
3. in the gallery please rise. Prayer by Father Hugh P. Cassidy
4. of Blessed Sacrament Church, Springfield.

5. FATHER CASSIDY:

6. (Prayer given by Father Cassidy)

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Reading of the Journal, Senator Smith.

9. SENATOR SMITH:

10. Mr. President and members, I move that reading and
11. approval of the Journal of Monday, November the 27th in
12. the year of 1978 be postponed pending arrival of the
13. printed Journal.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. You've heard the motion. Those in favor indicate
16. by saying Aye. Those opposed Nay. The Ayes have it.
17. The motion carried. Message from the House.

18. SECRETARY:

19. A Message from the House by Mr. O'Brien, Clerk.

20. Mr. President - I am directed to inform the Senate
21. the House of Representatives adopted the following joint
22. resolution in the adoption of which I am instructed to ask
23. the concurrence of the Senate, to-wit:

24. House Joint Resolution 105 and Senator Schaffer is
25. going to handle this.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President, this resolution simply urges that the
30. bypass around the City of Woodstock be named after A. B. McConnell
31. in tribute to the former Representative who served in the House
32. for twelve years. I believe it's totally noncontroversial. I'd
33. move to waive the appropriate rules and adopt it immediately.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Heard the motion. Those in favor indicate by saying
3. Aye. Those opposed Nay. The Ayes have it. The rules are
4. suspended. Senator Schaffer now moves for the resolution.
5. Those in favor indicate by saying Aye. Those opposed Nay.
6. The Ayes have it. The resolution carries.
7. SECRETARY:
8. A Message from the House by Mr. O'Brien, Clerk.
9. Mr. President - I am directed to inform the Senate
10. the House of Representatives has adopted the following joint
11. resolution in the adoption of which I am instructed to ask
12. the concurrence of the Senate, to-wit:
13. House Joint Resolution 106.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Executive. House bills first. Senator Soper.
16. SECRETARY:
17. House. House Bill 3403.
18. (Secretary reads title of bill)
19. Senator Soper is the chief sponsor of the bill.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Soper.
22. SENATOR SOPER:
23. Thank you, Mr. President. I understand that this item
24. was taken care of in another bill so I...I move to Table this.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. You've heard the motion. Those in favor indicate by
27. saying Aye. Those opposed Nay. The Ayes have it, the bill
28. is Tabled. The Senate will stand at ease. Resolutions.
29. SECRETARY:
30. Senate Resolution 491 offered by Senator Shapiro and
31. all Senators and it's congratulatory.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Consent Calendar. Do we have leave for Channel 20
34. to photograph? Leave is granted. Senate Bills, 2nd reading.

1. Senate Bills, 2nd reading. Senate Bill 1877, Senator Hynes.
2. SECRETARY:
3. Senate Bill 1877.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations
6. offers one amendment.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Carroll is recognized to explain Amendment No. 1.
9. SENATOR CARROLL:
10. Thank you, Mr. President and Ladies and Gentlemen of
11. the Senate. Amendment No. 1 to the appropriation for Lieutenant
12. Governor Hartigans portrait is to add a million some odd dollars
13. to the Court of Claims for its annual awards and the Crime Victims
14. Compensation Revolving Fund. I would move adoption of Amendment No. 1.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. You heard the motion to adopt. Is there discussion? All
17. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
18. No. 1 is adopted. Further amendments?
19. SECRETARY:
20. No further Committee Amendments.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Any amendments from the Floor?
23. SECRETARY:
24. Amendment No. 2 offered by Senator Carroll.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Carroll to explain Amendment No. 2.
27. SENATOR CARROLL:
28. Amendment No. 2...is that the Jackson Union?
29. SECRETARY:
30. Twenty...twenty-five thousand.
31. SENATOR CARROLL:
32. That's the twenty-five thousand? Amendment No. 2,
33. Senator Lemke will be interested, is a grant to the Lyric Opera.

1. The Lyric Opera is performing for the first time in history by
2. a Polish-American artist, a new opera. The world premier happens to
3. be tomorrow. They are going to take that opera to LasCala in
4. Milan in January, which is also a historical first, Guidice will
5. be interested. And we felt the City of Chicago has given them
6. a twenty-five thousand dollar grant to assist the funding of the
7. opera going over to Milan. We felt it appropriate for the State
8. to also kick in twenty-five thousand dollars to help defray
9. the costs because it is good promotional, both for the arts and
10. for the State of Illinois, and in that interest we have sought
11. to add a twenty-five thousand dollar grant to the Arts Council
12. specified for the purpose of sending this new American Opera
13. to Milan to the LasCala. And I would move adoption of Amend-
14. ment No. 2.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll has moved the adoption of Amendment No. 2.
17. Is there discussion? Senator Mitchler.

18. SENATOR MITCHLER:

19. I have a question of the sponsor of the amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Mitchler.

22. SENATOR MITCHLER:

23. Senator Carroll, this appropriation is to the Illinois
24. Arts Council which really is a supplemental appropriation to
25. them. What was the appropriation to the Illinois Arts Council
26. for the FY-'79 year.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Senator Mitchler, I don't recall the dollar figures.
31. This was not a request by the Arts Council, I might add. We
32. felt that this was an important adjunct to the State of Illinois.
33. Obviously the City of Chicago felt the same way having made such

1. a grant. The Arts Council is the conduit for us to make this
2. award to the Lyric Opera. They haven't requested it. To my
3. knowledge, until this moment, they probably don't even know
4. about it. We cannot give a grant directly to the Lyric Opera
5. so we are giving it to the Arts Council for the purpose of
6. making this grant, and it's earmarked to the Lyric Opera,
7. to defray the costs of the opera's performance at Las Cala in
8. Milan, Italy.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Mitchler. May we have some
11. order, Gentlemen.

12. SENATOR MITCHLER:

13. Well, Senator Carroll and members of the...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Excuse me, Senator Mitchler, one moment. Fine. Senator
16. Mitchler, please continue.

17. SENATOR MITCHLER:

18. Senator Carroll and members of the Senate. I think the
19. Lyric Opera, I'm not opposing their request for this grant,
20. but I think they should go through the normal channels and
21. that is to go to the Illinois Arts Council. That we have
22. made a substantial appropriation, I believe in excess of a
23. million dollars...two million dollars. One of my colleagues,
24. Senator Soper, increases, Senator Regner says three million,
25. well next year it will probably be four or five million. But
26. that is where they should submit their application and it should
27. be reviewed by this board that are very knowledgeable in...where
28. these funds should be appropriated. Because I know that they,
29. I don't have the dollar figure, I know they appropriated a
30. sizable sum for a contract to a poet to a write poetry to...
31. which was printed on placards to be put on the CTA buses so
32. that the people riding the buses, their lives could be enriched
33. with these words of wisdom from the poet. Now, if they have

1. money to spend like that in their budget, they've got money
2. in the budget that we appropriated last year for these
3. purposes and they should make an application to the Illinois
4. Arts Council. I'm not opposing the merits of the request for
5. the grant, but that's the area that they should go to, not come
6. running down here. If we do it for that Lyric Opera group
7. then everybody will be coming directly to the General Assembly
8. for their pet project and how can we turn them down. We may
9. have one for an Israelian group that wants to go, we're
10. taking care of the Polish people, they're going over to Milan.
11. We have might have the Deutsche-American Council down here
12. and let's not get involved in this, but let's let the Illinois
13. Arts Council be the determining factor and they can make an
14. application and I'm sure that in all of their generosity they'll
15. be glad to approve that request.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Ozinga.

18. SENATOR OZINGA:

19. I'd like to ask a question of the sponsor. This is all
20. part of a bill that has to do with former Lieutenant Governor
21. Hartigan, right?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Carroll.

24. SENATOR CARROLL:

25. Right.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Ozinga.

28. SENATOR OZINGA:

29. How will this affect the portrait of Senator...of Lieutenant
30. Governor Hartigan?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Well it...maybe it's poetic that the opera be in the portrait.
2. But it will not affect, to my knowledge, the painting of the Lieu-
3. tenant Governor's portrait, nor will the Court of Claims awards
4. that are in there, nor will the other things that other people
5. are going to try and offer to add to that vehicle.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Ozinga.
8. SENATOR OZINGA:
9. I can understand that the Court of Claims and things
10. like that might not affect the bill itself, but this being
11. a part of the bill and somebody that might object to this
12. could spoil the chances of having a good portrait of Lieu-
13. tenant Governor Hartigan, it might just put a frown on his
14. face instead.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Further discussion? Senator Regner.
17. SENATOR REGNER:
18. Question of Senator Carroll.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Indicates he will yield. Senator Regner.
21. SENATOR REGNER:
22. Senator Carroll, if this amendment to the Liberal Arts
23. Council goes on this bill, I'd ask you to do me a favor. I'm
24. wondering how you'd respond. Would you explain to...Lieutenant
25. Governor Hartigan when I vote No on the bill, why I voted No?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Carroll.
28. SENATOR CARROLL:
29. It would be my pleasure.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Further discussion? Senator Rhoads.
32. SENATOR RHOADS:
33. Question of the sponsor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates he will yield. Senator Rhoads.

3. SENATOR RHOADS:

4. Senator Carroll, where is the Gallery of the Portraits
5. of Lieutenant Governors?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. It's not in Milan, Italy as someone suggested over
10. here. The Gallery of the Lieutenant Governors used to
11. be in the President's Gallery right behind the Chamber
12. here. Not being on the...commission that is going to be
13. fixing up the back of our chambers in the upstairs, I'm
14. not sure where it's going to end up. But it had always
15. been in the President's Gallery right behind the Chamber.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. I thought those were portraits of Presidents of the
20. Senate.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Prior to the 1970 Constitution the Lieutenant Governor
23. was the President of the Senate, that's correct.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. There was an office known as President of the Senate
28. which did not have the same duties prior to the 1970 Constitution.
29. But in any case I...I want a roll call on this amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. There has been a request for a roll call. Is there
32. further discussion? Senator Weaver.

33. SENATOR WEAVER:

1. Question of the sponsor.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Indicates he will yield. Senator Weaver.
4. SENATOR WEAVER:
5. Senator Carroll, are there not some discretionary
6. funds in the normal appropriation to the Art Council that
7. could be used for this purpose rather than a supplemental?
8. And what...what amount are maybe discretionary?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Carroll.
11. SENATOR CARROLL:
12. Thank you, Mr. President. Senator Weaver, I don't know.
13. There are funds that they can give grants, for and to, within
14. their ordinary appropriation. I have no idea what amount is
15. in that account, as I told you they did not even request
16. this. This was felt to be something in the interest in the
17. State of Illinois that we should fund the opera and its attempts
18. to play at Las Cala in Milan, a very worthwhile endeavor and
19. that the vehicle for making this grant would be the Arts Council.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Further discussion? Senator Weaver.
22. SENATOR WEAVER:
23. My only point is, they didn't ask the Arts Council and
24. there may be monies already appropriated that would...would
25. be sufficient to serve this purpose. Is that true?
26. SENATOR CARROLL:
27. It is possible, I don't know. I don't have an answer
28. to that, their monies may be all committed, I don't know, I
29. haven't asked them.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Further...further discussion? Senator Shapiro.
32. SENATOR SHAPIRO:
33. Mr. President I just want to raise a point of order.

1. I notice several what appears to be court reporters in the
2. Gallery taking down the discussion verbatim. Has this been
3. authorized or...by the Senate President?
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. For what purpose does Senator Hynes arise?
6. SENATOR HYNES:
7. It has...it has not been authorized and we are determining
8. now what the purpose is and if...if it is to continue leave will
9. be requested.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Further discussion of Amendment No. 2? Senator Carroll
12. may close.
13. SENATOR CARROLL:
14. Thank you Mr. President, Ladies and Gentlemen of the
15. Senate. I think it important for the State of Illinois to
16. show its support of this new Polish-American Opera, Paradise
17. Lost, which the Lyric Opera is doing the world premier of
18. tomorrow. The author Penderecki. It's a first for our
19. State. There is the ability of the opera to play at Las
20. Cala. It is an...expensive endeavor, the City of Chicago
21. saw it as a worthwhile project then offered a twenty-five
22. thousand dollar grant to the opera. It is my feeling and
23. that of many other members that the...it would be a worthwhile
24. expense to the State to support not only the Lyric Opera and
25. not only Penderecki and this new opera that has...that he
26. has composed. But it would be in the State's best interest
27. in promoting the cultural aspects of our State to help fund
28. this trip in January to Milan. I would ask for a favorable
29. roll call.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. There has been a request for a roll call. Those in favor
32. will vote Aye, those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the record.

1. On that question the Ayes are 30, the Nays are 22, 1 Voting
2. Present. Amendment No. 2 to Senate Bill 1877 is adopted.
3. Further amendments?
4. SECRETARY:
5. Amendment No. 3 offered by Senator Carroll.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Carroll...may we have order please. Senator
8. Carroll explain Amendment No. 3.
9. SENATOR CARROLL:
10. The next amendment was one that a bill that had been
11. through here before, twenty-five thousand dollars to R and E
12. for the Illinois State Museum for the Koster Archaeological
13. Site in Greene County. I think we've debated this a few times.
14. Senator Demuzio has requested once again that we create the
15. Koster Archaeological Site as one of the great archaeological
16. sites in the nation and that the State provide the sum of
17. twenty-five thousand dollars to R and E to the State Museum
18. for the foundation of this site. I move adoption of Amendment
19. No. 3.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Carroll has moved adoption of Amendment No. 3.
22. Is there discussion? Before we get into that, Senator Shapiro...
23. Senator Shapiro...the Chair is reliably informed that the two
24. people taking notes are from the Brown's Career College and
25. they seek leave to practice on our proceedings. They...they're
26. shorthand students. Is there leave? Leave is granted. Senator
27. Regner.
28. SENATOR REGNER:
29. I'd just like to point out a little thing last Spring when
30. the same item came up, the Director of Registration and Education
31. indicated that she was opposed to this appropriation which was
32. in excess of budgetary matters at that time. I haven't talked
33. to her, but I would assume the Director still has the same

1. position, that is opposition to this money to her agency and
2. I would urge a No vote and like a roll call.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further discussion? Senator Berning.
5. SENATOR BERNING:
6. Well, thank you Mr. President. I didn't catch the
7. dollar figure that was mentioned for this particular amendment.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Carroll.
10. SENATOR CARROLL:
11. I'm sorry, I didn't hear the question.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Berning, would you repeat your question please.
14. Gentlemen, if we could have some order. Senator Berning.
15. SENATOR BERNING:
16. What was the dollar figure involved? I did not have
17. that.
18. SENATOR CARROLL:
19. Twenty-five thousand dollars. The same dollar figure
20. that had been in the bills in June.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Berning.
23. SENATOR BERNING:
24. Well we have twenty-five thousand here and we had twenty-
25. five thousand on the one before and there was something else,
26. this is Amendment No. 3. It appears to me, Mr. President, that
27. we are embarking on a very undesirable procedure here establishing
28. a kind of precedent that has become routine in Congress and which
29. everyone abhors. It would appear that this is not the kind of
30. procedure we ought to be engaging in. The bill itself, 1877,
31. is a laudable measure. We are making it now a very, very undesirable
32. bill as these amendments go on and I would urge a No vote for this
33. Amendment No. 3.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Further discussion of Amendment No. 3? Senator
3. Carroll moves the adoption of Amendment No. 3. All in favor
4. say Aye. There has been a request for a roll call. There
5. will be a roll call. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. The motion is
7. to adopt Amendment No. 3. There is a roll call requested.
8. Those in favor vote Aye. Those opposed vote Nay. Have
9. all voted who wish? Have all voted who wish? Take the
10. record. On that question the Ayes are 31, the Nays are 25,
11. none Voting Present. Senate...Amendment No. 3 is adopted.
12. Further amendments?
13. SECRETARY:
14. No further amendments.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. 3rd reading. During this lull, the Chair will violate
17. the records...the...the rules of the Body, to introduce the
18. forth grade class from Lindsay School with Mrs. Cathy Cuseck
19. as teacher and in the class is my nephew, Devin Bruce. Will
20. they please stand and be recognized by the Senate. For what
21. purpose does Senator Soper arise?
22. SENATOR SOPER:
23. Parliamentary inquiry. That bill is on 3rd reading now?
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Yes, it is, Senator.
26. SENATOR SOPER:
27. And...I notice that I...I believe that it'll take about
28. thirty-six votes to pass this, won't it? This bill?
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. No, Senator, it would only take thirty votes to pass it.
31. It would not be effective until July 1st of next year.
32. SENATOR SOPER:
33. I see. Okay.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. But...Senator, you're also correct. To have an immediate

3. effective date requires thirty-six. You are correct, but to

4. pass it...

5. SENATOR SOPER:

6. Yeah.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. ...to answer your technical question, it will only take

9. thirty votes to pass the bill.

10. SENATOR SOPER:

11. I know, but in the...they want it passed immediately, that

12. will take thirty-six votes, right?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Yes, Senator.

15. SENATOR SOPER:

16. And they're going to take this trip before next July 1st,

17. right?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. I think you may have seen something, Senator, yes.

20. SENATOR SOPER:

21. Now...I can see the light.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Yes. Further discussion? Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, we just adopted that twenty-five thousand dollar

26. appropriation for Greene County that...Koster diggings. I think

27. that would be a hell of a place to make that...move that Wilsonville

28. dump to, hazardous waste.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senate Bills 2nd...Senator Demuzio.

31. SENATOR DEMUZIO:

32. In response to Senator Knuppel, never.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. All right. We're on the order of Senate Bills 2nd
2. reading. Senate Bill 1878.
3. SECRETARY:
4. Senate Bill 1878.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on Appropriations I
7. offers three amendments.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Carroll to explain Amendment No. 1.
10. SENATOR CARROLL:
11. Thank you, Mr. President and Ladies and Gentlemen of
12. the Senate. This is a technical amendment to break out the
13. projects using the CDB's numbers to break them out specifically
14. within the Pontiac Correctional Facility. I would move adoption
15. of Committee Amendment No. 1.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? The motion is to adopt Amendment
18. No. 1. All in favor say Aye. Opposed Nay. The Ayes have
19. it, Amendment No. 1 is adopted. Further amendments.
20. SECRETARY:
21. Committee Amendment No. 2.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Carroll to explain Amendment No. 2.
24. SENATOR CARROLL:
25. Thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. This is a Committee Amendment to eliminate a
27. law enforcement request for a communication tower that they
28. did not explain to us in the fall they would need is an
29. additional cost. We suggested they put it in their regular
30. budget if that's what their intent for so that we would know
31. what all the future costs would be when they seek to open a
32. new facility. I would move adoption of Amendment No. 2.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to adopt Amendment No. 2. Is there
2. discussion? Senator Regner.

3. SENATOR REGNER:

4. Well, I'd just like to point out to the members, if
5. we build the facility and don't have the communication tower
6. the facility is worth nothing. And I would urge a opposition
7. to this amendment.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Grotberg, further discussion? Grotberg.

10. SENATOR GROTBORG:

11. Yes...as...as regards Amendments No. 2, Senator Carroll
12. and I have talked. There are several amendments in here
13. that...not on this one? Senator Regner is absolutely correct.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Mr. President and members of the Senate, I rise in
18. opposition to this amendment. That facility is now being
19. built and will be in use before July 1 of 1979. And without
20. a radio tower for communications, then you are deliberately
21. ham-stringing a law enforcement facility which is there
22. to protect the public. I urge we resist this amendment.
23. They certified why the radio tower is needed, why the
24. backup is there and why they have to have this type of facility
25. so they can have a backup unit on it. I urge the defeat of
26. this amendment cause it's necessary to go on with the construction
27. now so it will all be functional together.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion of Amendment No. 2? Is there a request
30. for a roll call? I...request has been made for a roll call.
31. Those in favor will vote Aye. Senator Carroll may close.

32. SENATOR CARROLL:

33. Just merely to close the debate. The point of this is

1. very simple. When they came in and asked and we had quite
2. a bit of debate about this particular facility. We apparently
3. just bought the tip of the camel, now they're coming in with
4. the rest of the Body. There was never...when we asked them
5. what were the out year costs? What were the additional costs
6. beyond what they originally requested? All of which we gave
7. them, all of the original request was given. We were told
8. there were zero additional costs. Miraculously, they come
9. in now for an emergency and say that, well we didn't tell
10. you the truth then, there are additional costs. We've said
11. fine, come in with the bill, we go back in in January, let
12. us know the full costs of this project now and in the future.
13. Our forms contain a provision what will be the out year costs.
14. They answered that question last year when they were looking
15. for the money to construct zero. What they had asked for
16. was all that they would need to have a completed facility.
17. We're asking them to hold to their statement that what they
18. asked for is all that they needed to have a complete, useable
19. facility. If they need more, when we're in in General Session,
20. we can handle it. There is no emergency between now and
21. January to require this type of action at this time. They're
22. just tacking it on to the request of the Department of Corrections
23. as a way of trying to find something that they didn't tell us
24. about before and I would urge the adoption of this amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Yes, I'd like to ask Senator Carroll a question. Question
29. being is that the...this is for two towers, one at Carmi and
30. one at Litchfield, is that correct? And if so, what do they...
31. what's the State Police Headquarters going to do with the...the
32. State Police going to do with the tower that's already erected
33. at Beaver Dam in Macoupin County in Carlinville where the police

1. station was originally scheduled to go.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Carroll.

4. SENATOR CARROLL:

5. I would assume that was the reason they didn't ask for
6. any money before. 'Cause they felt that if you're telling
7. us that they have a tower where...where it was supposed to
8. be, maybe that's why they didn't feel they needed another
9. tower when they came down and told us there was no additional
10. cost. I don't know, I'm just guessing on behalf of the
11. department cause they told us they didn't need any more money.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Demuzio, I would point out that you are speaking
14. after Senator Carroll had closed and the Chair is indulging
15. you so...Senator Demuzio.

16. SENATOR DEMUZIO:

17. Thank you, very much. I...I would make a request of
18. Senator Carroll that would take this amendment out of the
19. record, quite frankly, until we have an opportunity to find
20. out the specifics from law enforcement. I think that this
21. is a...an area where we could be spending a great deal of
22. money that we, again, that we have already...already spent
23. for a tower that's already been erected and frankly I think
24. that this whole thing needs to be scrutinized just a little
25. bit more and I would be...oh, the amendment takes the money
26. out for the tower. That is fine, thank you, no...no objections.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? The motion is to adopt Amendment No. 2.
29. Those in favor will vote Aye. Those opposed will vote Nay. The
30. voting is open. Have all voted who wish? Have all voted who
31. wish? Take the record. On that question the Ayes are 29, the
32. Nays are 25, none Voting Present. Amendment No. 2 to Senate
33. Bill 1878 is adopted. Further amendments?

1. SECRETARY:

2. Amendment No...Committee Amendment No. 3.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. ...Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and Ladies and Gentlemen of
7. the Senate. Senator Grotberg, this is the one you were
8. seeking to talk to before. What we have done here, this
9. is, in my opinion, some needed monies for Pontiac as a
10. result of the incident that happened at the Pontiac Correctional
11. Facility. The figures provided to us by the Department of
12. Corrections were some six plus million dollars, CDB then came
13. in and told us it was eight million for the same work that
14. Corrections told us was six million. It may have been an
15. error in their figures and we don't know. They did break down,
16. however, in one of their memos to us the repairs necessary
17. for Pontiac as a result of the fire, et cetera. The amount
18. of money in the second category was the amount of monies
19. needed for security, new security concepts for the institution.
20. And thirdly, seemed to be some additional projects that they
21. may or may not need now that they called just functional
22. design. We have asked them for some long range plans of what
23. they intend to do not only at Pontiac, but at Stateville and
24. the other eight institutions, the total of ten institutions
25. they now have plus any future expansion or additional institu-
26. tions that they will have so that we know whether or not these
27. functional monies might just be monies now the sewer. We have by
28. this amendment taken out these wishless type projects leaving
29. them the higher figure, the Capital Development Board figures
30. for the damage to the repairs and the security projects. We
31. had told Senator Grotberg as well as Director Rowe that if we
32. are wrong on these fuctional projects, we will, of course,
33. Table this amendment that cuts them out. If they're really

1. needed for security reasons or nonsewerage reasons where
2. we're not just throwing the money away now because we
3. don't know what the long range plans are, but if they
4. are truly needed for either the problems with the guards
5. or their problems with the inmates, then we will, of course,
6. come back and Table all or part of the amendment. But for
7. the time being until we have that information, I would move
8. adoption of Amendment No. 3.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Grotberg.

11. SENATOR GROTBORG:

12. Thank you, Mr. President, members of the Senate. ...Mr.
13. Carroll, Senator Carroll and I are agreed on this and we will
14. work overnight on it. But for your attention now while we're
15. in dialogue on Corrections, I would draw your attention to the
16. million thirty-six thousand dollar cut, which happens to include
17. five hundred and two thousand dollars for redoing the dining
18. room and adding a second dining room so that they can control
19. the crowds and the inmate population and probably the most
20. dangerous area of crowd control is within the dining room.
21. It's within that matter of discussion that we will be working
22. overnight to try to restore those things that are necessary
23. for the hundreds of employees that work in this institution
24. to feel secure enough inside to handle the tremendous population
25. that we have in that prison. So I will agree with Senator
26. Carroll, we're put the amendment on, but hopefully by tomorrow
27. we will ask you to come back and restore a significant portion
28. of it. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Graham.

31. SENATOR GRAHAM:

32. A question of Senator Carroll, please.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates he will yield. Senator Graham.

2. SENATOR GRAHAM:

3. Senator, in this proposed reduction you're putting
4. in there are you anticipating in there any curtailment of
5. the proposed towers within the...thank you.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. For purpose of the record, not at all. That's in the
10. security portion and that we are taking even the highest
11. figure, not the department's figure, but CDB's figure which
12. is about a third higher than the department's figure.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Heard the discussion. Senator Glass.

15. SENATOR GLASS:

16. Question of the sponsor, if he will yield, Mr. President.
17. All right. Senator Carroll, I...I listened with interest to the
18. dialogue between you and Senator Grotberg and I am pleased that
19. you will discuss this and restore what you consider to be
20. essential, but that Pontiac Prison being as critical as it
21. is, my question is why...why do you do this today? Why don't
22. you leave...leave the bill as it is and then tomorrow when
23. you've reached your decision come in with an amendment to a...
24. to reduce whatever needs to be reduced.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. It's simple, they did not convince us that these monies
29. were needed at all. They have security needs and they have
30. damaged repair needs. We've said, after our questions with
31. them, that there's about a two million dollar difference
32. between what they claim they need and CDB wants to give them
33. and when they break it down a different way these are wishless

1. type projects, it may not be necessary at all, and it may be just
2. throwing money away. We have said, however, we may be wrong. And
3. if they can show us logic as to why these are needed for security
4. reasons. This has nothing to do with the towers, this has nothing
5. to do with the damage done by the fire, in that case, fine, you
6. know we'll change it. But in the meantime we just felt there
7. was money that was not necessary and it's silly to waste money.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Berning.

10. SENATOR BERNING:

11. Just one question about it. Additional expenditure
12. here, as I gathered from some comments of either Senator
13. Carroll or Senator Grotberg, sizable part of the expenditure
14. proposed has to do with a separate dining room. My question
15. is simply, why not feed in shifts, why go to the expense of
16. providing separate dining rooms when that apparently wouldn't
17. be necessary.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

21. I tend to agree and that's one of the questions we're
22. asking, Senator Berning.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. If I may respond to Senator Berning's question, they feed
27. in shifts now, they feed practically all day long and they move
28. up to two thousand people in and out for meals and this will
29. alleviate the handling of those people. Until you've seen the...
30. the physical layout you...you have no idea what goes on. And
31. I would appreciate the membership...leaving some of the discussion of this
32. to those of us that do know what goes on inside and because there
33. are some experts on the Floor, I'll yield to Senator Graham.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Graham.

3. SENATOR GRAHAM:

4. I would like to remind the gentleman from Deerfield I
5. appreciate his interest. That we, over the years, have changed
6. the complete complexion of the type of individuals...could
7. we have some order, Mr. President.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. ...Senator Graham, we will try. Will the gentlemen
10. please take their conferences off the Floor. We are in
11. Session, this is an important amendment. May we have some
12. order please. Senator Graham.

13. SENATOR GRAHAM:

14. For those who do not know, over a period of twenty
15. years we have completely changed the type of individual that
16. we have in our...within our institutions. I see the Senator
17. from Joliet looking and listening very attentively and he
18. knows what I'm talking about. There was a time, before the
19. courts started trying to run our prisons that we could
20. handle the individuals that we had on hand at that time.
21. We have a more sophisticated type of...of inmate now, causing
22. us more trouble and we're trying to feed two thousand inmates
23. in Pontiac, even on shifts, in a prison in a dining room
24. that was originally constructed to take care of twelve hundred.
25. Now twelve hundred, twenty years ago, and two thousand and nine-
26. teen hundred and seventy-eight are two different things. Now,
27. I'm telling you one thing, one of the greatest chances of
28. disturbance and disorder in the prisons is in the lines that
29. are going to the dining rooms. In the dining rooms or leaving
30. the dining rooms and going back to their cell blocks. Let's
31. not tamper with this to the point that we put those guards
32. in more jeopardy than they're in up there right now. I want
33. to tell you one thing, if they walk out of there, the National

1. Guard is not going to walk in and I'm sure you guys are not
2. going up there and help us either. Let's be careful what
3. we do when we start tampering with these prisons right now.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Further discussion on Amendment No. 3? Those in
6. favor say Aye. Opposed...there's been a request for a
7. roll call. Those in favor will vote Aye. Those opposed
8. will vote Nay. The voting is open. Have all voted who wish?
9. Have all voted who wish? Take the record. On that question
10. the Ayes are 29, the Nays are 25, none Voting Present. Amend-
11. ment No. 3 to Senate Bill 1878 is adopted. Further amendments?
12. SECRETARY:
13. No further Committee Amendments.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Any amendments from the Floor?
16. SECRETARY:
17. No Floor amendments.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. 3rd reading. Senate Bill 1880. 3rd reading. Senator
20. Weaver. Senator Shapiro. On...on 1880, 2nd reading, are
21. we ready to proceed? 2nd reading.
22. SECRETARY:
23. Senate Bill 1880.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No Committee Amendments.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Any amendments from the Floor?
28. SECRETARY:
29. No Floor amendments.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. For what purpose does Senator Weaver arise?
32. SENATOR WEAVER:
33. Doesn't the Secretary have some amendments there? An

1. amendment on 1880?
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Floor Amendments?
4. SECRETARY:
5. No Floor Amendments.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. 3rd reading. Senate Bill 1882, Senator Bloom. Senator
8. Bloom. Senator Bloom on 1882. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 1882.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. The Committee on Appropriations I
13. offers two amendments.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. May we have some order please gentlemen. Senator...Senator
16. Carroll to explain Amendment No. 1.
17. SENATOR CARROLL:
18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. These are the Committee Amendments. One was to take
20. out some monies where they had requested full year funding
21. and only need the seven months funding. Additionally some
22. monies where the Feds have not allowed us to have the money
23. yet, it's silly to appropriate money we don't have. And
24. third was to break out into categorical grants some areas
25. of the Water Pollution Control Division so we know exactly
26. where the monies are going and...which grants they are
27. actually paying for. I would move adoption of Amendment No. 1.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. The motion is to adopt. Is there discussion? All
30. in favor say Aye. Opposed Nay. The Ayes have it. Amendment
31. No. 1 is adopted. Further amendments?
32. SECRETARY:
33. Committee Amendment No. 2.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of
5. the Senate. Committee Amendment No. 2 is the EPA 208 Water
6. Quality Funds for the three planning districts of this State,
7. Northeastern Illinois Planning, Greater Egypt Regional
8. Planning and Southwestern Illinois Metropolitan Regional
9. Planning. What has happened is in 208 Water Quality, the
10. State is picking up the costs and the other eighty-three
11. county planning commissions and these three, the locals
12. will pick up half the cost and the State will pick up half
13. the cost as opposed to the State picking up a hundred
14. percent of the cost in the other areas. I would move
15. adoption of Amendment No. 2.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Bloom.

18. SENATOR BLOOM:

19. I have...I have no objection. I wanted to ask Senator
20. Carroll, in one or both of these amendments, is that artistic
21. and contractual stuff still in there? It's out, good. Okay,
22. thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Berning.

25. SENATOR BERNING:

26. Yes, a question of the sponsor, please.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield, Senator Berning.

29. SENATOR BERNING:

30. On this amendment for the 208 Water Quality Program,
31. can you define a little more carefully what these funds are
32. that are being allocated to the various regional planning
33. agencies and what the funds then are to be used for? Additional

1. planning or implementation of water quality or whatever?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Yes, first if I may since I was not on the mike for
6. the purpose of the record on Senator Bloom's question, there
7. were three specific projects that dealt with lobbying efforts
8. and those were excluded in Amendment No. 1. I didn't mention
9. them specifically, I thought they were in a later amendment,
10. but they were incorporated into that first amendment. As to
11. Senator Berning, this is to meet the matching requirements
12. of the Federal Grant for the Federal Water Pollution Control
13. Act, the 208, as we call it the 208 Water Quality Act. The
14. Northeastern Illinois Planning would get a hundred and twenty-
15. five thousand, which is half of the two hundred and fifty thousand
16. that NIPC must come up to to match the Federal Grant. Greater
17. Egypt would get thirty-five thousand, which is half of the
18. seventy thousand that Greater Egypt has to come up with to
19. match the Federal Grant. SWIMPC pack would get fifty thousand,
20. which is half of the hundred thousand that SWIMPC must
21. have to match the Federal Grant. The Federal Grant being the
22. entire monies to do the quality 208 Water Quality Study including
23. the planning and...and all that's involved. The entire totality
24. of the 208 study. In the other eighty-three areas of Illinois
25. where local matching grants are also required, the State is
26. picking up one hundred percent of the local match requirements.
27. The State will be the designated agency and they are paying a
28. hundred cents on a dollar to meet the local match. In these
29. three areas, we're asking the locals to come up with half of
30. what the Feds call a local match.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Berning.

33. SENATOR BERNING:

1. If I understand correctly, then Senator, the local
2. match will come from the various municipalities, counties,
3. perhaps townships.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Carroll.
6. SENATOR BERNING:
7. What...what...
8. SENATOR CARROLL:
9. Yes.
10. SENATOR BERNING:
11. What has been the experience in other areas...if you
12. know? And as a preface, let me tell you that the municipalities
13. up in my area are adamantly opposed to the whole 208 Water
14. Quality Program as it is now structured. What do we do?
15. If we...adopt this amendment, for this appropriation, are
16. ~~we~~ we saying to these local municipalities, you are going to
17. participate and you are going to come up with your share
18. of the money whether you like it or not. Is that the end
19. result, Senator?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Carroll.
22. SENATOR CARROLL:
23. No, not at all. In fact, what is happening in other
24. than these three areas, the State is footing the bill. The
25. State is paying a hundred cents on a dollar and there's
26. actually no local input whatsoever. In these three areas
27. this says the State will put...foot only half the bill
28. and it's up to the locals to come up with the other half in
29. order to meet the Federal matching requirements. There
30. is nothing in here that mandates the locals to come up
31. with the other half. Now if they have a mechanism for
32. funding it then they have a mechanism for funding it them-
33. selves. There's nothing in here that says they must. But

1. this does not pay a hundred cents of the money, so that
2. the Federal monies will not flow automatically, then have
3. to do something to raise the other half in order to get
4. the Federal grants.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Berning, and your time Senator has gone well
7. over your five minutes.

8. SENATOR BERNING:

9. Yeah that's...that partially answers my question
10. and perhaps this is not the place to pursue it. But I
11. am disturbed over what we are doing here in providing
12. additional funding, which for all intents and purposes,
13. as I interpret it, will mandate the local communities then
14. to meet the other half of this projected numbers of dollars
15. and this would be irrespective of what the wishes of the
16. citizens and the...and the officials of the various municipal-
17. ities might be. I don't want us to force the communities
18. in my county to participate in this 208 Water Quality Program
19. until they are satisfied with the program and the proposal
20. as it is now presented to them. And up to this point, they
21. are not satisfied. Now I want to be sure that I'm not
22. mandating their actual participation or capitulation, if you
23. will, in a program that they're not satisfied with and how...how
24. can I be assured of that?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. I don't think there's anything in here that makes them
29. more or less assured than current law and their assurances
30. have always been through their own planning efforts. Now
31. as you know, Senator, since you chair the Legislative
32. Advisory Committee, we changed the NIPC structure, which
33. seems to be the one you're really talking about. We changed
34. the NIPC structure to provide that one fifth of the membership

1. are locally elected mayors. About another fifth come from
2. the various county boards, and that's your input into NIPC
3. Where NIPC gets the other hundred and twenty-five thousand
4. or where Southwestern Illinois gets its extra fifty or where
5. Greater Egypt gets its thirty-five if for them to figure out.
6. I would assume NIPC would try and get it from their local
7. areas. Which means again these five mayors are going to
8. have to convince their municipalities and the five county
9. commissioners, their county boards to come up with some
10. money to meet the 208 requirements to get Federal match.
11. What this is doing is saying that the State isn't paying
12. the full tab of what's called the Federal Local Match,
13. but it's coming up with half and it's up to the locals
14. to come up with the other half. I think your questions
15. don't relate to really this part of it at all, but it...if
16. they relate to the locals input into NIPC or whoever else
17. is going to do the work and if NIPC and SWIMPC and
18. Greater Egypt don't do it, then it seems to me the State
19. will become the funding mechanism and they'll half to pay
20. a hundred cents on a dollar and they will then have total
21. control over what will or will not happen with 208 Water
22. Quality, if the Feds will accept that.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? There's been a request by the
25. Associated Press for leave to take still photos. Is there
26. leave? Leave is granted. Senator Regner.

27. SENATOR REGNER:

28. Well, to use the same argument that Senator Carroll
29. used when we were discussing the tower facilities for
30. Law Enforcement, this item was not discussed last spring
31. and he could see no reason why it be brought up at this time.
32. And I agree and I don't think this should be brought up at
33. this time. But just as a very short explanation for those

1. who want to have it before they vote on this issue. What
2. it does, it appropriates two hundred and ten thousand
3. dollars of General Revenue Funds for NIPC, SWIMPC
4. and all the other promoters of regional government. If
5. you like regional government, vote Yes on this amendment,
6. if you don't vote No and I'd ask for a roll call.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Is there further discussion? Senator Carroll may
9. close.
10. SENATOR CARROLL:
11. Merely to remind Senator Regner, you know, if...if you're
12. saying that, then I say to you, consistency must be the
13. hobgoblin of small mines. 'Cause you voted one way on
14. one and apparently intend to vote the opposite way on this
15. one. And secondly, in the spirit of ecumenicalism since
16. Camp David I'm even willing to put in Greater Egypt. I
17. would ask for a favorable roll call.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The question is on the adoption of Amendment No. 2
20. to Senate Bill 1882. Those in favor vote Aye. Those
21. opposed vote Nay. The voting is open. Have all voted who
22. wish? Have all voted who wish? Take the record. On that
23. question the Ayes are 30, the Nays are 23, none Voting Present.
24. Amendment No. 2 is adopted. Further amendments?
25. SECRETARY:
26. No further Committee Amendments.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Any amendments from the Floor?
29. SECRETARY:
30. Amendment No. 3 offered by Senator Carroll.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Carroll to explain Amendment No. 3.
33. SENATOR CARROLL:

1. Thank you. This is a corrective amendment, Mr. President,
2. of Amendment No. 1. There was apparently a typo in there
3. and this is in furtherance of the Public Water Supply Division
4. reduction that we discussed in Amendment No. 1. I would move
5. adoption of Amendment No. 3.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? All in favor say Aye. Opposed
8. Nay. The Ayes have it. Amendment No. 3 is adopted. Further
9. Floor Amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. House Bill...Senate Bill 1883. Senator
14. Regner. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1883.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations I
19. offers two amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Gentlemen, may I have your attention please. For
22. an announcement prior to taking up this matter. The
23. present plans of the President will be to take a break
24. after we've concluded Senate Bills 2nd reading for lunch
25. and take about an hour to an hour and a half. So keep
26. that in mind as we proceed along on the amendments. Senator
27. Regner is recognized on Amendment No. 1 to Senate Bill 1883.

28. SENATOR REGNER:

29. What this amendment does, it eliminates a program that
30. shouldn't have been in the bill in the first place in the
31. total of six hundred and ten thousand, six hundred and ninety-
32. four. The project will not be funded this year and this amend-
33. ment adopts it and I urge its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? All in favor say Aye. Opposed
3. Nay. The Ayes have it. Amendment No. 1 is adopted. Further
4. amendments.

5. SECRETARY:

6. Committee Amendment No. 2.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator...Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President and Ladies and Gentlemen of
11. the Senate. Amendment No. 2 drops three of the grant requests
12. that ILEC had placed into this legislation. There's a
13. feeling in the committee that they did not in any way substantiate
14. the need of these programs which would end up having substantial
15. General Revenue costs in the future if we went ahead with them
16. now, because as with many of these grants, after they place the
17. seed money, then we have to pick up the out year costs from
18. General Revenue Funds. We felt that these mandated programs
19. on local elected officials, for example, were just not warranted
20. at this time and I would move the adoption of Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? All in favor say Aye. Opposed Nay.
23. The Ayes have it. Amendment No. 2 is adopted. Further amend-
24. ments?

25. SECRETARY:

26. No further Committee Amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Are there amendments from the Floor?

29. SECRETARY:

30. No Floor Amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. We are now ready on 1879. Senator Rupp,
33. are you ready to proceed? Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1879.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations I
5. offers one amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll to explain Amendment No. 1.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen
10. of the Senate...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. May we have some order, please. Pardon me, Senator
13. Carroll but we...will we please take our conferences off the
14. Floor? Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. Committee Amendment No. 1 is to reduce the
18. supplemental request by the Department of Labor Bureau of
19. Employment Securities to take out those...additional monies
20. that have been requested by the department for employees in an
21. area in which the Legislature has specifically prohibited them
22. from having this headcount in the Regular Session this year
23. through June 30. We left in the monies that may be necessary to
24. either pay rent or move the offices at 910 South Michigan and
25. have taken out all of the additional requests until such time
26. as they can substantiate to the satisfaction of both sides of the
27. aisle that these employees; one, should, in fact, be on and two,
28. do, in fact, do a job for the people of the State of Illinois. I
29. would move adoption of Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? All in favor say Aye. Opposed
32. Nay. The Ayes have it. Amendment No. 1 is adopted. Further
33. amendments?

1. SECRETARY:
2. No further committee amendments.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Are there amendments from the Floor?
5. SECRETARY:
6. Amendment No. 2 offered by Senator Rupp.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Rupp to explain Amendment No. 2.
9. SENATOR RUPP:
10. Thank you, Mr. Chairman. Amendment 2 adds one
11. million eighty-six thousand seven hundred and twelve dollars back
12. into the...for Unemployment Compensation to former State employees.
13. This was part of the cut that was made by the Amendment No. 1 and
14. as a result of this an analysis of the Unemployment Compensation
15. benefits paid to former State employees, it was determined they
16. had not contributed the full amount to the General Revenue Fund
17. and this supplemental request would use Federal funds to pay back
18. into the General Revenue Fund those items.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Further discussion of Amendment No. 2? Those in favor
21. say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is
22. adopted. Any further Floor amendments?
23. SECRETARY:
24. No further amendments.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. 3rd reading. Senator Graham. Senator Graham. Are we
27. ready to go on 1881? All right. 2nd reading of the bill. Senate
28. Bill 1881.
29. SECRETARY:
30. Senate Bill 1881.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. The Committee on Appropriations II
33. offers two amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Graham.

3. SENATOR GRAHAM:

4. We...we once again have returned to Livingston County in
5. our attempt to do something relative to the situation up there
6. that was precipitated and caused by the riot last July. The
7. Committee on Appropriations which I sat in yesterday had some
8. ideas and generally, they were accepted by the department as
9. being something that they could live with and a couple of the
10. amendments, of course, were something. I support very enthusi-
11. astically myself. I would like to...I'd like to say to the
12. membership that one of the big problems that we're facing and
13. somewhere along the line we're going to have to face it. In our
14. presence there's a participation of the gang members in the
15. activities of the prisons. Now we in the State of Illinois do
16. not have the same privilege that the Federals do in their Federal
17. institutions. They have the possibility of geographic transfers
18. of undesirables that contaminate their prisons and get them
19. completely away from their location to the extent that they are
20. less valuable to the...preservation of the gangs. In Illinois
21. we don't have that. I see there's items in here for a transfer
22. to Federal prisons for boarding them there. I wish the Federal
23. prison in Marion could take about twenty-five of them from Pontiac.
24. Mr. President, I can't even hear myself.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. May we have some order, please. We...Senator, we'll try.
27. We are discussing Amendment No. 1 to Senate Bill 1881. Would we...

28. SENATOR GRAHAM:

29. If we had people that weren't even supposed to be on the Floor
30. off here, it might be helpful.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Gentlemen, can we take our conferences off the Floor? Part
33. of the problem is we have several ongoing caucuses. If we could

1. take those to the back of the Chamber or...or off the Floor
2. it would be appreciated by the Chair and many of the members who
3. are trying to discuss these amendments. Senator Graham.

4. SENATOR GRAHAM:

5. So as we continue our deliberation and attempting to correct
6. this and I don't think I'm one of the big spenders where I'm
7. telling you one thing, Ladies and Gentlemen, by the desired
8. demands of the general public those people are in the Pontiac
9. Penitentiary and I think it's our desire to keep them there. It's
10. also our desire to protect them from each other, to protect the
11. guards from them and to prevent them from getting out of the
12. penitentiary before they are...legally entitled to do so. All
13. those things we have to keep in mind. We have to keep in mind
14. also that the guard forces in the State of Illinois are fairly
15. well organized, union wise and they have pretty good communications
16. with the other penitentiaries. Now if we reach a time and we
17. could, hopefully never, that these guards say we've had enough
18. we're going to walk out. If they walk out at Pontiac and I can
19. assure you in about two days they'll be out of Stateville and
20. about two days later they'll be out of Menard and we'll have
21. about eight thousand prisoners with nobody guarding them. Now
22. if we want to make our campaign speeches as to how we feel about
23. personally about the situation existing in the prisons and
24. the types of people that are in there, let us be reminded that
25. the public demanded that they be there. I'm glad that they did.
26. Some of them that's there, perhaps, should never be released. We've
27. got to find a way. We've got to find a way after we get through
28. this mess that we're in, I'm telling you in advance, we're going
29. to have to come up with a method that will let us operate the
30. prisons differently than we did twenty years ago because it isn't
31. working now. But now we're faced with a...with the possibility
32. of doing the things we need to do now or letting it go and we
33. don't want to do that and I yield to Senator Buzbee who had a

1. great amount of interest in this.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Amendment...Further discussion on Amendment No. 1. Senator

4. Buzbee.

5. SENATOR BUZBEE:

6. Mr. President, this...this is a Republican amendment which

7. we are in complete concurrence with. It simply breaks out the

8. prosecution costs for whatever we're going to do with those

9. murderers who are in Pontiac Prison who...who did the murdering of

10. ...I don't know what we're going to do with them. Put them in

11. jail, I guess, but anyhow we're going to...this is simply the

12. prosecution costs breakout and I think it's a good amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? All in favor say Aye. Opposed Nay.

15. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

16. SECRETARY:

17. Committee Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee on Amendment No. 2.

20. SENATOR BUZBEE:

21. ...Well, Mr. President, this is a Republican amendment also.

22. Senator Regner, I think, offered it...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Regner or Senator Graham on Amendment No. 2 to

25. explain the amendment. Senator Regner.

26. SENATOR REGNER:

27. There's no dollar change in the total appropriation. It

28. breaks out a million two hundred twenty-seven thousand dollars

29. into three line items of nonrecurring costs. One for replacement

30. of contractual services associated with the Pontiac Prison

31. disturbances. One hundred and fifty thousand dollars. One is

32. clothing and food replacement of commodities associated with the

33. Pontiac Prison disturbances. Six hundred and ten thousand and the

1. third change is for replacement of equipment associated with
2. the Pontiac Prison disturbances, a total of four hundred and
3. sixty-seven thousand dollars on that portion and as I said, it's
4. a million two hundred twenty-seven thousand dollar breakout
5. and I'd move its adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion on Amendment No. 2? Senator Graham.

8. SENATOR GRAHAM:

9. As...Senator Regner, in this amendment we're providing for
10. the money that will repay the cost of the materials that were lost
11. for the use of making signs, are we not? I agree.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? All in favor say Aye. Opposed Nay.

14. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

15. SECRETARY:

16. No further committee amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Any amendments from the Floor?

19. SECRETARY:

20. Amendment No. 3 offered by Senator Buzbee.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee to explain Amendment No. 3.

23. SENATOR BUZBEE:

24. Yes, thank you, Mr. President. This is a Floor amendment
25. which was discussed yesterday in the committee. Now what it
26. does, is it eliminates the transfer portions for the Department
27. of Corrections. Senator Netsch asked them and they agreed that
28. they did not need that transfer capability right now. We can do
29. that come January. As soon as we get organized the first day we're
30. in Session in January we can...we can give them the transfer that
31. they need and it was not needed as this point and so we're simply
32. deleting the...the transfer of funds within the Department of
33. Corrections with this amendment and I move its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Graham.

3. SENATOR GRAHAM:

4. Senator Buzbee, that would...your proposal to remove that
5. at this point in time would probably keep from having an inflated
6. transferability of funds that might affect them adversely next
7. Spring. Do you agree with that?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. I'm not sure that I understand your question, Senator.

12. SENATOR GRAHAM:

13. Well, if we would not adopt your amendment, then they might
14. have an inflated base, if they didn't use it. If they...

15. SENATOR BUZBEE:

16. That's...

17. SENATOR GRAHAM:

18. ...didn't need it.

19. SENATOR BUZBEE:

20. ...that's right.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee. Further discussion, Amendment No. 3? All
23. in favor say Aye. Opposed Nay. The Ayes have it. Amendment No.
24. 3 is adopted. Further Floor amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. 3rd reading. Senate Bill 1884, Senator Regner. Are we
29. ready, Senator? Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1884.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Amendments from the Floor?

3. SECRETARY:

4. Amendment No. 1 offered by Senator Nimrod.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod to explain Amendment No. 1.

7. SENATOR NIMROD:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate. This amendment provides for the three hundred positions
10. that the Child and Family Services are asking for, for a phase-in
11. of those positions rather than an automatic hiring or starting
12. at one time and the amount that it would be reduced by is five
13. hundred and eighty-nine thousand seventy-one dollars...Would ask
14. for approval of this amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion of Amendment No. 1? Senator Grotberg.

17. SENATOR GROTBERG:

18. A question of the sponsor. Senator Nimrod, these are the
19. three hundred child abuse jobs?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Yes, Senator Grotberg, this is for the three hundred jobs
24. and what it is, is for a...rather than the hiring of them on...in
25. the month of November and December as was scheduled they are
26. planning to hire these individuals, for the most part, in January.
27. And all this does is reduce by that amount of dollars for the
28. thirty and sixty day periods that they will not be hiring these
29. individuals.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Grotberg.

32. SENATOR GROTBERG:

33. Senator Nimrod, it's my only concern. I understand that

1. there are some ninety-three vacancies already in that department
2. and that by lowering the base again this much we may be preempting
3. them from fulfilling their total obligation. Is that true?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. No. This amount has nothing to do with the ninety-three
8. vacancies for which they already have funds. What this is for, is
9. this is money that's asked for on the new appropriation that was
10. to take care of the three hundred individuals to be hired in the
11. month of November and December and, in fact, they're not going
12. to hire them until January. So what this means, it that we are
13. taking the money for those three hundred individuals and in no
14. way jeopardizes the other vacancies or the money for those particular
15. positions.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? My apologies to the Chairman. I evidently
18. skipped you, Senator Buzbee, on the explanation of this amendment.
19. Senator Buzbee.

20. SENATOR BUZBEE:

21. That's all right. I'll just hit you later. Thank you, Mr.
22. President. I rise in opposition to this amendment. Now the
23. Governor has come out and said that he thought it was absolutely
24. horrible what has been going on with a lot of children in this
25. State and I concur with what the Governor said in that instance,
26. but the Governor is asking for the support of the big spending
27. Democrats, which he liked to talk about all the times during the
28. campaign about the Democrats and the Legislature and what big
29. spenders we were, completely ignoring the fact that we had cut the
30. heck out of his budget...his budgetary request this last Spring.
31. This...or three hundred new employees the department needs, they
32. have not requested them in the past because they have been instructed
33. not to request them by the Executive Branch, by the Governor's Office,

1. but now coming in after the horse is already out of the barn, so
2. to speak, the Governor now wants to do something about abused and
3. mutilated children and I think that we would be remiss if we were
4. to not allow them to have these three hundred new employees of
5. which approximately two hundred and seventy of them are direct
6. service type employees and my figures may be a little bit off,
7. and approximately forty or fifty of them will be support type
8. employees. Now to start playing games at this point, with trying
9. to phase-in and so forth, if the director can't hire them, then
10. she can let the money lapse come next June 30th, but to start
11. playing games at this point with trying to phase-in the hiring of
12. these social workers when the Governor has said and everybody is
13. very well aware of the child abuse situation in this State and the
14. Governor has said he needs these people and he's coming to the
15. big spending Democrats to ask them to once again bear his cross for
16. him. I'm willing to do so and I oppose this amendment.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Discussion? Senator Regner.

19. SENATOR REGNER:

20. Well, just to comment somewhat on what Senator Buzbee said.
21. I don't care what any Governor says to hurt my feelings whether it
22. be this Governor or past Governor, I'm down here to do what's
23. right and we've done this for the last several years in this
24. Senate and that is to phase-in employees. When a request is made
25. for new employees we know they are not going to be hired tomorrow
26. or the first of the month, it's going to take some amount of time
27. to phase them in. This amendment reduces the total appropriation
28. by some five hundred eighty-nine thousand, which was calculated
29. by the use of our staff and the staff of the Department of Children
30. and Family Services. They are in total agreement that this money
31. is not needed and it's General Revenue money and I see no reason that
32. it be appropriated and I move...and I urge the adoption of this
33. amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. (Machine cutoff) discussion of Amendment No. 1? There
3. has been a request for a roll call. Those in favor vote Aye.
4. Those opposed will vote Nay. For what purpose does Senator
5. Nimrod arise?

6. SENATOR NIMROD:

7. Yeah, just to close on the amendment, Mr. President, if I
8. may and say that this money has been suggested and approved and
9. there's no opposition from the department themselves and secondly,
10. it seems to me it does in no way, as a matter Senator Buzbee has
11. indicated, it in no way jeopardizes the position. All it says is
12. that the department intends to hire these people in January and
13. their request included November and December. So I think that
14. there's a very clearly a means of reducing an amount of money
15. that is not going to be needed in no way jeopardized the program
16. or the hiring of the personnel. I would urge an Aye vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. For what purpose does Senator Buzbee arise?

19. SENATOR BUZBEE:

20. Well I've heard twice now...the statement made and I apologize
21. for standing up after the...after the closing but I've heard twice
22. now the statement made that the department does not oppose this
23. amendment. I sat through that whole committee hearing yesterday.
24. I heard the director ask about the...the idea of this amendment and
25. at any...no time did I ever hear her indicate that she favored this.
26. So, I again, just wanted to make that point clear that...that I...
27. do not believe the department wants to have a half a million dollars
28. cut out of this...out of this supplemental appropriation and I
29. oppose the amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Nimrod.

32. SENATOR NIMROD:

33. In...closing, Mr. President, I want to say that the figures that

1. I have here I received from the department and our staff worked
2. it out for them and in no way has the department said that they
3. opposed the reduction of this money and when I specifically asked
4. the question in committee when Senator Buzbee was Chairman of
5. that committee they said they would not oppose the reduction of
6. this amount and they would work out the amendment for us.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator...Senator Nimrod has closed. The question is, on
9. the adoption of Amendment No. 1 to Senate Bill 1884. Those in
10. favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Have all
12. voted who wish? Take the record. On that question, the Ayes
13. are 19, the Nays are 37. None Voting Present. Amendment No. 1
14. to 1884 is lost. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. Senate Bill 1885, Senator Donnewald. Read the
19. bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1885.

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?

26. SECRETARY:

27. No Floor amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Well, there's no Floor amendments but the painting will be
32. in watercolors.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. No Floor amendments?

2. SENATOR DONNEWALD:

3. Be out in the rain.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. 3rd reading. Senate Bill 1888. Senators Carroll and

6. Egan. Are you ready to go? Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1888.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment No. 1 offered by Senator Weaver.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Weaver to explain Amendment No. 1.

17. SENATOR WEAVER:

18. Thank you, Mr. President...Amendment No. 1 reduces this

19. down to payout level plus two percent or three million two hundred

20. and fifty-one thousand three hundred and eighty-five dollars.

21. Anyone has any questions I'd be happy to answer them otherwise

22. I'd appreciate the adoption of this amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Carroll.

25. SENATOR CARROLL:

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

27. Senate. Just so that we all understand where we are at and the

28. Governor signed into law Public Act 80-1408. He provided for a

29. future...a future indebtedness by the State in these retirement

30. systems of some twenty-seven million dollars this year and this

31. increase from two to three percent with the State picking up

32. the entire cost of that increase and asking the employees to

33. contribute nothing additional. Twenty-seven million dollars in

1. additional liability to these systems. Senator Weaver's bill
2. consistent with past practices is to only fund the payout. Some
3. three million one hundred eighty-seven thousand six hundred and
4. thirty-three dollars. This will leave a deficit, a future deficit,
5. again, of some twenty-four million dollars this year increasing
6. each and every year as we get further and further and further in
7. debt. Now he's adding to that three million, I know, some two
8. percent of the payout. A little bit. We are still some twenty-
9. three to twenty-four million dollars short and it would be my
10. preference so that we are up front about this to place on the
11. Governor's Desk the twenty-seven million dollars he signed into
12. law and...and fund these liabilities in the level they are
13. supposed to be so that those of us who are young enough to be
14. around in the end of this century there will be some money in
15. these funds to pay the retirement benefits of those employees
16. who worked till then. I think it's silly to keep going further
17. and further and further in debt with these pension funds if we
18. are, in fact, providing it let's put the money into them each
19. and every year and I think this one is clearly the first instance
20. we have. It's a new Act signed by this Governor which creates
21. a twenty-seven million dollar liability and that's the level we should
22. fund it at.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Egan.

25. SENATOR EGAN:

26. Thank you, Mr. President. Senator Weaver, I don't know how
27. you arrived at the dollar amount. I accept the dollar amount as
28. being that which is necessary to pay out for the Fiscal Year, but
29. the most intriguing part of the amendment is the two percent over
30. payout. If we do this, we're setting a precedent that we'll never,
31. hopefully, ever reverse and if we set this precedent today it'll
32. be the establishment of the best precedent that I can remember
33. since I've been here to strengthen these systems. If all of the

1. systems follow suit and all of our appropriations next year follow
2. in line with this precedent then we will, in fact, be saved and I
3. vote Aye.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Berning.

6. SENATOR BERNING:

7. Mr. President and members of the Senate. I'm encouraged to
8. listen to the comments of Senator Carroll who is now emphasizing the
9. huge deficit that the pension systems are faced with as the result
10. of Senate Bill 1803, which was passed by this Body over the
11. vigorous objections of Senator Egan and myself. We attempted to
12. point out to this Body just how serious the impact was going to
13. be and now Senator Carroll comes forth and says now we must
14. appropriate twenty-seven million dollars so that we don't, impact
15. adversely on the systems. Well, Mr. President, I'm delighted
16. that the enlightenment has started to break through, but I say
17. to you that to do this once, to do this once would be indefensible.
18. Much more logically we should do what some of us have been attempting
19. to do for some time. Senator Egan and I have been urging that we
20. embark on a program of gradual amortization of the unfunded
21. liability of all of our pension systems. The amendment as offered
22. by Senator Weaver does establish that as a precedent and in my
23. opinion we would be making a commitment then that we should follow
24. through on all of our systems and we can offset the unfunded
25. liability without it...becoming a serious drain on available
26. General Revenue dollars at any one time. The proposal as it was
27. originally...presented and as proposed by Senator Carroll
28. establishes an adverse impact on our General Revenue dollars and
29. I would like to suggest a Yes vote on this amendment No. 1.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion of Amendment No. 1? Senator Weaver.

32. SENATOR WEAVER:

33. Just to answer a couple of questions, Mr. President. Senator

1. Carroll was half right. The twenty-seven...twenty-seven million
2. dollars is an annualized figure. Actually, this 1803 takes effect
3. January 1st so we're talking about thirteen million and five. So
4. by going with the figures and, by the way Senator Egan, we got
5. these figures from the directors of the various pension systems and
6. then just added the two percent and in the next amendment we will
7. put that into the substantive language so it will be an annual
8. payout plus two percent and I hope you'll support that amendment,
9. also. I'd appreciate the adoption of this amendment, Mr.
10. President.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion on Amendment No. 1? All in favor say
13. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
14. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. The companion bill is 1889. Senator Carroll,
19. are you ready to go on...Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1889.

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?

26. SECRETARY:

27. Amendment No. 1 offered by Senator Weaver.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Weaver to explain Amendment No. 1.

30. SENATOR WEAVER:

31. Thank you, Mr. President and I alluded to this amendment which
32. would put into the Statutes the payout plus two percent so thus
33. in preceding years we will continue to keep this practice of paying

1. in payout plus two percent, thus in time, making up the unfunded
2. accrued liabilities. If any questions, I'd be happy to answer them.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further discussion to Amendment No. 1? All in favor say Aye.
5. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
6. Further Floor amendments?
7. SECRETARY:
8. No further amendments.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. 3rd reading. Senator...Glass on the Floor? Senate Bill 1886
11. and 1887 and Senator Daley is absent. Senator Glass seeks leave
12. to handle those bills on the Order of 2nd reading. Is there leave?
13. Leave is granted. Senate Bill 11...1886, Mr. Secretary, 3rd...
14. 2nd reading.
15. SECRETARY:
16. Senate Bill 1886.
17. (Secretary) reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Are there amendments from the Floor?
21. SECRETARY:
22. No Floor amendments.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. 3rd reading. Senate Bill 1887. 2nd reading.
25. SECRETARY:
26. Senate Bill 1887.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Any amendment from the Floor?
31. SECRETARY:
32. Amendment No. 1 offered by Senator Glass.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Glass to explain Amendment No. 1.

2. SENATOR GLASS:

3. Thank you, Mr. President and Ladies and Gentlemen.

4. Amendment No. 1 is a nonsubstantive revision to the non-
5. substantive revisory bill. This is a Legislative Reference
6. Bureau bill, as I think the membership knows, that we consider
7. every year and in reviewing the bill, the Senate Enrolling...
8. Enrolling and Engrossing Office discovered a number of technical
9. errors. There were several misspellings and the purpose of this
10. bill is to make corrections in those areas and I move adoption of
11. the amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion of Amendment No. 1? All in favor say
14. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
15. Further Floor amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. 3rd reading. Senate Bill 1890, Senator Sommer. Read the
20. bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1890.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Are there amendments from the Floor?

27. SECRETARY:

28. No Floor amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. Senate Bill 1881...Senate Bill 1891. Senator
31. Shapiro. Senator Shapiro. 1891, Senator?

32. SENATOR SHAPIRO:

33. Yes, with the understanding that it will be brought back to

1. 2nd tomorrow for amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1891.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Appropriations I

8. offers one amendment.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Yes, thank you, Mr. President. For purpose of explanation,

13. there was a second amendment to be offered by us on the Floor and

14. a third amendment by Doc Shapiro on the Floor. We will hold those

15. till tomorrow to coordinate it, but the technical amendment, the

16. committee amendment we will adopt now. This...if we can. This

17. amendment changes the language. Does not affect the amounts. The

18. department had come in with a bill that referred to these sections

19. by initials only and they have to be more specifically spelled out

20. so that we know what they are talking about. This merely makes

21. the language change. I would move adoption of Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion is to adopt Amendment No. 1. Is there discussion?

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

25. No. 1 is adopted. Further amendments?

26. SECRETARY:

27. No further committee amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Any amendments from the Floor?

30. SECRETARY:

31. No Floor amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. Senate Bill 1892, Senator Berman. Read the

1. bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1892.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The Committee on Elementary and
6. Secondary Education offers two amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berman to explain Amendment No. 1.

9. SENATOR BERMAN:

10. Thank you, Mr. President. Yesterday we adopted Amendment
11. No. 1 in committee. Amendment No. 1 revised this bill...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Excuse me, Senator Berman. May we have some order, please.
14. Can we take our conferences off the Floor? Senator Berman is
15. recognized.

16. SENATOR BERMAN:

17. Amendment No. 1 adopted in committee brought this bill into
18. conformity with the recommendation of the State Board of Education
19. regarding the allocation of the thirty million dollars that we
20. appropriated in the Spring Session, which could not be spent under
21. the School Aid Formula. This is a formula bill to change the
22. School Aid Formula for the utilization of the full appropriation.
23. However, discussions have been going on regarding the utilization
24. of the full thirty million dollars. We feel that in order in this
25. limited Session of the Veto Session to put all of the money into
26. our schools throughout the State of Illinois that a better proposal
27. regarding the broad support of the entire membership of the Senate
28. and the, hopefully, of the House will result if we change the
29. formula other than the way that it came out of the committee yes-
30. terday. So accordingly I am going to move that Amendment No. 1
31. be Tabled and that will be replaced in a few moments by an offer
32. of Amendment No. 3 by Senator Davidson. So at this time, Mr.
33. President, I move to Table Amendment...Committee Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is, to Table Committee Amendment No. 1. Is
3. there discussion? Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, I just have a question of Senator Berman. Is there
6. any reason we have to spend this thirty million dollars in this
7. Session? Can't we spend that money after we come back here in
8. January and maybe do it a little more intelligently?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berman.

11. SENATOR BERMAN:

12. I think that what we will, hopefully, come out of in this
13. Session will be an intelligent use of the thirty million dollars.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Well, he didn't answer my question and that's...that's typical
18. for Mr. Berman and you know how I feel his liberalism and...and
19. there isn't any question, he's just like a drunken sailor on leave.
20. He wants to get to town and spend his money. Now there's better
21. ways to spend this money and this could be brought up and thoroughly
22. considered next year. I never saw anybody that had to get in such
23. a hell of a hurry to spend money before. This...this money will
24. still be spendable when we come back here in January. We cannot
25. fully debate this. We came in here on vetoes and I think this
26. whole...this whole consideration ought to be postponed. Now there's
27. some other things that we do have to do this Session that are a
28. hell of a lot more important and my...condescendence in those
29. things are a hell of a lot more important than this and I think
30. everybody in this Body knows what I'm talking about. I've got
31. a bill on 3rd reading and I don't want this bill here...I don't
32. want this thirty million dollars spent now. I think we can make
33. better use of the money. We don't have to wheel and deal in here and

1. anything Berman's for in schools I'm just about against.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Is there further discussion of the...of the motion to Table
4. Amendment No. 1? Senator Berning. Senators...may I have the
5. attention of the Body? The motion is to Table Committee Amendment
6. No. 1. Senator Berning. Further discussion? All in favor say
7. Aye. Opposed Nay. The Ayes have it...Committee Amendment No. 1
8. is Tabled. Further committee amendments?
9. SECRETARY:
10. Committee Amendment No. 2.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Berman is recognized on Amendment No. 2.
13. SENATOR BERMAN:
14. Committee Amendment No. 2, Mr. President, is technical
15. language submitted by the Office of Education for the payment
16. of the monies under the hold harmless clause. I move the adoption
17. of Committee Amendment No. 2.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The motion is to adopt Amendment No. 2. Is there discussion?
20. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment
21. No. 2 is adopted. Further amendments?
22. SECRETARY:
23. No further committee amendments.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Are there amendments from the Floor?
26. SECRETARY:
27. Amendment No. 3 offered by Senator Davidson.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Davidson.
30. SENATOR DAVIDSON:
31. Yes, Mr. President and members of the Senate. What Amendment
32. No. 3 does is puts the bill back to .675 on the Title waiting. It
33. raises the assessed valuation to the level so you will have a

1. thirteen hundred and ten dollar floor in the Distributive Fund.
2. This will make no other changes. I urge the adoption of this
3. amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion?

6. SENATOR DAVIDSON:

7. 1293.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berning. Berning.

10. SENATOR BERNING:

11. Yes. A question then of the sponsor of this amendment. Is
12. this amendment then a permanent part of the School Aid Formula?
13. Are we now then permanently committed to this increased level?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Yes, we are and we were committed to this from when we had...
18. what we had passed this year what we had appropriated what was
19. the monies based on attendance and attendance had been misrepresentative
20. and this is to make the formula permanent which will put the floor
21. at 1310 and I might say that's still about two hundred and some odd
22. dollars short from what the school districts are putting behind
23. each student. It's approximately fifteen hundred plus per student.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Knuppel. Senator Berning, I'm
26. sorry. Were you...had you concluded, Senator?

27. SENATOR KNUPPEL:

28. I'd like to ask Senator Davidson a question.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. He indicates he will yield.

31. SENATOR KNUPPEL:

32. Yeah. Senator, there was a lot of schools in downstate
33. Illinois that came out all right on that formula last Spring, but

1. there were a lot of schools that lost a lot of money. Now this...
2. this will do very little, is this not true for those schools that
3. actually lost money as a result of that formula last Spring?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. It will give them some help not too much because the assessed
8. valuation floor going up will aid those districts which had lost
9. some. It will not do what they would like but it will give them
10. some help.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. But is there any reason, as I asked Senator Berman, that we
15. couldn't leave this thirty million dollars there and possibly
16. come up with something that was more equitable after January 1st?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Davidson.

19. SENATOR DAVIDSON: :

20. Well, I think this is the most equitable way we can divide it
21. up for what we're offering with this amendment 'cause it leaves
22. the intent of what we...we the legislature did here last Summer and
23. raises the floor to the support level that will add 'cause the
24. present support level is 1293. This takes it to 1310. This will
25. give us an additional seventeen dollars, which will aid every
26. desperately underfinanced school district that much more and I
27. think now is the time to do it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Why is it worth any more now than it would be in the Spring
32. and still we've got a...I know I have several districts in my...in
33. my district...several school districts that were really "plumbed"

1. on this deal last Spring. They've lost as much as four and five
2. hundred thousand dollars.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Well most of those districts that lost the kind of money
7. you're talking about was due to overpayment of what had been
8. previous time and I have one of those districts...such districts
9. in my district. There was no humanly way that anything could have
10. been tinkered with to try to aid them because they had such a
11. drastic overpayment and there's no possible way that...that we
12. can...the kind of money he's talking about that district had
13. received substantial overpayment and whatever we do will not be
14. able to help them other than this will reduce the amount of over-
15. payment so that next year they will be able to participate.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well it's my understanding and I'm not an expert on schools
20. and on that committee as you are, but that if they had averaged
21. two or three years in...in determining that the...the shock would
22. not have been, you know, on...on their assessment situation. For
23. example in Havana where they lost some three hundred thousand
24. dollars that was due to the new power plant there and increased
25. ...assessed value and they got "bombed" and if they had averaged
26. it over a two year period they wouldn't have gotten hurt so
27. badly. Now I had some work done on a bill to try to correct that
28. and for about twenty-two million dollars this could be corrected
29. by averaging two years instead of just taking one, which would be
30. a heck of a lot fairer to the schools that got "bombed".

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Davidson.

33. SENATOR DAVIDSON:

1. Well, I'm sure, Senator Knuppel, that the averaging of assessed
2. valuation whether it was two or three years in most districts
3. who had banged my ear and want to talk about a three year because
4. we had the three year precedent set on the payback of what they
5. been overpaid. That's something we will address ourselves in the...
6. come January during that six months 'cause I'm sure there's going
7. to be any number of bills tinkering with the formula on the
8. assessed valuation line, particularly during the six months and
9. I think the time to talk about averaging the assessed valuation
10. is then and not in this bill. This will give some help to those
11. financial distressed districts now.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I realize what you're saying, but wouldn't we be a lot better
16. off fiscally when we started working on that...on that picture and
17. considering it in light of everything else if we had thirty
18. million dollars to work with?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. No, I don't think so because...I think every other special
23. group who wants to try to get some money out of the General Fund
24. will be in there saying, hey, there's thirty million over there
25. let's go at it and this way, we have it involved in the education and
26. we have reached...already reached that base line of 1310. We'll
27. at least be committed to that for the next year and whatever else is
28. proposed in the budget for additional School Aid Formula money.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hickey.

31. SENATOR HICKEY:

32. Thank you, Mr. Chairman. I rise in support of the amendment
33. but I think there are a couple of things that need to be said. One

1. is that as of just an out and out Government principle trying to
2. find some way to...to distribute thirty million dollars which you've
3. suddenly found stuck under the rug is not a very good one. Simply
4. finding a surplus and suddenly say, now how on earth are we going
5. to sprinkle this around is really very bad Government, but I think
6. in the State of Illinois this is offset by the fact that we have
7. such terrible assessment procedures so that property taxes and the
8. equalization between counties...between districts is so badly done
9. that it's better to spend this money which comes from an equitable
10. kind of tax on schools than it is to put the burden back on the
11. property taxpayer and I believe that negates the...the bad thing
12. that we're doing here and makes it all come out all right. Now
13. as far as the formula goes, we talk about formulas here but we
14. really don't have a formula system. What we do is simply each
15. year try to decide who has the most clout to get the most money
16. and then we concoct something we call a formula and distribute
17. the money that way. However, Senator Knuppel, according to the
18. so-called formula that we did decide on this last Spring this way
19. of distributing this money conforms to that and makes less...less
20. of a joke out of the fact that we do have a formula. In this case,
21. we are using the formula. We're simply raising the...raising the
22. ceiling...the dollar amount in the ceiling and so I urge everyone
23. here to vote in support of this amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion of Amendment No. 3? Senator Berning.

26. SENATOR BERNING:

27. Well, I have a question of the sponsor that...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. He indicates he will yield. Senator Berning.

30. SENATOR BERNING:

31. ...involves a matter that's been of great importance to the
32. school districts in my area, namely an override of the Governor's
33. Veto of Senate Bill 1587 and 1601, the Debt Service bills. Now,

1. apparently the Governor in his wisdom decided we didn't have the
2. money to fund those Debt Service bills. This is a matter of great
3. importance in my area and my question is, similiar to Senator
4. Knuppel's, why put this money out now simply because we find it
5. rather than allocating it in areas where we had originally intended
6. money to be utilized and answer the complaints of schools such as
7. mine that the Debt Service Appropriations be increased. Is there
8. any real reason why we cannot do it that way?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Yes, Senator Berning. One, the Debt Service monies comes
13. out of the Bond Fund and two, we didn't just find this money, we
14. appropriated this amount of money in the past Summer and it was
15. based on twenty-five thousand, plus more students that turned out
16. the school districts had made an error in what the number of
17. students would be. All this bill does is let the school or let
18. the State pay to the districts that money which was already
19. appropriated by raising the Distributive Formula floor from 1293
20. to 1310 to give these financial hard pressed districts an opportunity.
21. The Debt Service money has nothing to do with this. It's paid
22. out of the Bond Fund.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Berning. Further discussion on
25. the motion to adopt Amendment No. 3? Senator Knuppel for a second
26. time.

27. SENATOR KNUPPEL:

28. Well, for once Senator Berning is right and Senator Davidson
29. is wrong. It makes a hell of a lot of difference, you know, because
30. it doesn't...what you're saying is...is one can't be another place.
31. It...if you got money it don't make a damn bit of difference
32. whether it's the left pocket or the right pocket. We could pay
33. that money out of General Revenue even if it wasn't in Capital

1. Development. Money is money. It's green which ever pocket it
2. comes out of.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion of Amendment No. 3? All in
5. favor say Aye. Opposed Nay. The Ayes have it. Amendment No.
6. 3 is adopted. Further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. For what purpose does Senator Berman arise?

11. SENATOR BERMAN: !

12. Well, Mr. President, I'd ask for leave to have Senator
13. Davidson joined as a principal cosponsor of Senate Bill 1892.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there leave? Leave is granted. Further amendments?

16. 3rd reading: Senate Bill 1893. Senators Regner and Carroll.

17. In the absence of Senator...oh, Senator Regner is on the Floor.

18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1893.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Appropriations II
23. offers one amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, this was offered by Senator Regner's...strictly a
28. technical amendment. I move its adoption.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further discussion? All in favor say Aye. Opposed
31. Nay. The Ayes have it. Amendment No. 1 is adopted. Further
32. amendments?

33. SECRETARY:

1. No further committee amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Are there amendments from the Floor?

4. SECRETARY:

5. Amendment No. 2 offered by Senator Schaffer.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Schaffer is recognized on Amendment No. 2.

8. SENATOR SCHAFFER:

9. ...Mr. President, Amendment No. 2 deletes forty-five thousand
10. four hundred and fifty-four dollars and eliminates a new program
11. that the Scholarship Commission proposes to embark on. It's a...
12. a match or it's Federal Funds for the Educational Information
13. Centers. What they propose to do, I believe they are, at least,
14. partially embarked on this course already, is to gather information
15. on all educational opportunities available in the State of Illinois,
16. to consolidate this information in some form and to establish a
17. hundred and fifty educational centers or information centers.
18. This is a wholly new program. One that duplicates the services
19. being offered in the high schools and the junior colleges and in-
20. numerable facilities throughout the State. This is just the start-
21. up money. I...I don't know what the total program is going to cost.
22. I...the only comment I recall on Senator Regner...you can correct
23. me, was somebody asked that Doctor Boyd what it would cost and I...
24. the only comment I recall was he said under a million dollars. Now,
25. I...I assume it's considerably under a million dollars. But here is
26. a brand new program, duplicating programs already provided by the
27. State, duplicating pamphlets that are prepared and sold through
28. the free enterprise system, a program that I suspect not one of
29. us has had a constituent request to establish, at least, I haven't
30. and I've talked to several others who haven't. One that is...it's
31. the old Federal...Senator Carroll would appreciate this, nose and
32. through the tent, only Senator Carroll this isn't a...a camel's
33. nose this is Godzilla's nose and I think there's no reason for us

1. to embark on this program which will eventually run out of
2. Federal Funding and leave us with an established constituency
3. and I don't know how many jobs...I might also add that the
4. Scholarship Commission has not yet successfully mastered the
5. art of giving money away and until they manage to get that
6. straight I don't think we want them in any new programs.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Buzbee.

9. SENATOR BUZBEE:

10. Well, Mr. President, I rise in opposition to this amendment.
11. The State Scholarship Commission has indicated that approval of
12. the Federal Grant for the Educational Information Centers will
13. not require any additional GRF support and that if the Federal
14. Grant is terminated additional GRF funds will not be requested
15. to replace the Federal Grant. Now, they have indicated that to
16. us orally. We do not have that in writing but I'm sure we could
17. get that in writing if we so desired. I think that most of the
18. people on this Floor know that I have had my share of problems
19. with the State Scholarship Commission in the past, but this is,
20. perhaps, a new program, but it's forty-five thousand dollars, of
21. which is the State's share and it is for an informational booklet
22. that will be compiled and will be distributed to approximately
23. one hundred and fifty centers, they call them, these centers are
24. nothing more than the high school guidance counselors office or
25. the community college guidance counselors office. The booklets
26. telling all of the various types of financial aids that are
27. available to students and the Feds have made this money available.
28. It's not a program that's going to grow like Topsy. If it...if
29. it does then Senator Schaffer, the next time I would join you in
30. the effort to...to cut the funds from the State Scholarship
31. Commission, but it's simply Government doing what it's supposed
32. to do for the people that it serves and that is making information
33. available to them so that they will be able to find out what kind

1. of financial aid is available and I rise in opposition to this
2. amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion on Amendment No. 2? All in favor say
5. Aye. Opposed Nay. There's been a request for a roll call. Those
6. in favor will vote Aye. Those opposed will vote Nay. The voting
7. is open. Have all voted who wish? Have all voted who wish? Take
8. the record. On that question, the Ayes are 21, the Nays are 35.
9. None Voting Present. Amendment No. 2 to Senate Bill 1893 is lost.
10. Further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. 3rd reading. Is there...prior to our recess, is there leave
15. to go to the Order of Resolutions? Leave is granted. Resolutions.

16. SECRETARY:

17. Senate Joint Resolution 105 offered by Senator Sangmeister
18. and Mitchler. It's congratulatory.

19. Senate Resolution 492 offered by Senator Vadalabene. It's
20. congratulatory.

21. Senate Resolution 493 offered by Senators Roe and Mitchler.
22. It's congratulatory.

23. Senate Resolution 494 offered by Senator Grotberg. It's
24. congratulatory.

25. Senate Resolution 495 offered by Senators Demuzio, Knuppel
26. and all Senators and it's a Death Resolution.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Resolutions Consent Calendar. For what purpose does Senator
29. Ozinga arise?

30. SENATOR OZINGA:

31. I suppose one would classify it as a matter of personal
32. privilege before we recess. I have cause to be placed on your
33. desks a pledge form for Cerebral Palsy Association Telethon, which

1. is coming on in both Senator Hynes and myself have been asked to
2. appear on it and attempt to garner some funds. We've been talking
3. about money for Statewide. We're talking about money now for a
4. good cause. I have placed on your desks a pledge card. I would
5. appreciate it very much if you would analyze the cause, return the
6. card to us or to my office and it will be announced, naturally, if
7. you want, put your check right with it, but if you don't, it's
8. nothing more than a pledge card that will say that you will do it.
9. We would appreciate very much you turning it back to my office and
10. it will be announced on the Telethon, which will be a national
11. Telethon on December 30th and 31st. Hope to get all of these
12. cards back as soon as possible.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further announcements? Senator Grotberg.

15. SENATOR GROTBORG:

16. A...a question of the Chair. Are we going to have motions
17. right after lunch? What...is Senator Donnewald on the Floor?
18. We have one key little bill that needs to be dusted off and it's
19. his bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator, I'm sure we will get to all the matters that can
22. be properly considered by the Senate right after lunch.

23. SENATOR GROTBORG:

24. Thank you, Mr. President.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Thank you, Mr. President and members of the Senate. On the
29. Order of announcements the Illinois Energy Resources Commission
30. is sponsoring a tour of the General Electric facilities at Morris.
31. This facility was originally constructed by General Electric
32. Company to recover high level nuclear waste. It never actually
33. went into operation to recover this high nuclear waste material and

1. it is now the General Electric Spent Nuclear Fuel Storage
2. Facilities. Many of you in your constituencies contact and
3. in talking to people and through the news media have heard about
4. this facility. Now this is your opportunity as a Legislator to
5. be guests starting out at the Drake's Farm Restaurant on Route 6
6. east of Morris, Illinois at twelve noon on December 7th. Now
7. that's a change from the original date of December 6th. It's
8. December 7th and then you will have a tour of the General
9. Electric Spent Nuclear Fuel Storage Facilities. If you want to
10. see this high level radioactive nuclear material as it is stored
11. so that when you hear about it and you'll get reports and on it
12. you can speak from firsthand experience as having it to all
13. questions will be answered. Gene Boyland of Naperville is the
14. head of this facility and I assure you that it will be very worth
15. a noon lunch and an afternoon tour of the facility. If you have
16. any questions, I'll be glad to answer them personally. Thank you.
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further announcements? Senator Hynes moves the Senate stand
19. in recess until the hour of one-thirty. Discussion of the motion
20. to recess? All in favor say Aye. Opposed Nay. The...Ayes have
21. it. The Senate stands in recess until the hour of one-thirty.

22. (END OF REEL)
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of one thirty having arrived, the Senate
3. will come to order. Leave to go to the Order of Specific
4. Recommendations for Change, on the Calendar, page eight?
5. Leave is granted. On the...on that Order of Business, is found
6. Senate Bill 1472, Senator Vadalabene. Mr. Secretary, please
7. read the motion.

8. SECRETARY:

9. I move to accept the Specific Recommendations of the
10. Governor as to Senate Bill 1472 in the manner and form as
11. follows. Signed, Senator Sam Vadalabene.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Vadalabene is recognized on the motion to accept
14. the Specific Recommendations for Change. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President and members of the Senate.
17. In regard to the Governor's action on the Amendatory Veto
18. in Senate Bill 1472, rather than have five of the commissioners
19. chosen by civic, fraternal or cultural or religious organizations,
20. the five commissioners would be appointed from the above
21. organizations by the commission president with the Executive
22. Committee concurrence. However, the rationale of the Governor
23. according to the Illinois Supreme Court has held that the power
24. to appoint a person to an office created by the Constitution or
25. by law, is an attribute of sovereignty and cannot be conferred
26. upon a private person or organization. The Amendatory Veto
27. provides that the five additional commission members added
28. through Senate Bill 1472, shall be chosen by the commission
29. president with Executive Committee concurrence. The president
30. is chosen by the Executive Committee, which is composed of
31. twenty-six members elected from the commission membership.
32. This is the same method that is used to choose the members of the
33. Southwestern Illinois Council on Economic Development created
by Senate Bill 1472. I've checked with John Linch, Counsel to the

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1. Governor and the Amendatory Veto does provide the commission
2. with adequate legislation to be eligible for economic development
3. district funds. So, Mr. President and members of the Senate, I
4. move to accept the Specific Recommendations of the Governor
5. as to Senate Bill 1472.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt the Specific Recommendations of the
8. Governor. Is there further discussion? The question is shall the
9. Senate accept the Specific Recommendations of the Governor as to
10. Senate Bill 1472 in the manner and form just stated by Senator
11. Vadalabene. Those in favor vote Aye. Those opposed vote Nay.
12. The voting is open. Have all...have all voted who wish?
13. Have all voted who wish? Take the record. On that question the
14. Ayes are 47, the Nays are none, none Voting Present.

15. The Specific Recommendations of the Governor as to Senate Bill
16. 1472 having received the required majority votes of Senators
17. elected are declared accepted and the bill having received the
18. affirmative votes of three-fifths of the members elected is
19. effective immediately upon its becoming a law.

20. Senate Bill 255. Senator Netsch, are you ready to proceed?
21. Read the motion, Mr. Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the
24. Governor as to Senate Bill 255 in the manner and form as
25. follows. Signed, Senator Richard Daley.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there leave to have Senator Netsch handle the motion
28. in Senator Daley's absence? Leave is granted.
29. Senator Netsch is recognized on the motion to adopt Specific
30. Recommendations of the Governor.

31. SENATOR NETSCH:

32. Thank you. I am a joint sponsor of the bill, so I think it
33. is appropriate. The bill changes the...or the Governor's
proposal changes the effective date. Senate Bill 255 was one of the

1. package of four bills that made major revisions to the Mental
2. Health Code. The particular one in question, Senate Bill 255,
3. deals with the issue of confidentiality. We made a January
4. 1, 1979 effective date on all of the other bills. This one did
5. not contain that provision and therefore, would not have become
6. effective until September, 1979. By using the Amendatory
7. veto with our concurrence, the Governor has made a consistent
8. effective date throughtout. I would move that we accept the
9. Governor's Specific Recommendations for Change with respect to
10. Senate Bill 255.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion of the motion? Further
13. discussion of the motion? The question is shall the Senate
14. accept the Specific Recommendations of the Governor
15. as to Senate Bill 255 in the manner and form just stated by
16. Senator Netsch. Those in favor vote Aye. Those opposed 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, none Voting Present. The Specific
20. Recommendations of the Govenror as to Senate Bill 255 having
21. received the required constitutional majority...having received
22. the required majority vote of those elected, is declared
23. accepted and the bill having received the affirmative votes
24. of three-fifths of the members elected, is effective on January
25. the 1st, 1979. Senator Davidson, are you prepared on
26. 1617? Senator Berman. Senator Berman. Are you ready on Senate
27. Bill 388? Is there leave for both the Associated Press, and the
28. United Press International to take still photographs?
29. Leave is granted. Senator Hynes on 1790. Is there leave to go to
30. the Order of...of Concurrences for a...for a motion? Leave is
31. granted. Yes. Senate Bill...on page six of your Calendar.
32. is found Senate Bill 1475. On the Order of Concurrences.
33. Senator Sangmeister is recognized for the purpose of a motion.

1. SENATOR SANGMEISTER:

2. Mr. President and members of the Senate. Senate Bill 1475
3. has come back from the...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. May we have some order, please?

6. SENATOR SANGMEISTER:

7. ...has come back from the House with a number of House
8. amendments on it, 1, 2, 4, and 5, and they were put on by
9. Representative Skinner over in the House and no one seems to
10. want to accept those over here so, in spite of the fact that
11. it is on the Calendar under Concurrence, my motion is to
12. nonconcur in House Amendments number 1, 2, 4, and 5.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to nonconcur. For what purpose does Senator
15. Hynes arise? Senator Hynes.

16. SENATOR HYNES:

17. Mr. President, we have...we have adopted a procedure thus
18. far in this Session that any substantive bill that's going to be
19. ...that is going to be acted upon, any bill, for that matter,
20. is going to require a suspension of the rules for the purpose of
21. considering that bill and I think that if Senator Sangmeister could
22. just take this out of the record, we could go back to it shortly
23. because this is the first...well, I'm sorry. You did mention this
24. the other day, didn't you? If you could do that so that
25. we can avoid having motions with respect to the bills in committees,
26. if we start that, I think the floodgates will open.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Sangmeister requests that it be taken from the
29. record. Leave is granted. WCIA television requests permission to
30. film. Is there leave? Leave is granted. Is any Senator
31. ready to proceed on either item vetoes, item reductions or
32. item vetoes and reductions? The following Senators have
33. filed motions which will expire tomorrow unless action is taken,
to override the veto, Senators Maragos, Demuzio, and D'Arco.

1. Item...override an item veto, Senators Johns, Guidice,
2. Davidson, Berman, Bloom and Maragos. To restore reductions,
3. Senators Donnewald on two bills, Senator Davidson on two
4. bills, and Senators Berman and Carroll. To accept the
5. specific recommendations for change, we have two remaining,
6. Senators Davidson and Berman and Senator Hynes on Senate
7. Bill 1790. The Constitutional deadline is tomorrow on the
8. ...on action on all those motions. Does any Senator just
9. named wish to call any of the motions? For what purpose
10. does Senator Donnewald arise?

11. SENATOR DONNEWALD:

12. Well, Mr. President, I...I would, at this time, have leave
13. to go to the Order of...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Item Reductions.

16. SENATOR DONNEWALD:

17. ...Item Reductions, Senate Bill 1531.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there leave to go to that Order of Business?

20. Leave is granted. On the Order of Item Reductions, page eight
21. of your Calendar, Senate Bill 1531. Read the motion,
22. Mr. Secretary.

23. SECRETARY:

24. I move that the item on page eleven, lines twenty-two
25. through twenty-six of Senate Bill 1531 be restored, the
26. item reduction of the Governor to the contrary notwithstanding.
27. Signed, Senator Donnewald.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Donnewald is recognized.

30. SENATOR DONNEWALD:

31. Yes, Mr. President and members of the Senate. Section
32. 1.10 of Senate Bill 1531 of the Secretary of State's
33. appropriation bill for the FY '79 was reduced by gubernatorial
action and that resulted in two different parts of the bill. The

1. sixteen million fifty-four thousand hundred and twenty
2. for area for capital grants and the equalization aid grants
3. and per capita grants to local public libraries was
4. reduced to ten million two hundred and twenty thousand
5. four hundred and eight dollars. And the second portion of that
6. reduction veto by the Governor was seven hundred and seventy-
7. five thousand for research and reference facilities
8. and was reduced to seven hundred and sixty thousand nine
9. hundred dollars. And of course, we, by Statute, agreed several
10. years back to fully fund the particular library grants and
11. therefore, Mr...Mr. President, I move that item...the item on
12. page eleven, lines twenty-two through twenty-six of Senate
13. Bill 1531 be restored, the item reduction of the Governor to the
14. contrary notwithstanding.

15. PRESIDING OFFICER: (SENATOR BRUCE) ;

16. The motion is to restore...is there discussion of the
17. motion? Senator Weaver.

18. SENATOR WEAVER:

19. Well, Senator Donnewald, let me ask if my figures here are
20. correct. Does this represent a sixty-seven percent increase
21. in General Revenue funds?

22. SENATOR DONNEWALD:

23. ...Senator. I couldn't quite hear you.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. May we have some order, please. Senator Weaver is
26. recognized.

27. SENATOR WEAVER:

28. I just asked, Senator Donnewald, if this restoration
29. will mean that there will be a sixty-seven percent increase
30. in General Revenue Funds for these grants?

31. SENATOR DONNEWALD;

32. Well, that...that percentage...I'm not sure of what the
33. percentage is, Senator, but we've neglected these people for

1. two straight years and I feel that we are obligated...
2. legally obligated to fully fund that particular portion of the
3. Secretary of State's appropriation bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Well, even with the reduction, it appears that this
8. grant item was increased by six and a half percent even
9. considering the...the reduction and...feel we've got
10. five million dollars in General Revenue money to...to spend,
11. well, that's...that's one thing and I...I think that we have
12. made a decent effort to increase our grants to the libraries
13. and I...I know all the local libraries and...need the money,
14. but it represents five million dollars or a sixty-seven
15. percent increase over last year's funding.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Donnewald, do you wish...
18. Senator Donnewald.

19. SENATOR DONNEWALD;

20. I...in closing I would only request a favorable roll call
21. for an obligation that we have to the various libraries throughout
22. the State.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right. The question is shall the item on page eleven,
25. line...lines twenty-two through twenty-six of Senate Bill
26. 1531 be restored, the item reduction of the Governor to the
27. contrary notwithstanding. Those in favor vote Aye. Those
28. opposed vote Nay. The voting is open. Have all voted who wish?
29. Have all voted who wish? Take the record. On that question the
30. Ayes are 32, the Nays are 22, none Voting Present.
31. The item on page eleven, lines twenty-two through twenty-
32. six of Senate Bill 1531 having received the required majority
33. vote of the Senators elected, is declared restored, the item

1. reduction of the Governor to the contrary notwithstanding.

2. For what purpose does Senator Glass arise?

3. SENATOR GLASS:

4. To request a verification of the Aye votes, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. There's been a request for a verification. Will the members
7. please be in their seats. The Secretary will call those who
8. voted in the affirmative. Will the members please be in their
9. seats.

10. SECRETARY:

11. The following voted in the affirmative: Berman, Bruce,
12. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Demuzio,
13. Donnewald, Egan, Guidice, Kenneth Hall, Hickey, Johns,
14. Joyce, Ziomek, Lane, Lemke, Maragos, Merlo, Netsch, Newhouse,
15. Rock, Rupp, Sangmeister, Sayickas, Smith, Vadalabene,
16. Washington, Wooten, Mr. President,

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Glass, do you question the presence of any
19. member?

20. SENATOR GLASS:

21. Senator Lane.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is Senator Lane on the Floor? Is Senator Lane on the
24. Floor? Strike his name, Mr. Secretary.

25. SENATOR GLASS:

26. Senator Daley.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is Senator Daley on the Floor?

29. SENATOR GLASS:

30. All right. Senator Demuzio.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Demuzio is at Senator Berman's desk.

33. For what purpose does Senator Rock arise?

33. SENATOR GLASS:

1. Senator Netsch.

2. SENATOR ROCK:

3. Point of order, Mr. President. Might...might we ask that the
4. Floor be cleared of those who are not authorized to be on the
5. Floor? It appears that we have a number of people requesting
6. a verification or attempting to certify a verification who are,
7. in fact, not elected members and I resent it.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Can we clear the members...clear the Floor of those not
10. entitled to the Floor. Senator Glass, do you question the
11. presence of any other member? On a verified roll call, the
12. Ayes are 31, the Nays are 22, none Voting Present. And the
13. items having received the required majority vote of Senators
14. elected, are declared restored, the item reduction of the
15. Governor to the contrary notwithstanding. For what purpose
16. does Senator Knuppel arise?

17. SENATOR KNUPPEL:

18. I was called from the Floor by a long distance
19. call from my daughter in Oregon and if I had been on the Floor,
20. I would want to be recorded voting Yes.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The record will so show.

23. SECRETARY:

24. I move that the item on page eleven, lines twenty-seven
25. through twenty-nine of Senate Bill 1531 be restored, the item
26. reduction of the Governor to the contrary notwithstanding.
27. Signed, Senator James Donnewald.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Donnewald is recognized.

30. SENATOR DONNEWALD:

31. Yes, this is the second portion that I explained in the
32. original action and I do, Mr. President, move that the
33. veto of the...amendatory veto of the Governor notwithstanding

1. be overridden.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is it not a restoration? The motion is...

4. SENATOR DONNEWALD:

5. To...to restore.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. ...to restore the item reduction of the Governor.

8. Is there discussion of the motion? The question is shall the

9. item on page eleven, lines twenty...through twenty-nine of

10. Senate Bill 1531 be restored the item reduction of the Governor

11. to the contrary notwithstanding. Those in favor vote Aye.

12. Those opposed vote Nay. The voting is open. Have all voted

13. who wish? Have all voted who wish? Take the record. On that

14. question the Ayes are 33, the Nays are 22, none Voting Present.

15. The item on page eleven, lines twenty-seven through twenty-

16. nine of...of Senate Bill 1531 having received the required

17. majority vote of Senators elected is declared restored,

18. the item reduction of the Governor to the contrary notwithstanding.

19. Senator Philip on the Floor? On that Order of Business on

20. restoration of reductions, Senator Davidson, are you ready to go on

21. 1587? Yes. You filed a motion on...on Senate Bill 1587.

22. The Secretary will read the motion.

23. SENATOR DAVIDSON:

24. This is the one on page eight, line five?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. That is correct, Senator. The Secretary will read the

27. motion.

28. SECRETARY:

29. I move that the item on page eight, line five of Senate Bill

30. 1587 be restored, the item reduction of the Governor to the

31. contrary notwithstanding. Signed, Senator John Davidson.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Davidson is recognized.

1. SENATOR DAVIDSON:

2. Yes, Mr. President and members of the Senate. This
3. will restore seven hundred and forty thousand dollars to the...
4. planning the State Office Building in Chicago. The reduction
5. was made because the bill that increased above the bonding
6. authorization which had not passed...but with the passage of
7. Senate Bill 1880 this is now able to do this. The Governor
8. requests this override.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? Further discussion of the
11. motion? The question is shall the item on page eight,
12. line five of Senate Bill 1587 be restored, the item reduction
13. of the Governor to the contrary notwithstanding. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Take the
16. record. On that question the Ayes are 36, the Nays are 9,
17. 1 Voting Present. The item on page eight, line 5 of
18. Senate Bill 1587 having received the required majority
19. vote of Senators elected is declared restored, the item reduction
20. of the Governor to the contrary notwithstanding. Senator
21. Davidson, are you ready on 1601? Oh, on the same...

22. SECRETARY:

23. I move that...that the item on page fifty, lines three
24. through ten of Senate Bill 1587 Do Pass, the item veto of the
25. Governor to the contrary notwithstanding.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Davidson is recognized.

28. SENATOR DAVIDSON:

29. Mr. President, this is debt service money restoring...which the
30. Governor vetoed...which would...amounts to two million and a half
31. for debt service to the school districts. This is something
32. which we were committed to when we put the debt service in in 17...
33. in 1973 and I think this is a commitment we have to the local
school districts on the construction that went ahead and tried

1. to solve their problems and I ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Gentlemen, we...this motion is under the item of...item
4. vetoes. Is there leave to go to that Order of Business?
5. Leave is granted. All right. And this is an item veto
6. as opposed to a reduction. Senator Knuppel is recognized.

7. SENATOR KNUPPEL:

8. Well, how does the Governor feel about this one, Senator
9. Davidson?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. The Governor opposes it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Further discussion? Senator Bloom.

16. SENATOR BLOOM:

17. Yeah, Mr. President, could we then go to 1601 after we
18. deal with this because that's the second half of this particular
19. item veto. Might as well clear it up all together.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Leave to follow that procedure? Leave is granted.
22. Further discussion of the motion to override the item veto?
23. The question is shall the item on page five, lines three through
24. ten, three through ten of Senate Bill 1587 pass, the item veto
25. of the Governor to the contrary notwithstanding. Those in
26. favor vote Aye. Those...Senator, there is some discussion of
27. whether that is on page fifty, which is the filed motion, or on
28. page five which you stated in your comments. Senator Davidson.
29. SENATOR DAVIDSON:

30. It is page fifty. The...there's a typographical error
31. that the zero was left off. It's page fifty.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is accurate and it has been changed upon its
face to reflect page fifty and therefore, the question is shall the

1. item on page fifty, lines three through ten of Senate Bill
2. 1587 pass, the item veto of the Governor to the contrary
3. notwithstanding. Those in favor vote Aye. Those opposed
4. Nay. The voting is open. Thirty-six votes will be required
5. for passage. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question the Ayes are 41, the Nays are
7. 8, none Voting Present. The item on page fifty, lines three
8. through ten of Senate Bill 1587 having received the required
9. three-fifths vote is declared passed, the item veto of the
10. Governor to the contrary notwithstanding. Is there leave to go to
11. the Order of Senate Bill...leave has already been sought by
12. Senator Bloom to go to Senate Bill 1601. Read the motion,
13. Mr. Secretary.

14. SECRETARY:

15. I move that the item on page twenty-nine, lines fourteen
16. through eighteen of Senate Bill 1601 Do Pass, the item veto
17. of the Governor to the contrary notwithstanding. Signed,
18. Senator Bloom.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Bloom is recognized.

21. SENATOR BLOOM:

22. Thank you. This restores the rest of the money for debt
23. service grants. As you know, the Capital Development Board Act
24. states, "whenever grants for debt service are used for principal
25. and interest payments required to be made on outstanding
26. bonds, proper reduction of taxes levied for the purposes of
27. making payments on those bonds shall be done by the county clerk."
28. This was the whole purpose behind this legislative program.
29. The Bureau of the Budget decided they didn't want to
30. fund it. They never communicated or adequately explained
31. it to either Appropriation Committee or the Education
32. Committee and I'd answer questions and urge a favorable vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion of the motion to override the item
2. veto of the Governor? For what...for what purpose does
3. Senator Carroll arise?

4. SENATOR CARROLL:

5. Sponsor will yield. Senator Bloom, just...I didn't
6. follow what line and...and how much money is involved.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Bloom.

9. SENATOR BLOOM:

10. I think it's fourteen to eighteen and it is 21.9.
11. Right.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Gentlemen, one moment, please. Let...the...the motion...

14. SENATOR BLOOM:

15. Well...clear it up for you.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion that is under discussion is located on page
18. twenty-nine, lines fourteen through eighteen and the motion
19. is to override the Governor's item veto of that particular
20. item. Further discussion, Senator Carroll?

21. SENATOR CARROLL:

22. I was just questioning how much was item veto, 21.9
23. million dollars? Okay.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President. A question of the sponsor
28. if he will yield.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Indicates that he will yield. Senator Glass.

31. SENATOR GLASS:

32. Senator Bloom, I've made an attempt to investigate the
33. reason for this veto and as I understand it, the Bureau of the Budget

1. takes the position that this 21.9 million dollars should be
2. transferred to the School Construction Fund which they
3. consider to be a more appropriate place for the money.
4. They're trying to persuade the...the State Board of Education
5. to agree with that and I wonder if you could comment on that.
6. That...that is...apparently the position of the Bureau of the
7. Budget and it seems to me it may be sound.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Bloom.

10. SENATOR BLOOM:

11. (A), they're a little, (B), I am unaware of any pending
12. bill to effectuate that. I...I think they just don't like the
13. idea of debt service grants. And members of that organization
14. have said that. If they don't like it, then they ought to have
15. ...seek legislation repealing it. This, as you know, abates
16. our personal property tax to the degree that these debt service
17. grants go to pay off principal and interest. You do under-
18. stand that, right?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Glass.

21. SENATOR GLASS:

22. Well, I...I understand that if these grants...if this is
23. overridden, it will abate local property taxes, but I think it's
24. the same problem that we dealt with last spring that it's a
25. question of whether the State is going to pay for these
26. ...for this construction or whether local taxpayers are. It
27. doesn't mean there is going to be any tax relief by...by overriding
28. the Governor on this...on this bill. Now, the...the Illinois
29. Office of Education and the Bureau of the Budget have issued
30. a report that debt service grants represent an unjustifiable
31. use of State funds and I think it's a question of whether we're
32. going to continue this one more time or not and I would,
33. therefore, urge support of the Governor on this matter and

1. a defeat of...of the motion.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Bloom may close. Senator
4. Berning.

5. SENATOR BERNING:

6. Well, Mr. President and members of the Senate. I think
7. there is real basis for some question as to the necessity of
8. these...this appropriation and these dollars. I have in my hand
9. a memo from Bob Lanninger, Assistant Superintendent of the
10. State Board of Education on the subject of debt service
11. grants. He indicated and he's quoting the Comptroller's
12. Office that there is a cash balance in the school construction
13. fund as of October 31st of 38.2 million dollars. I've asked
14. the Comptroller's Office to give me an accounting of those
15. 38.2 million dollars, what the genesis of them is since
16. according to the original one hundred million dollar bond issue
17. of which seventy-six million was sold, only fifty-eight million
18. having been spent, there should have been a balance of
19. 17.6 million in that fund. There would apparently be something
20. in the excess of twenty million dollars there that's not
21. accounted for and until we have an answer to that, it seems to me
22. unwise to summarily appropriate additional money
23. here for debt service which may not be necessary.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Bloom may close.

26. SENATOR BLOOM:

27. Briefly. The points Senator Glass made are well taken,
28. but this ain't the vehicle to start discussing mandated
29. programs in basically. This will relieve your local property
30. taxes, including in...in districts...well, I won't recite
31. them...twenty-seven, twenty-eight all the way...all over down-
32. state. It...necessary so the program...I don't...I urge a
33. favorable vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall the item on page twenty-nine,
3. lines fourteen through eighteen of Senate Bill 1601 pass,
4. the item veto of the Governor to the contrary notwithstanding.
5. Those in favor vote Aye. Those opposed vote Nay. The
6. voting is open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question, the Ayes are 41, the Nays
8. are 14, none Voting Present. The item on page twenty-nine,
9. lines fourteen through eighteen of Senate Bill 1601 having
10. received the required three-fifths vote, is declared passed,
11. the item veto of the Governor to the contrary notwithstanding.

12. SECRETARY:

13. I move that the item on page seventeen, lines twelve and
14. thirteen of Senate Bill 1601 Do Pass, the item veto of the
15. Governor to the contrary notwithstanding. Signed, Senator
16. Arthur Berman.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Take that motion out of the record. We have four motions
19. filed on 1601. Mr. Secretary, what is the...Senator...file...

20. SECRETARY:

21. The...the next two are restorations.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. By whom?

24. SECRETARY:

25. Senator Carroll and Berman and Senator Davidson.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator...Senator Berman, did you wish to call the item...
28. the override of the item veto? Senator Berman is recognized.
29. For what purpose does Senator Carroll arise? We have two item
30. restorations...

31. SENATOR CARROLL:

32. The restoration one I'm ready on.

33. PRESIDING OFFICER: (SENATOR BRUCE)

We have...and then Senator Berman has an item veto override.

1. SENATOR CARROLL:

2. ...Yeah.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll is recognized. Which motion, Senator, do you
5. wish to call first?

6. SENATOR CARROLL:

7. That's the restoration.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. We have two, Senator.

10. SECRETARY:

11. I...I...

12. SENATOR CARROLL:

13. Page twenty-nine...

14. SECRETARY:

15. I move that the item on page twenty-nine, line
16. twelve of Senate Bill 1601 be restored the item reduction of the
17. Governor to the contrary notwithstanding. Signed, Senator
18. Howard Carroll and Arthur Berman.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll is recognized.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. This was an original appropriation of fifteen million
24. dollars that had been borrowed from the Chicago school
25. construction some two years ago to be loaned to downstate school
26. construction. It was the understanding of the Senate at that
27. time confirmed during the last Session this past spring, that
28. those monies would be returned to the Chicago school district.
29. The Governor's veto was because an authorization bill had
30. not passed and he reduced it down to what was still within the
31. authorization levels...two million dollars with the
32. understanding that we restore the thirteen million and then pass
33. an authorization bill this...during this fall Session. I think

1. we've...there was a hundred million to be available for
2. Chicago schools, that's why they had borrowed the money
3. initially from that category. This is to replace that
4. money and when we pass the authorization bill, then there will
5. be sufficient bond authorization to cover the appropriation.
6. I would, therefore, move that the item so designated
7. on page twenty-nine, line twelve be restored, the reduction
8. veto of the Governor to the contrary notwithstanding.
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion of the motion? The question is
11. shall the item on...the question is shall the item on page
12. twenty-nine, line twelve of Senate Bill 1601 pass, the
13. item veto of the Governor to the contrary notwithstanding.
14. Those in favor vote Aye. Those opposed vote Nay. The voting
15. is open. The motion is shall the question on...the question is
16. shall the item on page twenty-nine, line twelve of Senate
17. Bill 1601 be restored, the item reduction of the Governor
18. to the contrary notwithstanding. Those in favor vote Aye.
19. Those opposed vote Nay. Have all voted who wish? Take the
20. record. On that question the Ayes are 38, the Nays are 16,
21. none Voting Present. The item on page twenty-nine, line
22. twelve of Senate Bill 1601 having received the required
23. majority vote of Senators elected is declared restored, the
24. item reduction of the Governor to the contrary notwithstanding.

25. SECRETARY:

26. I move that the item on page eleven, line ten of
27. Senate Bill 1601 be restored, the item reduction of the Governor
28. to the contrary notwithstanding. Signed, Senator John
29. Davidson.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Davidson is recognized.

32. SENATOR DAVIDSON:

33. Was this page twenty, line ten? Mr. President and members
of the Senate. This would restore four million six hundred thousand

1. dollars which the Governor vetoed 'cause the authorization
2. bill had not passed that time and was reduced so that the
3. revenue building land could be bought and start the procedure.
4. This additional money will allow for the site improvement
5. and the plan design and this is the request of the override
6. by the Governor's Office with the authorization bill
7. 1880 passing. Appreciate a favorable vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion of the motion to restore? Senator
10. Grotberg is recognized.

11. SENATOR GROTBORG:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates that he will yield. Senator Grotberg.

15. SENATOR GROTBORG:

16. In the veto message I have, line twenty is not mentioned in
17. this bill. I just wondered if you're technically correct?

18. SENATOR DAVIDSON:

19. It's page ten, line...I mean, page twenty, line ten was...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Grotberg.

22. SENATOR GROTBORG:

23. It's just missing from the veto message that I have.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Grotberg.

26. SENATOR GROTBORG:

27. Yes, it's under reduction rather than...than item veto.

28. I'm sorry.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion of the motion? Senator Knuppel. Senator Buzbee.

31. SENATOR BUZBEE:

32. A question of the sponsor, Mr. President. Is...is it my
33. understanding that the Governor wants us to override his veto?

1. Is that correct, Senator?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. That's correct with the passage of the authorization bill.

6. SENATOR BUZBEE:

7. Well, I don't want to burden the Governor's Office anymore
8. with any additional expenditures and I think we ought to vote
9. No because if the Governor wanted this money in the first place,
10. he should have gone ahead and signed it. He knew that we
11. were going to pass the authorization bill. He...it was his
12. problem in the first place why we didn't pass it last spring.
13. So, I don't think we ought to be doing the Governor's dirty
14. work for him. I'm going to vote No.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Davidson.

17. SENATOR DAVIDSON:

18. Well, since...I thought he directed a question and I think
19. it should be answered. Was...he had to reduce the amount of
20. money to within the authorization, Senator Buzbee, so they could
21. go ahead and release the money to buy the land. As you know,
22. he could not spend money that's not authorized and that's
23. why it had been reduced and that...now why he's asking for
24. ...for it to be restored with the authorization bill now
25. hopefully being a fact, we can go ahead. But it had to be
26. reduced originally so they could buy the land and get started.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Rock. Is there further discussion? The question
29. is shall the item on page...page twenty, line ten of
30. Senate Bill 1601 be restored, the item reduction of the Governor
31. to the contrary notwithstanding. Those in favor vote Aye.
32. Those opposed Nay. The voting is open. Have all those voted
33. who wish? Have all those voted who wish? Take the record.

1. On that question...sponsor requests postponed consideration.
2. Consideration will be postponed.

3. SECRETARY:

4. I move that the item on page one, lines twenty-seven
5. through thirty-three of Senate Bill 1601 Do Pass, the item
6. veto of the Governor to the contrary notwithstanding.
7. Signed, Senator Philip Rock.

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 have filed a Motion in Writing to move that the item
13. on page one, lines twenty-seven through thirty-three of Senate
14. Bill 1601 Do Pass, the item veto of the Governor to the
15. contrary notwithstanding. You will recall, of course, that in
16. the closing hours of the Session in June, we had labored long and
17. hard and had a firm agreement with the Governor and his
18. representatives and the Governor saw fit to violate that
19. agreement. This calls for ten million dollars to provide for a State
20. of Illinois Office Building in the County of DuPage, which is the
21. home county of the Speaker of the House. The agreement was
22. reached. The Governor violated that agreement. I have agreed
23. with the Speaker that we should try to override that violation
24. and I would urge a favorable vote.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? Is there discussion? The question
27. is shall the item on page one, lines twenty-seven through
28. thirty-three of Senate Bill 1601 pass, the item...the veto of the
29. Governor to the contrary notwithstanding. Those in favor
30. vote Aye. Those opposed Nay. The voting is open. Have all
31. those voted who wish? Have all those voted who wish?
32. Take the record. On that question the Ayes are 34, the Nays
33. are 16. The motion fails. Senator Buzbee, for what purpose

1. do you arise?

2. SENATOR BUZBEE:

3. Point of order, Mr. President. Was that...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. State your point.

6. SENATOR BUZBEE:

7. Was that a reduction veto or was that an item veto?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. That was...that was an item veto.

10. SENATOR BUZBEE:

11. Board registered reduction veto which takes a different
12. vote and I was...than an item veto takes, and that's why I was...
13. yeah, had people known that it took two more votes, we probably
14. would have gotten it. But the board registered wrong
15. and...so I think, Mr. President, it's only right that we take
16. the vote over with the board registering correctly.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. We'll consider that in several days. Senator Collins,
19. for what purpose do you arise? Senator...Senator Collins.

20. SENATOR COLLINS:

21. Can I run a trial...could you...is it possible to see if
22. my box is working? It's on now, but my vote isn't registered.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. I've been advised that we'll watch you on the next
25. roll call. Senator Kenneth Hall, for what purpose do you
26. arise?

27. SENATOR KENNETH HALL:

28. Well, Mr. President, since the board was in error,
29. and we have a Senator here whose key was not working,
30. I think it's only right that we should take that vote over because
31. with it losing by that one vote, there's an error and I think
32. that many people would have been on that bill.
33. And I think it's only fair that we should have a rerun on that

1. at this time.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Well...the...the Chair will always entertain a motion
4. to reconsider of someone who voted on the prevailing side,
5. Senator, that's the rules of the Senate. All right. Senator...
6. Mr. Secretary.

7. SECRETARY:

8. I move that the item on page seventeen, lines twelve and
9. thirteen of Senate Bill 1601 Do Pass, the item veto of the
10. Governor to the contrary notwithstanding. Signed, Senator
11. Arthur Berman.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Berman.

14. SENATOR BERMAN:

15. Thank you, Mr. President. On page seventeen, lines
16. twelve and thirteen, we have a project under the Capital
17. Development Board for remodeling and rehabilitation of the
18. Broadway Armory which is located on the northside of the
19. City of Chicago. This armory has been allowed to deteriorate
20. over a number of years without any adequate funding to preserve
21. the...either the roof, the walls, the facility itself.
22. It's owned by the State of Illinois. Used primarily
23. by the National Guard. It's in an area which is greatly in
24. need of recreational facilities. Since June when this bill was
25. considered, Congress has passed a new law which is directly
26. addressing the need of recreational facilities in states.
27. There is a Federal match of eighty-five percent of the money
28. with a fifteen percent State match that has just been passed by
29. Congress and we have been working with the Congressman of this
30. district, Congressman Yates, to utilize some part of this
31. appropriation as a State match to get back from the Federal
32. Government some of the tax dollars that the people of the
33. State of Illinois pay. All of this money has been
approved by the staff of Capital Development Board for the

1. rehabilitation of this Broadway Armory. It's necessary to
2. ...just to maintain the physical plant of this building.
3. We've been in conversations with the Governor. I've called
4. his legislative aide several times today. We have not gotten
5. an answer from him. But I think that this is a project
6. that involves on this override, a half a million dollars,
7. but probably will involve only the expenditure of a much
8. lesser sum depending upon some evaluations that are being
9. made for the needs and the availability of Federal money.
10. This can be a pilot project for the entire country and the
11. rehabilitation for recreational facilities of this State
12. armory and I urge your support for a motion to reinstate
13. the line item of five hundred and eighty-six thousand dollars
14. for the Broadway Armory in Chicago.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there discussion? Senator Regner.

17. SENATOR REGNER:

18. Well, Mr. President, members of the Senate. I think
19. the proper action on this armory would be to sell it and provide
20. some needed funds to the State of Illinois instead of
21. perpetuating unneeded and useless buildings and I would
22. urge a No vote on this motion to override this unbudgeted
23. appropriation that's sought right now.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...further discussion? Senator Berman may close.

26. SENATOR BERMAN:

27. Thank...thank you, Mr. President. In response, what we are
28. trying to do with the relatively small amount of State money
29. is to make this building useful for the people of a community
30. that needs a good degree of recreational facilities.
31. They do not have any in the Edgewater community. This is
32. exactly what will be able to be done with very small amount
33. of State funds. The State needs it to some extent for the
National Guard. That will be maintained. But through the use of

1. a match by State funds with substantial Federal money, we'll
2. be able to bring a recreational facility to a community that's
3. sorely in need of it. I urge your affirmative vote.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The question is shall the item on page seventeen,
6. lines twelve and thirteen of Senate Bill 1601 pass, the
7. item veto of the Governor to the contrary notwithstanding.
8. Those in favor vote Aye. Those opposed Nay. The voting is open.
9. This requires thirty-six votes. Have all those voted who wish?
10. Have all those voted who wish? Take the record. On that
11. question the Ayes are 29, the Nays are 21. The motion fails.
12. Senator Berman. Request for postponed consideration.
13. Consideration is postponed.

14. SECRETARY:

15. I move that the item on page one, lines twenty-seven
16. through thirty-three of Senate Bill 1601 Do Pass, the item
17. veto of the Governor to the contrary notwithstanding.
18. Signed, Senator Philip Rock.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. This was the...is an identical motion to the one
24. I filed awhile ago and I am moving that the item on
25. page one, lines twenty-seven through thirty-three of Senate
26. Bill 1601 Do Pass, the item veto of the Governor to the
27. contrary notwithstanding. The board now correctly identifies
28. what the motion is. It will require thirty-six affirmative
29. votes. As I indicated before, this was an agreement that was
30. reached in the waning hours of the Session in June. It calls
31. for ten million dollars for land acquisition planning and
32. construction for a State of Illinois Office Building
33. in the County of DuPage, which is the home county of the
Speaker of the House. I would urge a favorable vote.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there discussion? Question is shall the item
3. on page twenty...page one, lines twenty-seven through
4. thirty-three of Senate Bill 1601 pass, the item veto of the
5. Governor to the contrary notwithstanding. Those in favor
6. vote Aye. Those opposed Nay. The voting is open. Have all those
7. voted who wish? Have all those voted who wish? Have all those
8. voted who wish? Take the record. On that question the Ayes are
9. 34, the Nays are 19. The motion fails. We'll go to the Order
10. of Item Vetoes and Reductions on page eight of the Calendar.

11. SECRETARY:

12. I move that the item on page one, line twenty of Senate
13. Bill 1845 Do Pass, the item veto of the Governor to the
14. contrary notwithstanding. Signed, Senator Samuel Maragos.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Maragos.

17. SENATOR MARAGOS:

18. Mr. President and members of the Senate. I defer to the
19. chief cosponsor of this bill, Senator David Regner and I will
20. close.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Regner.

23. SENATOR REGNER:

24. Mr. President and members of the Senate. This item dealt
25. with twenty-five thousand dollars for the Illinois Economic and
26. Fiscal Commission to contract with data resources on an economic
27. models for Illinois. The model to be used by the Economic
28. and Fiscal Commission to maintain the economic model as a base
29. to analyze the effects of revenue legislation on Illinois.
30. It was said in the veto message that this information is already
31. available at the Bureau of the Budget. However, the Bureau of the
32. Budget never lets us have it. So, the Economic and Fiscal
33. Commission could well use this money to provide additional

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1. information to us when we do operate on appropriations or
2. revenues and revenue estimates and I would urge a Yes vote on this
3. motion to override.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there discussion? Senator Maragos may close.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate. I echo those
8. remarks and state that if we are going to become an independent
9. branch of government, we should have all the tools in order to
10. investigate and know what our fiscal responsibilities
11. are and I ask that this, too, be restored to us and give it to
12. us and therefore, I ask for approval of this override.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The question is shall the item veto...shall the item on
15. page one, line twenty of Senate Bill 1845 pass, the item veto
16. of the Governor to the contrary notwithstanding. Those in
17. favor vote Aye. Those opposed Nay. The voting is open.

18. Have all those voted who wish? Have all those voted who wish?

19. Take the record. On that question the Ayes are 43,

20. the Nays are 11. The item on page one, line twenty

21. of Senate Bill 1845...of Senate Bill 1845 having received

22. the required three-fifths vote is declared passed, the item

23. veto of the Governor to the contrary notwithstanding.

24. Proceeding to the Order of Specific Recommendations for Change
25. on page nine of your Calendar.

26. SECRETARY:

27. I move to accept the specific recommendations of the Governor
28. as to Senate Bill 1790 in the manner and form as follows.

29. Signed, Senators Arthur Berman and Thomas Hynes.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President, members of the Senate. I do move to accept

1. the Governor's recommendations as to Senate Bill 1790.
2. The original bill created a new homestead exemption
3. against increases in assessment and in part two of the bill,
4. validated downstate publications in connection with assessments.
5. The Governor's amendatory veto makes a technical change in the
6. validation section of the bill and in the homestead
7. exemption section, changes it to provide that it is a fifteen
8. hundred dollar exemption against increases in equalized
9. assessed valuation rather than assessed valuation and makes
10. it effective immediately. And I would move that the Senate
11. accept the specific recommendations of the Governor as to Senate
12. Bill 1790.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? Senator Rhoads.

15. SENATOR RHOADS:

16. Question of the sponsor.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Indicates he will yield.

19. SENATOR RHOADS:

20. Senator Hynes, I lost track of the effective date...not only
21. the effective date on the bill, but the practical
22. application of the bill. For what year are we speaking?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Hynes.

25. SENATOR HYNES:

26. It...it will apply to the assessment that will be used in
27. connection with the tax bills...will be sent out next year, so the
28. ...'78 assessment. And it will be applied by the county clerk
29. at the time the bills are equalized...the assessment is equalized
30. before the bills are finally computed.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Bowers.

33. SENATOR BOWERS:

1. Would the sponsor yield to an additional question?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Indicates he will.

4. SENATOR BOWERS:

5. Well, Senator Hynes, it was my understanding that the
6. State equalization formula that requires the...the...the
7. factor going on, it will apply also to that, so in that sense,
8. it will apply this coming year, isn't that correct...to the
9. tax bill that we receive next year?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hynes.

12. SENATOR HYNES:

13. That is correct, Senator Bowers, and it will specifically
14. apply in DuPage County, if that is the underlying thrust
15. of your question.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bowers.

18. SENATOR BOWERS:

19. Well, just...just briefly, Mr. President, I certainly
20. would like to rise in support of the Senator's motion and
21. say to you that we, in DuPage County, are faced with an
22. approximate fourteen percent increase this year in assessed
23. valuations without any quadrennial, that is in next year's
24. bill. This will, at least as far as the average homeowner is
25. concerned, reduce that increase to about seven percent and we...
26. it doesn't go far enough. We still need more help out there, but
27. this is a step in the right direction and I would hope we would
28. adopt it forthwith. Thank you.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Hynes may close.

31. SENATOR HYNES:

32. I would just move that the Senate accept the specific
33. recommendations of the Governor.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Question is shall the Senate accept the specific
3. recommendations of the Governor as to Senate Bill 1790
4. in the manner and form just stated by Senator Hynes.
5. Those in favor vote Aye. Those opposed Nay. The voting is
6. open. Have all those voted who wish? Have all those
7. voted who wish? Take the record. On that question the
8. Ayes are 57, the Nays are none, none Voting Present.
9. The specific recommendations of the Governor as to Senate
10. Bill 1790 having received the required majority of the vote
11. of Senators elected, are declared accepted. And the bill
12. having received the affirmative vote of three-fifths of the
13. members elected is effective immediately upon its becoming
14. law.

15. SECRETARY:

16. I move that Senate Bill number 1850 Do Pass, the veto of the
17. Governor to the contrary notwithstanding. Signed, Senator
18. John D'Arco.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you, Mr. President, Ladies and Gentlemen of the
23. Senate. Senate Bill 1850 simply provides that the coverage
24. for State employees concerning psychiatric care would be at the
25. same level that it was in the '77 - '78 Fiscal Year.
26. The Governor vetoed the bill after he reduced the level of
27. coverage for whatever reason he did, I am not sure. But
28. all I'm asking is that it be restored to the level that it was
29. in the prior Fiscal Year. I'm not asking for any increases.
30. I'm asking for the State employees that they receive the same
31. psychiatric care that they were entitled to in the '77-'78
32. Fiscal Budget. I'd be happy to answer any questions.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there discussion? Senator Bruce.

2. SENATOR BRUCE:

3. Well, what we're talking about is the State Employee's
4. Group Insurance Program and that new contract which was
5. just implemented on July 1st, 1978 did reduce the psychiatric
6. benefits available to State employees. It reduced them to
7. one visit per week or a twenty-five thousand dollar
8. annual limit. In the Statute and contract before July
9. 1st of this year, we had unlimited coverage, we were finding
10. about nine percent of our money was being spent on psychiatric
11. care. I would remind the members of this Body that when this
12. program was implemented, we were spending six million dollars
13. on health care for State employees. That was in January
14. 1st of 1971. Our premium costs this year was eighty-seven
15. million dollars. The employees added enough on their own in
16. supplemental coverage to run this program over one hundred million
17. dollars. We received a check back from Blue Cross - Blue Shield
18. last week, Senator Rupp was there, of some twelve million
19. dollars. Is that not right, Senator? As I recall, it was
20. twelve million one hundred thousand dollars because of the...
21. the benefit structural changes we've made in the program,
22. they rebated back to us that much money. The life carrier
23. rebated to us over one million dollars and that's the kind of
24. savings we're having. If you reinstitute this, it will cost the
25. State first year out, seven hundred thousand dollars and you're
26. talking about several millions of dollars each year thereafter.
27. It is a good change. The people still get one visit per week
28. with a twenty-five thousand dollar a year limit, which is better
29. than any private insurance program I can find in the private
30. sector.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there discussion? Senator Glass.

33. SENATOR GLASS:

1. Well, thank you, Mr. President and Ladies and Gentlemen.
2. I would add to what Senator Bruce has to say a couple of
3. observations and maybe Senator D'Arco would comment on them
4. in closing. The Governor did point out that the benefit level
5. we offer State employees for psychiatric care now is equal
6. to or exceeds the benefits employees would receive in private
7. industry or from any other governmental employer. Now, I think
8. that's a pretty significant statement. If it's accurate,
9. I certainly don't think we ought to be increasing the benefits
10. any further. He also points out that any move to change the
11. benefit structure would raise significant legal questions
12. about the validity of the entire group health plan because
13. the current contract was awarded to Blue - Cross after process
14. of competitive bidding based on detailed specifications.
15. So, I...I think these are a couple of reasons that would argue
16. in favor of the Governor's action and I would, therefore, support
17. it and urge the members to do likewise...oppose this motion.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator...Senator D'Arco
20. may close.

21. SENATOR D'ARCO:

22. Thank you, Mr. President. You heard Senator Bruce
23. say that Blue Cross - Blue Shield, in effect, returned to the
24. State Treasury some twelve million dollars in excess
25. premiums that it accumulated based on this contract.
26. So, it's really not a fiscal question. The money is there.
27. The money is available. The question that Senator Glass raises
28. I have no knowledge of the private sectors insurance plans
29. being equal to or in excess of our insurance coverage.
30. All I know is the Governor in his veto message blanketly
31. makes that assertion without any facts to back it up.
32. Secondly, this bill was introduced at the time when the
33. negotiations for the contract were being let and it wasn't
at that time that they came to the Legislature and asked us what

1. our feeling was concerning the coverage for these employees.
2. They took it upon themselves to decide what the benefit levels
3. for State employees would be concerning this coverage.
4. I am asking...there's another question...the seven hundred
5. thousand dollars that it is said would cost the State to
6. relet this contract. The seven hundred thousand dollars
7. is a result of the decrease^dbenefit level for the '78 - '79
8. Fiscal Year being implemented. It's a question of...of
9. semantics. Of course, if you decrease the coverage, it's
10. going...it cost you more to increase it to the level that it was
11. at prior to the time that you decreased it. It's a...you know,
12. anybody can play with figures and that's what they're doing here.
13. I'm not asking you to increase the coverage over what it was last
14. year. I'm asking for the same coverage that they were entitled
15. to last year. If you get sick and you're in need of hospital
16. care and it's a psychologically related sickness, let's say
17. someone in your family has a nervous breakdown. You take them to
18. the hospital. If they're there for longer than three months
19. it's going to cost you more than the twenty-five thousand dollars
20. that is applicable in this coverage. You're going to have to take
21. them out of the hospital or wind up paying the hospital bill
22. yourself. I don't think that's fair. All I'm asking is that
23. the same coverage that they had in the '77 - '78 Fiscal Year...
24. and it's not money, because they returned over twelve million
25. dollars to the State Treasury in excess premiums. All
26. I'm asking is that they be entitled to that same coverage
27. in this Fiscal Year. I appreciate a favorable vote.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The question is shall Senate Bill 1850 pass, the veto of the
30. Governor to the contrary notwithstanding. Those in favor
31. vote Aye. Those opposed Nay. The voting is open.
32. Have all those voted who wish? Have all those voted who wish?
33. Take the record. Is it your desire to postpone consideration,

AB 1419
Override
11-28-78

1. Senator? Consideration is postponed.

2. SECRETARY:

3. I move that Senate Bill number 1419 Do Pass, the veto of the
4. Governor to the contrary notwithstanding. Signed, Senator
5. Samuel Maragos.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President and members of the Senate. I move to
10. override the veto of the Governor because if you saw his veto
11. message on this bill, Senate Bill 1419, which is the
12. implementation bill for consolidated elections...will state that
13. the only reason he vetoed it was because he thought that
14. with his amendatory veto of House Bill 2554, it was not
15. necessary to have 1419 on the lawbooks. However, as many of
16. you know, House Bill 2554 presently is in the House and has not
17. been changed, overridden and has not come over to the Senate
18. and due to the fact that tomorrow is the last day upon
19. which we can act on these overrides. It is imperative that
20. we have a vehicle by which we can...implement the consolidated
21. elections and give it a two year breathing spell, otherwise
22. come December 1, 1978, which is next week...the end of this
23. week, the...the present law will be effective and is going to
24. make a very chaotic conditions throughout the municipalities
25. and school districts of Illinois. Therefore, I ask that we
26. support my motion for override and that we send this to the
27. House for further consideration.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. I'd like to ask the sponsor a question. Senator...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Indicates he will yield.

1. SENATOR DEMUZIO:

2. Senator Maragos, Senate Bill 1419 would then give a
3. ...the consolidation of elections a two year extention, is that
4. correct?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Maragos.

7. SENATOR MARAGOS:

8. That is correct, Senator Demuzio.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. And briefly, can you refresh my memory as...the difference
13. between 1419 and 2554?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Maragos.

16. SENATOR MARAGOS:

17. There is very little difference as the bills passed
18. both Houses and went to the Governor's desk last year excepting
19. to do something with the aldermanic elections in Chicago,
20. that was the only difference. However, the...2554 had a one
21. year delay which he overrode and it is now...that he wants...
22. for concurrence on a two year delay and that is one...the basic
23. difference between:the two bills as they left the House.
24. Now, I don't know what they've done with the...in the House
25. version of the override at this time so I cannot speak
26. knowledgably on that point.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Glass. Just...just a moment. I...I might
29. remark Ladies and Gentlemen of the Senate, we have a former
30. member of the Senate with us, the present Secretary of State.
31. Secretary Alan Dixon. Senator Glass.

32. SENATOR GLASS:

33. Well, thank you, Mr. President, Ladies and Gentlemen of the
Senate. I rise in support of Senator Maragos's motion.

1. He is correct that there is very little difference between
2. this bill and the bill that was passed, House Bill 2554,
3. and amendatorily vetoed by the Governor. The only difference
4. as amended is that there are apparently two dates given under
5. the House Bill for aldermanic elections to fill vacancies.
6. And I think it's highly important that this Body and the House
7. act before December 1st. If we do not do so,
8. the new consolidation of elections bill will be law and
9. there...there is serious legal questions as to whether
10. you can amend an existing Statute by a bill that's pending and
11. I think we very well may find that neither of these will be
12. effective if they're not passed by December 1st. So, for that
13. reason, I would urge concurrence...or rather urge support
14. of this motion for override.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rhoads.

17. SENATOR RHOADS: ;

18. Well, I'd like to know how the Secretary of State gets a
19. smiling picture on his license and mine looks like I just
20. came out of Pontiac, but...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. That's the way mine looks, Senator.

23. SENATOR RHOADS:

24. Mr. President and members, I also rise in support of this
25. override motion. As you will recall from our spring debate,
26. the...there was quite a bit of discussion concerning a one
27. year delayed effective date and a two year delayed effective
28. date. I'm not selling out, Senator Wooten. I still favor the
29. one year delayed effective date. However, that vehicle
30. is not before us. As a practical matter, it makes very
31. little difference. What effectively we are doing is affecting
32. those elections which begin with the spring of 1981.
33. Secondly, there is a difference with respect to the
aldermanic elections in Chicago, which Senator Netsch

1. may care to look at if 2554 ever gets over here. Thirdly, as
2. Senator Glass mentioned, this is not a self-executing...
3. well, I...I disagree with Senator Glass, incidently, as to whether
4. or not the legislation already signed by the Governor is
5. self-executing. But this certainly will implement it by the
6. December 1st deadline and I urge support of Senator Maragos's
7. motion.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Grotberg.

10. SENATOR GROTEBERG:

11. Question of the sponsor, Mr. President.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Indicates he will yield.

14. SENATOR GROTEBERG:

15. Senator Maragos, we've got two school referendum elections
16. this coming Saturday, that's December the 2nd. My superintendents
17. have been down here. If we override...if the...if their
18. referendums are successful, they need us to override to make
19. them legal, is that how I understand this bill?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Maragos.

22. SENATOR MARAGOS:

23. That is my understanding, Senator Grotberg, that if we
24. don't pass this legislation between now and November 30th,
25. we will have many problems with the constitutionality of
26. any referendums and any elections that may be taking place
27. between now and the time we get around to implementing the
28. present consolidation bills?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Grotberg.

31. SENATOR GROTEBERG:

32. Well, I thought I saw Regner shaking his head. But I don't
33. know that he's a constitutional attorney either. That

1. was my main concern, that all over this State this Saturday,
2. there are several referenda and I just want to make sure
3. I vote right on this bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Wooten. Senator Graham, for what purpose do you
6. arise?

7. SENATOR GRAHAM:

8. I rise to help Mr...Senator Grotberg out of his
9. dilemma. If you take the Illinois Association School Boards
10. as an authority, they will tell you yes, if we do not override
11. this, any of the action on these bills, on these referendums
12. pending this Saturday, you can forget it Charlie, because they
13. will be...they will be null and void and we do need this
14. affirmative vote on this bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Thank you, Mr. President. As one who supported the bill
19. without the two year delay, I would like to inquire what are the
20. changes that the Governor has made in the House Bill, Senator?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator...Senator Maragos.

23. SENATOR MARAGOS:

24. The major change that he made in the House Bill
25. 2554, was to state that the aldermanic elections in...in the
26. municipalities including Chicago, could not wait during the
27. twenty-eight month period like we do in the Legislature and
28. other offices that have to be filled, but instead, have to be
29. filled by...the next election whether it be in November or
30. April election that comes in during the consolidated bill.
31. That's the only...that's a problem over there.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Wooten.

SENATOR WOOTEN:

1. In other words, the House Bill also has a two year delay
2. in the effective date?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senate...Senator Maragos.

5. SENATOR MARAGOS:

6. Yes, it...has...is the way...for...as amended
7. amendatorily by the Governor.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

10. SENATOR MARAGOS:

11. Mr. President and members of the Senate. For the
12. reasons expressed by both sides, the speakers on both sides
13. of the aisle and because of the fact that we are under the
14. deadline of November 29th and need all these referenda to be
15. constitutional, I ask that we support this motion.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The question is shall Senate Bill 1419 pass, the veto of the
18. Governor to the contrary notwithstanding. Those in favor vote
19. Aye. Those opposed Nay. The voting is open. Have all those
20. voted who wish? Have all those voted who wish? Take the record.
21. On that question the Ayes are 50, the Nays are none, none Voting
22. Present. Senate Bill 1419 having received the required
23. three-fifths vote is declared passed, the veto of the Governor
24. to the contrary notwithstanding. Senator Johns, you ready to
25. proceed? Senator Guidice, you wish to proceed? Resolutions.

26. SECRETARY:

27. Senate Resolution 496, offered by Senator Lemke, Savickas,
28. Daley, and Hynes. Congratulatory.

29. Senate Resolution 497, offered by the same sponsors, it's
30. congratulatory.

31. Senate Resolution 498, offered by Senators Lemke and
32. Savickas and it's a death resolution.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Consent Calendar. Going to proceed to the Order of
3. Resolutions. Senator Lemke.

4. SENATOR LEMKE:

5. Senate Joint Resolution 17.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Lemke, you may proceed.

8. SENATOR LEMKE:

9. Ask for the adoption of Senate Joint Resolution
10. 17 which calls for a Constitutional Convention for the
11. specific purpose of a Right to Life Amendment to our U. S.
12. Constitution with the proviso which was...with the proviso
13. that was amended by Senator Rhoads which says that after
14. the required states pass the...pass the resolution and
15. ...and ask Congress to have a Constitutional Convention within
16. two years after that, if Congress does not set up rules,
17. we withdraw our...our request...an application for Constitution
18. Convention. I think this is a sound resolution. I think
19. it's needed. It's the times to talk about morality because we
20. are approaching the holiday season which is truthful to all of us.
21. But it is also the time to pass this resolution because it's the
22. only way we can say to some of our liberal...fellow U.S.
23. Senators that they better get going with the will of the people
24. in the State of Illinois. The message was sent this election
25. and it's going to be sent again...couple of years, that the
26. only way we can change the U.S. Supreme Court decision is by
27. asking for a Constitutional Convention for the concern
28. of life. So, I ask for the adoption of Senate Joint Resolution
29. 17.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there discussion? Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President. There are probably three levels

1. on which the question of this resolution could be addressed.
2. The first is the...the broad level of constitutional procedure.
3. That is, whether this resolution, even in its present form,
4. either can limit what Congress does or does limit what Congress
5. could do pursuant to calling of the convention. And it seems
6. pretty...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator, may I interrupt, please? I've just been advised
9. by the Secretary that there is an amendment proposed to this
10. resolution by Senator Mitchler and I think that that should be
11. disposed of prior to discussion of the main issue.

12. Senator Mitchler, you may proceed.

13. SENATOR MITCHLER:

14. Thank you, Mr. President, and members of the Senate.
15. Senate amendment that I am proposing to Senate Joint Resolution
16. 17 as amended puts the Senate Joint Resolution into the same
17. form as Senate Joint Resolution 48 sponsored by Senator Harber
18. Hall on November 14th when we were in Session prior to the
19. Thanksgiving recess. And specifically what it does,
20. it petitions the Congress of the United States to propose and
21. submit for ratification by the State Legislatures, an amendment
22. to the Constitution of the United States to provide for the same
23. language as proposed in the original amendment by Senator Lemke.
24. The question that we are debating on this amendment is not about
25. the validity of a Constitutional amendment restricting
26. abortion in the United States by amending the Constitution of
27. the United States. The question that I bring is the same one
28. that was brought on November 14th when we considered Senate
29. Joint Resolution 48, which was also a resolution memorializing
30. Congress to propose an amendment to the United States Constitution.
31. I, and I hope others of you, feel today, as you did November
32. 14th, that you would rather have the Congress present to the
33. states for consideration and ratification a proposed amendment to

1. the United States Constitution, rather than call a Constitutional
2. Convention for the purpose of proposing an amendment to the
3. Constitution of the United States. The Constitutional
4. Convention route is not the route to take. We have before the
5. states, the proposed Equal Rights Amendment to the United
6. States Constitution. It was presented by the Congress. They
7. did not go to a Constitutional Convention for that. We have before
8. us the D.C. rep, which is the District of Columbia representation
9. in Congress, who was just recently this last Session of
10. Congress, put out to the States for ratification or rejection
11. and that is the route that we should go on a Constitutional
12. Amendment dealing with this subject matter. Now, we are not
13. debating the subject matter, we're debating the manner in which
14. Congress should have the Constitution of the United States
15. amended. And I would ask for a favorable roll call
16. on the amendment. Be glad to answer any questions.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Lemke.

19. SENATOR LEMKE:

20. In checking with the Senate President, Senate...Rock,
21. this...we have memorialized Congress several times.
22. We...in fact, the last time we did it, was in 1975 or
23. '76. Congress doesn't heed to a memorializing resolution.
24. The only way Congress...we're going to get anything to protect
25. life in this country is through a Constitutional Convention.
26. It's the only route we can take because we have Senators
27. recently elected, Senator Percy, and Senator Stevenson
28. who is from our own party, who vote against this constantly.
29. And my position on both Senators is that they should be heaved
30. out of office because they do not do the wishes of the people.
31. Just like certain Federal judges should be not retained as
32. judges. They do not...will the people's wishes in this State.
33. And it's the people that have to worry what they're going to do
and I think Senator Percy maybe have...has gotten the message and

1. he better heed to the will of the people in this State.
2. And that means the majority, yes, the majority of the
3. people in the State are for Right to Life. And the majority
4. in the United States, contrary to the newspapers and the ACLU,
5. Planned Parenthood, are for life. This amendment is no
6. more than a memorialization, does nothing and the only way
7. we can change the course of this country and to come up, yes,
8. come up to the standards now of Germany, who...of Nazi
9. Germany, which has now said after the war and after they lost and
10. has turned complete...around and said abortion is immoral and
11. unconstitutional on their laws. And the only way we can do it
12. is through a Constitutional Convention. And whether you want to
13. listen to the fears of the devil, disciples, the ACLU, who is
14. always against you, and whatever you do is unconstitutional,
15. but comes up with nothing constructive because they're here only
16. to destroy the law, not to help it, and the only route is a
17. Constitutional Convention. I'm going to resist this amendment
18. because it's improper. It does nothing and we already passed it.
19. It's just a duplication of again, what we're doing.
20. We can memorialize Congress till it freezes in hell. But
21. Congress ain't going to listen to you. Just like you're not
22. going to listen to Congress, yes, to your Congressman, who
23. wrote letters asking you to adopt ERA. We are a State body
24. and we do what we want. And the only way we can get to
25. what the will of the people is a Constitutional Convention,
26. Senator Mitchler. I ask you to withdraw it. If not, we'll
27. take a vote on it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rhoads.

30. SENATOR RHOADS:

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

32. I join Senator Lemke in rising in strong opposition to Amendment
33. 3 to SJR 17 offered by Senator Mitchler. This is what I call a

1. scorched earth amendment. If Senator Mitchler wishes to introduce
2. an amendment memorializing Congress or a resolution memorializing
3. Congress as a separate resolution, I would certainly be
4. happy to join him in cosponsorship and vote for such a
5. resolution. However, he is attempting here to totally
6. gut what Senator Lemke has worked long and hard on and that
7. just isn't fair to the sponsor. Senator Lemke is attempting
8. to present this Body with an important question of public
9. policy that deserves to be debated on its own merits. Again,
10. I say if Senator Mitchler would either withdraw this amendment
11. it could be considered separately. But on this particular
12. resolution, it changes the entire character of the resolution
13. and should be soundly defeated.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator...Senator Lemke,
16. for the second time.

17. SENATOR LEMKE:

18. What are the Senate rules about presenting an amendment
19. to a resolution? Shouldn't it be presented to the sponsor, also?
20. I have not received a copy until this moment when it was called
21. and the amendment is being called. I think it's...we have rules
22. for that.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Well, Senator, I...you could ask that the amendment be
25. printed, but it will delay the entire procedure. I think...

26. SENATOR LEMKE:

27. Okay, we'll take a vote on it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...it would be wise to...Senator Mitchler may close.

30. SENATOR MITCHLER:

31. Well, thank you, Mr. President, Senator Lemke and members
32. of the Senate. Contrary to what Senator Rhoads said, my intent
33. is not to gut this proposal. I am in support of this.

I have so stated to my constituency and I'm on record as for this.

1. But I tell each member of this Body I am very fearful of a
2. Federal Constitutional Convention. And I'll not vote to call
3. any Constitutional Convention for the purpose or single or
4. duplicate or whatever you want and get those knuckleheads
5. whoever would be the delegates to that convention in there
6. and as I told the members out here in the lobby today as they
7. were trying to lobby me, you very people that want this, if you
8. ever get a Constitutional Convention, it won't be for the
9. sole purpose of this resolution. It will be for anything and
10. everything because the members of Congress, when it comes time
11. to call that Constitutional Convention, will not listen
12. as Senator Lemke pointed out. And they haven't got the
13. message. Don't kid yourself. They might...they might
14. say that after the election and just before the election.
15. You're going to get a lot of the same and more of it.
16. And when it comes time, they're going to listen to everybody
17. that's been lobbying them secretly and when they come out with
18. a Constitutional Convention, you'll get the same thing you
19. got down here, everybody will be in there for everything
20. but what it was intended, for revenue reform. That's what you
21. thought you were going to get out of the Con Con in this
22. State. And the very people that want this abortion amendment
23. into the Constitution will be standing there after the
24. Convention closes and say what happened and you'll have amendments
25. that our founding fathers never thought would ever occur in
26. a Constitution of the United States of America.
27. Now, that's what I believe in and that's why I'm putting this in.
28. You put this in and I'll vote for this amendment right
29. quick. And I'll write to each of our Senators and Representatives
30. in Washington and urge their support, even though I know it may
31. fall on deaf ears of some. But don't vote to call a
32. Constitutional Convention. You know what happened down here.
33. You had fifty-six amendments last Session just to amend it.

1. And if you want to know where are the delegates that were
2. down here? They're scattered all over. You can't even find
3. them in your senatorial districts that you elected them from.
4. And the same will be true, the same will be true if you ever
5. get into a Federal Constitutional Convention. You're going the
6. wrong direction. If you've got something that's salable,
7. I tell the people that want this, go to Washington, convince
8. those Congressmen. Why did you vote to return them?
9. And you all did. Should have never sent them back. You might
10. have had a different roll call the next time. Thank you.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The question is shall Amendment No. 3 to Senate
13. Joint Resolution 17 be adopted. Those in favor indicate
14. by saying Aye. Those opposed Nay. The No...the Nays have it.
15. Amendment No. 3 fails. There is a request for a roll call. A
16. roll call will be taken. On that question, those in favor of the
17. adoption of Amendment No. 3 to Senate Joint Resolution 17
18. will vote Aye. Those opposed will vote Nay. The voting is open.
19. Have all those voted who wish? Take the record. On that
20. question the Ayes are 11, the Nays are 33. Amendment No. 3
21. fails. Now, to go to the main issue, Senator Lemke.
22. I...I'm sorry. At that point, I had interrupted Senator Netsch.
23. Senator Netsch, you are now recognized to discuss the resolution.
24. SENATOR NETSCH:

25. Shall I begin all over again? The...despite the fact that
26. the proposal has been amended, previously, by Senator Lemke or
27. someone else, so that it is presumably dependent upon
28. Congress adopting rules of procedure for a limited convention,
29. I think we are still asking for a great deal of trouble, if,
30. in fact, enough states do pass this resolution. Number one,
31. does the...do the resolutions self-destruct if Congress, in fact,
32. does not adopt such procedures? But beyond that, I think there
33. is an even more serious question and that is that it is not

1. entirely clear that Congress has the power to pass a law
2. that controls Constitutional Conventions. One authority that
3. I am reading from now has analyzed this at some length and
4. has concluded that conventions probably cannot be subjected
5. to legislative controls, certainly not as to content,
6. perhaps as to rules of procedure, but not as to content.
7. So that even if the qualification were, in fact, part of these
8. resolutions, it is highly unlikely that Congress can, in fact,
9. limit the effect of a Constitutional Convention. That's the
10. first level on which I think the resolution can be addressed.
11. A second level, I think is equally important, and that is really
12. the basic question of whether we should attempt to amend
13. the United States Constitution everytime we disagree with the
14. United States Supreme Court. And I would remind at least some of
15. my colleagues of two issues on which I think that proposal was
16. almost successful and would have been tragic. One involved
17. the...what has come to be known as the one man one vote
18. Supreme Court decision. And some of you may remember the
19. resolutions that were being passed by State Legislatures
20. at that time calling on Congress to call a convention for the
21. purpose of undoing the reapportionment decisions. There's no
22. question that the reapportionment decisions got the courts
23. into a lot of matters that are not normally judicial.
24. But I think overall by now, all of us recognize that that was a
25. very desirable result and I think it would have been
26. tragic if we had undone it by this device. Secondly, I don't
27. think there is much doubt that at the time of Brown versus
28. Board of Education, there also was a movement to get the Supreme
29. Court out of...or to get...yes, to get the Supreme Court out of the
30. business of ruling on desegregation and questions of
31. discrimination. I, for one, would have found that tragic
32. and I think it is quite possible that there might have been
33. enough states at that time, that could have brought about
that result. So, what I suggest to you is that the...the issue is

1. much broader than whether or not we can limit a
2. Constitutional Convention. It is whether we should attempt
3. to amend the Constitution of the United States everytime we
4. disagree with the United States Supreme Court. And my
5. feeling is that we should not do that. Finally, on a third
6. level, I would suggest to those of you who have very
7. deep convictions on the subject of abortion and many of you
8. do, that you have had and will continue to have numerous
9. opportunities to express that sentiment. This Illinois
10. General Assembly has already done that on many occasions
11. and I think it is a foregone conclusion that there will be many
12. more opportunities to do that. We are not now talking about
13. just the question of whether you are for or against the
14. Supreme Court's abortion decision. We're talking about whether
15. the Constitution of the United States should be amended
16. because of disagreement with one decision and it seems to me that
17. that is the danger of this proposal, that is the road from which
18. there is no retreat, that is the road which would lead us to very
19. unfortunate results.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Rhoads.

22. SENATOR RHOADS:

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

24. To begin with, Senator Netsch, I'll try to answer you on each
25. of the three levels that you're arguing on. Taking the third
26. point first, to say that we should be forever bound by the
27. five to four decision of nine fallible human beings who happen
28. to be appointed to lifetime jobs in Washington, on a matter of
29. public policy so important and so all pervasive, is to me an
30. abdication of individual moral responsibility. U.S. Supreme
31. Court simply does not have jurisdiction over the lives of
32. human beings. They simply don't have the competence to define
33. what is and what is not a human life. It's just that simple.

1. Now, if you want to say that their decision at a given point
2. in time binds the litigants in the case, all right. I'll
3. agree with you. And I won't go back and debate Marbury
4. versus Madison with you, even though I don't believe that
5. they are the final arbiters of the Constitution because you can
6. read the entire document and see no mention of that.
7. Secondly, with respect to...with respect to the avenue of
8. approach taken in a Constitutional Convention call, I wonder,
9. really, Senator Netsch, if in 1972, if Congress has failed to
10. enact the Equal Rights Amendment, that if you would be arguing
11. the same way today if we were presented with an amendment
12. for a Constitutional Convention on that subject. It seems to
13. be...to be a matter of convenience. Article V provides for a
14. Constitutional Convention amendment procedure. It will take
15. thirty-four states to put this Constitutional Convention call
16. into effect. I disagree with your expert, whoever he was,
17. when he says that the states cannot so limit their applications
18. as we have done in Amendment No. 2 which I offered last spring.
19. We've gotten close just once before during the 47th General
20. Assembly, here in Illinois, SJR 2 which passed in 1913.
21. We were the thirty-first state out of the thirty-two states then
22. required in a forty-eight state Union to call for a Federal
23. constitutional amending convention. The Congress reacted.
24. They beat us to the punch. They eventually enacted the
25. amendment calling for direct election of the United States
26. Senators. We have here, an opportunity to go around Congress.
27. I think that's what the framers intended. They wanted to give the
28. State Legislatures and the legislative branches only, the
29. opportunity to bypass an unresponsive Congress, to go around
30. them because we, and not they, are closer to the electorate.
31. We're ahead of them on this issue. This is an important
32. question, a question that can't be left to the courts.
33. I urge the adoption of SJR 17.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Wooten.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. I rise in opposition to this
5. resolution with some reluctance. It addresses a problem that
6. I think ought to be addressed. As a matter of fact, I was
7. a cosponsor of a resolution memorializing Congress to enact
8. just such an amendment. However, I would not, Senator Rhoads,
9. take the same procedure for other things I believe in, Equal
10. Rights Amendment, balanced budget, anything. I do not believe it
11. is the proper route to take, for this very reason. I am
12. convinced that you cannot limit the content of a...of a
13. Constitutional Convention. And also, I absolutely understand the
14. desire of advocates to strike out and get something done, to
15. accomplish something concrete when it looks as if nothing is
16. moving. But I suggest to you that the final irony in all of this
17. is that if you succeed in getting enough states to consent to
18. this, to call for the Convention, all those electors have to be
19. elected as Senators and Congressmen. The end result might be
20. ...a matter of fact, very likely will be that you will have called
21. a Constitutional Convention which will not act positively in
22. this area, but could be free to do great mischief to what is, I think,
23. the most valuable treasure we have in this country, our
24. Constitution. That's why I will support moves for Right to Life,
25. but not for the calling of a Constitutional Convention.
26. Not for any reason. I will resist that and I think it is the only
27. prudent thing to do. I understand how this works in State
28. Legislature after State Legislature. The thought comes...
29. we're getting pressure. It sounds good, it's hard to explain
30. why it's a bad idea and after all, it takes thirty-four, if
31. we pass it. Maybe the others won't. I really think we
32. ought not to take such actions. And that's why I resist the
33. resolution.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President and members of the Body, the arguments, the
5. legalistic arguments that have been made here by Senator
6. Rhoads and Senator Netsch and some others are really sterile,
7. sterile arguments. What really is concerned here is we have a
8. government in the United States that's founded on the principle
9. that it's a government of the people, for the people,
10. and by the people. And if that's true, we need not fear
11. from a Constitutional Convention. We speak for the people
12. here, as will the Legislatures in thirty-four other states
13. if they so see fit. And those people if they do so convene,
14. will know what the people of this country want and this is also
15. a Biblical, a moral issue. And if...if abortion is wrong and
16. if this Constitutional Convention should adopt such an amendment,
17. they will be moved by God's hand in a mysterious way, to adopt
18. that. So, notwithstanding all the legalistic arguments
19. that lawyers can make, all the weasel wording and all the
20. charades that a Constitutional Convention, called on a vote of the
21. people, to govern for the people and by the people cannot be
22. wrong, nor do we have something to fear from it.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Nimrod.

25. SENATOR NIMROD:

26. Yeah, Mr. President and Ladies and Gentlemen of the Senate.
27. I find it very difficult to get up and speak on an issue
28. because I'm a very strong supporter of pro life and I certainly
29. am a very strong supporter of the human life amendment.
30. I'm not one who has any concerns about saying that legislators
31. vote on moral issues and that we ought to be held accountable
32. for them. We've done this in the past. Well, I'm not afraid to be
33. counted on that. But I do find some problems with the timing on

1. this particular proposition. Last week, when we were here in
2. Session, we voted on the limiting of the Federal budget.
3. But we put in an amendment which I proposed, to remove that part
4. which calls for a Constitutional Convention. So, I think we
5. passed it out of this Senate with fifty-five or fifty-
6. seven votes. That shows that we're unified...an idea that's
7. calling upon Congress to make some changes as they have with the
8. proposition that we have for ERA and others that we're
9. familiar with. I find no problem with this. But once before
10. we have called a Constitutional Convention for a very limited
11. purpose. And we failed...the Congress failed to adhere to the
12. wishes of the people at that time. And they said, what we'll
13. do is we'll write a whole Constitution and thank God it came out
14. to be our present Constitution because the men and the people of
15. that time were right. My concern is that the men and the people
16. in power today are not right. And that what we're doing is
17. saying that then when they call for a specific and limited purpose
18. under the Articles of Confederation of this country, what they
19. did was, in fact, bypass that request and that wish from the states
20. and, in fact, call for a Constitutional Convention and had the
21. result of a total Constitution being written. I think we have
22. some safeguards that are being presented into the Legislature
23. and in Congress. Sam Erwin has put in propositions. Those bills
24. lie very dormant. What makes us think that they will adhere
25. to something other than what we want? I know that if we could
26. pass the Hyde Amendments and pass the bills which is the Act
27. that's been presented now, and then come back and pass resolutions
28. of this type calling for limited...I certainly feel we would
29. at least be doing it with some legal justice behind us.
30. And I would hope that we might, before we take a rash action,
31. and make a stand for something which many of us support, that we
32. end up destroying the very thing we all love and need and want.
33. And I, for one, am not going to be a part of any movement that

1. might in some way, jeopardize the very structure of this
2. country.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Leonard.

5. SENATOR LEONARD:

6. I am intrigued by how both sides can use the same
7. terminology. Everybody talks about morality. I think there is
8. a moral question here and it has little to do with abortion.
9. I think we have a responsibility when we come to...at this point.
10. I don't know why people return to Congress that we do not agree
11. with or to the U.S. Senate, but perhaps we did not meet our
12. responsibilities there. I don't think there's anybody...well,
13. there is somebody in this room, but I think the majority of us
14. in this room basically know that if we give approval to this
15. we lose all control of what that Convention is going to be.
16. Once we say we condone it, we have nothing to say about what we
17. are really condoning and I think if we sat down in the light of
18. day and weren't quoted, most of us would admit that there is
19. great danger in calling a Constitutional Convention. I think what
20. we have to do is the unpolitical thing. I think we have to do
21. something that is going to be hard to explain to the people
22. outside the door. They don't vote. We vote. We have the little
23. green button and the little red button. It is their responsibility
24. to try and influence us, but it is our responsibility to vote
25. our convictions and I think most of us basically know there shouldn't
26. be a Constitutional Convention on this issue. It was brought up
27. would we hold one on civil rights? No. And we didn't. And we
28. didn't hold one to resolve a civil war or a depression or many
29. other things in the last two hundred years and this issue isn't
30. worth a Constitutional Convention and I think we ought to vote No.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator Lemke may close.

33. SENATOR LEMKE:

1. My fellow Senators...before you one of the most important
2. issues in the State of Illinois. Probably one of the most
3. important issues in this country, on the direction of
4. morality of the United States on the recognition of the
5. people's right to a convention when they don't agree with their
6. Congress or their U.S. Senators or don't agree with raw
7. judicial power, but of Federal judiciary. When I say raw
8. judicial power, if you're a murderer, if you're a criminal
9. in the Federal court, you at least got the right to get a
10. judge by lottery system. But in this State, as well as in the
11. rest of the country, we get around that because the
12. Executive Committee of the District Court can refer cases,
13. specific cases, to specific judges. The people don't get a
14. fair shake. All our laws that we pass concerning and regulating
15. abortion go to a specific group of judges who always rule on
16. our...laws are unconstitutional. Is this democracy?
17. Then what are we fearing...that our founding fathers of
18. Washington and Jefferson and Monroe fear when they broke
19. ties with England...or Ben Franklin? Did we fear to have a
20. convention? No. Why didn't we fear? 'Cause basically
21. they believed in one principle and we put that on our coins and
22. we say In God We Trust. Yes, in God we trust. And I don't
23. fear a wide open convention because I trust in God. And we,
24. as legislator...will set forth a specific amendment and I
25. trust in God's will that this specific convention will be called
26. for specific purpose and whether you're a Christian or a Mohammed,
27. you can find verses against the snuffing out of life 'cause
28. you have Mohatma Ghandi, we have Albert Sweitzer, we have
29. Bonhoffer in Germany, who fought the Nazi's and who lost his
30. life because he refused to concede and he wasn't a Catholic,
31. he was a Lutheran hierarchy minister who...received to give
32. up life. And if we, in this country, want to slide like
33. Germany and have a slide towards, Auschwitz and Dakar, then we're
doing it right now. Because, the first two hundred and fifty-

1. three thousand people that were exterminated in...in gas
2. chambers in Germany were not of any particular ethnic group.
3. They were the people that were infirmed, the elderly, and
4. the aborted. They were the people that came first and all
5. we did was slide to the morality of what is life and who
6. should live and who should die. And I say to you, you vote the
7. way you want to vote and the...vote the way your conscience
8. want to vote. If you have fears of a wide open convention,
9. then you better reexamine yourself because you're not trusting in
10. God. God's will will prevail eventually, whether it's on this
11. Floor or it's on the Floor of Congress. I don't fear any wide
12. open convention. I fear nothing. Because I trust in God and
13. I ask you the same thing and to vote for the adoption of this
14. resolution. Thank you.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Lemke has moved the adoption of Senate Joint
17. Resolution 17. Under Article XIII, Section 4 of the Illinois
18. Constitution, the affirmative vote of three-fifths of the
19. members elected shall be required. Those in favor will vote
20. Aye. Those opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 34, the Nays are 20, 2 Voting Present.
23. Senate Joint Resolution 17 fails. The Chair, I'm informed
24. reliably by the Secretary, was in error. Senator Lemke had
25. requested consideration be postponed. Consideration will be
26. postponed.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Announcements? Senator Lemke. Announcements, Senator?

29. SENATOR LEMKE:

30. Immediately upon adjournment, we're having our
31. ...our subcommittee on Judiciary in 400. I ask our members
32. on there to be there promptly so we can start.
33. Yeah, subcommittee.

AB 1325
11/28/78

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Joyce. Just a moment...Senator Rock, for what
3. purpose do you arise?

4. SENATOR ROCK:

5. Thank you, Mr. President. I have a motion which I wish
6. to make at this time to waive the rules. There are three bills
7. that need be considered in these waning days of this Session.
8. And I would move you, Mr. President, that the rules be suspended
9. so that Senate Bill 273, which is sponsored by Senator Schaffer
10. and will, I am told, be incorporated in the revision of the
11. Mental Health Code package. House Bill 1325 which is an amend-
12. ment to the Revenue Act sponsored by Senator Joyce and House
13. Bill 3238 which is an easement bill sponsored by yourself to
14. accommodate Senator Grotberg with a problem in his district.
15. I would move you that the rules be suspended so that these
16. three bills can be considered during this Session of the
17. General Assembly.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. I...you've heard the motion. Those in favor indicate by
20. saying Aye. Those opposed Nay. The Ayes have it. I would
21. further request...yes, Senator Rock.

22. SENATOR ROCK:

23. Now that the rules have been suspended, there are three
24. motions and I would move you, Mr. President and members of the
25. Senate that the Committee of Judiciary I be discharged from
26. further consideration of Senate Bill 273 and that that bill
27. be read a second time and placed on the Order of 3rd reading
28. on the Calendar.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. You've heard the motion. Those in favor indicate by
31. saying Aye. Those opposed. The Ayes have it, the motion
32. carries.

33. SENATOR ROCK:

34. I have another motion with respect to House Bill 1325
35. that the Revenue Committee be discharged from further consideration

1. of House Bill 1325 and that that bill be placed on the Calendar
2. on the Order of 3rd reading from whence it was re-referred to
3. that committee.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Heard the motion. Those in favor indicate by saying
6. Aye. Those opposed. The Ayes have it, the motion carries.

7. SENATOR ROCK:

8. I would further move you, Mr. President, that House Bill
9. 3238 be discharged from further consideration by the Rules
10. Committee and that it be read a second time and placed on
11. the Order of 3rd reading.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Heard the motion. Those in favor indicate by saying
14. Aye. Those opposed. The Ayes have it. The motion carries. Now...
15. Senator...just...well, just a moment. Senator Grotberg, did you
16. wish to make a request as to the sponsorship of the bill that
17. I presently handle?

18. SENATOR GROTBORG:

19. Yes, thank you Mr. President.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. I'll give consent.

22. SENATOR GROTBORG:

23. Senator Donnewald has consented to allow me to be the
24. sponsor of House Bill 3238 for which I'm very please to
25. accept that sponsorship and would ask leave of the Body
26. to be recorded as such.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Do we have leave? Leave is granted. ...Bills 2nd reading.

29. SECRETARY:

30. Senate Bill 273.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Are there amendments from the Floor?
2. SECRETARY:
3. No Floor Amendments.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. 3rd reading. House Bills 2nd.
6. SECRETARY:
7. House Bill 3238.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Are there amendments from the Floor?
12. SECRETARY:
13. No Floor Amendments.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator...Senator Grotberg.
16. SECRETARY:
17. Wait...wait just a minute.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. There is a Floor Amendment.
20. SECRETARY:
21. Floor Amendment No. 1 offered by Senator Grotberg.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Grotberg.
24. SENATOR GROTBORG:
25. Thank you, Mr. President and members of the Body. This
26. is a title transfer bill, highway easement bill of Dwight Friedrichs
27. in the House, it's been...languishing over here and we would like
28. to amend into it the transfer of title to six miles of...commonly
29. know as Canal Road, at Ottawa, Illinois, between Ottawa and
30. Marseilles, but it was on conservation property, Department of
31. Conservation. And we have gone to great lengths to...dig up
32. the legal and finally transfer it to the LaSalle County Highway
33. Department so that it can be maintained. It is a complete disaster,

1. in fact, the private industries on the road have put up a
2. hundred and sixty-nine thousand dollars to help capture
3. the grant to repair it. And we need it very badly. I would
4. ask for the adoption of Amendment No. 1.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Is there discussion? ...Senator Vadalabene.
7. SENATOR VADALABENE:
8. Yes, I didn't quite understand what he said. Is he
9. want to transfer a highway from Madison County into his
10. district?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Not quite. Senator Grotberg.
13. SENATOR GROTBORG:
14. You're very close, Senator Vadalabene, I'm transferring
15. the...the a...a deeds to the property from the Department
16. of Conservation under the name of the State of Illinois.
17. It's been there for a hundred years and nobody's taken care
18. of it. So were transferring it to the LaSalle County
19. Highway Department.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further...
22. SENATOR GROTBORG:
23. And they have agreed to accept it.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. ...is there further discussion? The question is shall
26. Amendment No. 1 to House Bill 3238 be adopted. Those in
27. favor indicate by saying Aye. Those opposed. The Ayes have
28. it. The amendment...is adopted. Are there further amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. 3rd reading. Are there announcements? Further announce-
33. ments? Senator Johns.

1. SENATOR JOHNS:

2. Mr. President and all Democratic Senators and I'd like
3. for the secretary's who are listening of the Democratic
4. Senators to be sure and guide them accordingly, there'll
5. be a Democratic caucus in the morning at 9:30 in Room 212.
6. Nine-thirty in Room 212, a Democratic caucus. Thank you,
7. Mr. President.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Graham.

10. SENATOR GRAHAM:

11. Rising for the same purpose for a very much more
12. important reason, we're going to...ask, we've been urgently
13. requested our Republican Senators appear in Room 400 in
14. the morning for a very important caucus. Nine-thirty
15. tomorrow morning. Room 400.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. Yes, if I could ask Senator Demuzio, Leonard, Roe,
20. Schaffer, Rock, to join me at my desk immediately upon
21. adjournment to talk about organizing a little commission
22. organization that should be at least organized before we
23. all die.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Are there further announcements? Senator Rock moves
26. the Senate stand adjourned till 11:00 a. m. to...Wednesday,
27. November the 29th, 1978. Those in favor indicate by saying
28. Aye. Senate stands adjourned.

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