

APRIL 16, 1980

1. PRESIDENT:

2. The Senate will come to order. Will the members please be  
3. at their seats. Will our guests in the gallery please rise.  
4. Prayer this afternoon by the Reverend Mason Finks, First United  
5. Methodist Church, Springfield, Illinois. Reverend.

6. REVEREND MASON FINKS:

7. ( Prayer given by Reverend Finks )

8. PRESIDENT:

9. Thank you, Reverend. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. I move that reading and approval  
12. of the Journals of Wednesday, April the 9th, Thursday, April the  
13. 10th, and Tuesday, April the 15th, in the year 1980 be postponed  
14. pending arrival of the printed Journal.

15. PRESIDENT:

16. You've heard the motion. All in favor signify by saying  
17. Aye. All opposed. The Ayes have it. So ordered. Messages  
18. from the House.

19. ACTING SECRETARY: (MR. FERNANDES)

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

21. Mr. President - I am directed to inform the Senate that  
22. the House of Representatives has passed bills of the following  
23. titles in the passage of which I am instructed to ask concurrence  
24. of the Senate, to-wit:

25. House Bill 1503, 2351. Passed the House April 15, 1980, John  
26. F. O'Brien, Clerk of the House.

27. PRESIDENT:

28. Resolutions.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Resolution 448, offered by Senator Phillip and all  
31. members and it's congratulatory.

32. Senate Resolution 449, offered by Senators Nash, Geo-Karis,  
33. Maragos, and all members, it's congratulatory.

1. Senate Resolution 450, offered by Senator Berman, Carroll,  
2. and all Senators, congratulatory.

3. Senate Resolution 451, offered by Senators Rock and all  
4. members, and it's commendatory.

5. Senate Resolution 452, offered by Senator Becker, and it's  
6. congratulatory.

7. Senate Resolution 453, offered by Senator Keats.

8. Senate Resolution 454, offered by Senator Ozinga, congratulatory.

9. And Senate Resolution 455, offered by Senators Rock,  
10. Shapiro, Donnewald, Bruce, Hall, Savickas, Weaver, Walsh, Philip,  
11. and all members of the Senate, and it's a death resolution.

12. PRESIDENT:

13. Consent Calendar. Committee reports.

14. ACTING SECRETARY: (MR. FERNANDES)

15. Rules Committee Report, pursuant to amended Rule 5, the  
16. Rules Committee meet at 1...3:00 p.m., Tuesday, April 15, 1980  
17. and the following members were present: Senators Rock, Donnewald,  
18. Bruce, Hall, Johns, Savickas, Moore, representing Senator Shapiro,  
19. Weaver, Walsh, and Philip. By unanimous vote the committee  
20. ruled that the following bills can be considered during this  
21. Session of the Senate: Senate Bills 1451, 1454, 1479, 1480,  
22. 1505, 1506, 1508, 1509, 1524, 1529, 1542, 1543, 1544, 1545, 1547,  
23. 1553, 1554, 1569, 1577, 1581, 1585, 1597, 1598, 1604, 1607, 1690,  
24. 1692, 1693, 1701, 1706, 1707, 1712, 1713, 1720, 1727, 1734, 1741,  
25. 1759, 1760, 1762, 1774, 1799, 1804, 1808, 1812, 1813, 1814, 1817,  
26. 1818, 1819, 1820, 2821, 1822, 1828, 1832, 1834, 1837, 1844, 1849,  
27. 1861, 1886, 1887, 1893, 1935, 1940, 1961, 1963, 1967, 2013, 2014,  
28. and 2020. The foregoing bills were ordered to be sent to the  
29. Committee on Assignment of Bills, signed Philip J. Rock, Chairman.

30. Report from Standing Committees, Senator Donnewald, Chairman  
31. of Committee on Assignment of Bills, reported the following  
32. Senate Bills have been assigned to committees. To the Committee  
33. on Agriculture, Conservation, and Energy, Senate Bills 1454,  
1581, 1713, 1813, 1819, 1849, 1886, 1887, 1935, and 1967. To

1. the Committee on Appropriations I, Senate Bills 1734, 2030,  
2. 2014. The Committee on Education, Elementary and Secondary,  
3. Senate Bills No. 1480, 1692, 1701, 1774, 1804, and 1812. To  
4. the Committee on Higher Education, Senate Bills 1569, 1577, 1690,  
5. and 1817. To the Committee on Elections and Reapportionment,  
6. Senate Bill 1893. The Committee on Executive, Senate Bills 1479,  
7. 1597, 1604, 1607, and 1822. The Committee on Finance and Credit  
8. Regulations, Senate Bills 1720 and 1844. Committee on...  
9. Insurance and Licensed Activities, Senate Bills 1553, 1799, 1814,  
10. 1821, and 1961. To the Committee on Judiciary I, Senate Bills  
11. 1508, 1542, 1543, 1544, 1545, 1693, 1741, and 1762. Committee on  
12. Judiciary II, Senate Bills 1505, 1524, 1547, 1564, 1706, and 1707.  
13. Committee on Labor and Commerce, Senate Bill 1820. Committee on  
14. Local Government, Senate Bills 1506, 1529, 1585, 1598, 1712, 1837,  
15. 1940, 1963, and 2020. Committee on Pensions, Personnel and  
16. Veterans Affairs, Senate Bill 1861. Committee on Public Health,  
17. Welfare, and Corrections, Senate Bill 1451, 1759, 1808, and 1834.  
18. Committee on Revenues, Senate Bill 1777, 1828, and 1832. Committee  
19. on Transportation, Senate Bills 1509, 1760, and 1818.

20. PRESIDENT:

21. Senator Geo-Karis, for what purpose do you arise?

22. SENATOR GEO-KARIS:

23. Mr. President, and members of the Senate. I'd like to  
24. introduce...purpose of introduction. I'd like to introduce Mrs.  
25. Gilbert Stiles, who's sitting upstairs in the front row, who's  
26. the wife of Mayor Gilbert Stiles, of Libertyville, Illinois, from  
27. Lake County, in my constituency. I'd like to welcome her.

28. PRESIDENT:

29. Will our guest please stand and be recognized. Resolutions.

30. ACTING SECRETARY: (MR. FERNANDES)

31. Senate Resolution 456, offered by Senators Hall, Rock and  
32. all members, it's a congratulatory.

33. Senate Resolution 457, offered by Senator Daley, Newhouse,  
and all members, it's a death resolution.

1. Senate Resolution 458, offered by Senator Newhouse, it's  
2. a death resolution.

3. PRESIDENT:

4. Consent Calendar. Resolutions.

5. ACTING SECRETARY: (MR. FERNANDES)

6. Senate Joint Resolution No. 92, Constitutional Amendment,  
7. offered by Senators Rock, Netsch, and Martin, it's a Constitutional  
8. Amendment.

9. PRESIDENT:

10. Executive Committee.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Joint...Senate Joint Resolution No. 94, offered by  
13. Senators Maragos, Geo-Karis, Nash, Rock, and all members, it's  
14. congratulatory.

15. PRESIDENT:

16. Consent Calendar. Senator Donnewald, for what purpose do  
17. you arise?

18. SENATOR DONNEWALD:

19. Yes, Mr. President, while we have a lull. As to Senate Bill  
20. 1757, which shows myself as principal sponsor, that should be  
21. Senator Maitland as the principal sponsor of that piece of leg-  
22. islation. We've gotten together on this and we all agree on it. I  
23. would ask leave that the record so show.

24. PRESIDENT:

25. All right, you've heard the request. Is leave granted? Leave  
26. is granted. So ordered. Yes, Senator Wooten, for what purpose  
27. do you arise?

28. SENATOR WOOTEN:

29. Mr. President, I would like to discharge from the Committee  
30. on Executive, Senate Joint Resolution 83, sponsored by Senator  
31. Merlo. It simply extends the reporting deadline, and through  
32. my inadvertence I didn't get it scheduled. I've talked with  
33. Senator Moore and we both agree that there's no need to keep this

1. in committee.

2. PRESIDENT:

3. All right, the motion is to discharge the Senate Executive  
4. Committee from further consideration of Senate Joint Resolution  
5. 83. Is there any discussion? If not, all in favor signify by  
6. saying Aye. All opposed. The Ayes have it. So ordered. Senator  
7. Martin, for what purpose do you arise?

8. SENATOR MARTIN:

9. Yes, as principal sponsor of Senate Bill 1473, I would like  
10. to have Senator Egan and Keats hyphenated on as joint sponsors  
11. of that bill.

12. PRESIDENT:

13. You've heard the request. Is leave granted? Leave is granted.  
14. So ordered. Senators Egan and Keats will be shown as hyphenated  
15. co-sponsors. Senator Mitchler, for what purpose do you arise?

16. SENATOR MITCHLER:

17. Mr. President, and members of the Senate. In the Senate  
18. Executive Committee is Senate Joint Resolution 52. Senate Joint  
19. Resolution 91 has been passed out of that committee and I would  
20. like at this time to move to have the Senate Executive Committee  
21. discharged from considering Senate Joint Resolution 52 and brought  
22. to the Floor for purpose of Tabling Senate Joint Resolution 52.

23. PRESIDENT:

24. All right, Senator Mitchler has moved to discharge the  
25. Committee on Executive from further consideration of Senate Joint  
26. Resolution 52 for the purpose of Tabling. Is there any discussion?  
27. If not, all in favor signify by saying Aye. All opposed. The  
28. Ayes have it. The committee is discharged. Senator Mitchler  
29. now moves to Table Senate Joint Resolution 52. All in favor signify  
30. by saying Aye. All opposed. The Ayes have it. So ordered.  
31. Senator Davidson, for what purpose do you arise?

32. SENATOR DAVIDSON:

33. Purpose of an announcement. Mr. President, while we have a  
lull, I'd like to remind the members of the Senate, in relation to

1. the announcement to the Governor's Prayer Breakfast, that was  
2. put on your desk yesterday, please let me know if you want to  
3. attend so we can get you a ticket down front. Tickets are  
4. seven dollars apiece, the speaker is Jim Lear of the McNeil  
5. Lear Report on Public Television on news. You have till next  
6. Thursday, a week from tomorrow to let me know, then we're going  
7. to turn all the reserved seats loose.

8. PRESIDENT:

9. Senator Martin, for what purpose do you arise?

10. SENATOR MARTIN:

11. Yes, Mr. President. I would like to move to discharge  
12. a bill from committee for the purpose of Tabling. House Bill  
13. 249.

14. PRESIDENT:

15. That motion is always in order. Senator Martin has moved  
16. to discharge the Committee on Public Health from further con-  
17. sideration of House Bill 249 for the purpose of Tabling. Is there  
18. any discussion? If not, all in favor signify by Aye. All opposed.  
19. The Ayes have it. The committee is now discharged. Senator  
20. Martin now moves to Table House Bill 249. Is there any discussion?  
21. If not, all in favor signify by saying Aye. All opposed. The  
22. Ayes have it. So ordered. All right, if the members will please  
23. be in their seats. Now turn to page 2 on the Calendar, we have  
24. a number of Appropriation Bills. On the Order of  
25. Senate Bills 3rd reading, 1484, Senator Regner. 1498, Senator  
26. Coffey. On the Order of Senate Bills 3rd reading, is Senate  
27. Bill 1498. Read the bill, Mr. Secretary.

28. ACTING SECRETARY: (MR. FERNANDES)

29. Senate Bill 1498.

30. ( Secretary reads title of bill )  
31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Coffey.

SENATOR COFFEY:

1. Yes, Mr. President, and members of the Senate.

2. PRESIDENT:

3. May we have some order. Will those not entitled to the  
4. Floor, please vacate. Senator Coffey.

5. SENATOR COFFEY:

6. Yes, Mr. President, and members of the Senate. This is  
7. the Senate Bill 1498, which is the supplementary transfer bill  
8. for FY'80, it increases the State Fair Ag. Premium Fund by two  
9. hundred and one thousand...two hundred and one thousand, seven  
10. hundred dollars and increases the Meat and Poultry and Livestock  
11. Division from the General Revenue Fund by fifty-seven thousand  
12. one hundred dollars. I'd be glad to answer any questions.

13. PRESIDENT:

14. Is there any discussion? If not, the question is, shall  
15. Senate Bill 1498 pass. Those in favor will vote Aye. Those  
16. opposed will vote Nay. The voting is open. Have all voted  
17. who wish? Have all voted who wish? Take the record. On that  
18. question, the Ayes are 51, the Nays are none. 1 Voting Present.  
19. Senate Bill 1498, having received a constitutional majority is  
20. declared passed. On the Order of Senate Bills 3rd reading, is  
21. Senate Bill 1589, Senator Weaver. Read the bill, Mr. Secretary.

22. ACTING SECRETARY: (MR. FERNANDES)

23. Senate Bill 1589.

24. ( Secretary reads title of bill )

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Weaver.

28. SENATOR WEAVER:

29. Thank you, Mr. President. This is the 1981 annual appropriation  
30. in the amount of five hundred and nineteen thousand seven hundred  
31. and seventy-eight dollars for the Civil Service Merit Board. If  
32. there's any questions, I'd be happy to answer them, if not, I'd  
33. appreciate a favorablè roll call.

1. PRESIDENT:

2. Is there any discussion? If not, the question is, shall  
3. Senate Bill 1589 pass. Those in favor will vote Aye. Those  
4. opposed will vote Nay. The voting is open. Have all voted  
5. who wish? Have all voted who wish? Take the record. On that  
6. question, the Ayes are 53, the Nays are 1. None Voting Present.  
7. Senate Bill 1589, having received a constitution majority is  
8. declared passed. 1648, the sponsor informs me they are waiting  
9. an amendment, we'll get back to that, with leave of the Body.  
10. On the Order of Senate Bills 3rd reading, is Senate Bill 1656,  
11. Senator Mitchler. Read the bill, Mr. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. Senate Bill 1656.

14. ( Secretary reads title of bill )

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. Mr. President, and members of the Senate. Senate Bill 1656  
20. amends the FY'80 appropriation for the Military and Naval Depart-  
21. ment, it adds four hundred and thirty-six thousand dollars. The  
22. effective date is immediately upon passage and approval. I move  
23. for adoption and passage of Senate Bill 1656.

24. PRESIDENT:

25. Is there any discussion? Senator Maragos. I'm sorry, your  
26. light is flashing here, Senator. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. I concur in the need for this  
29. supplemental appropriation. For four years in a row now, the  
30. Military Naval Department has been put in the position by the  
31. Bureau of the Budget by not having ample funds in their appropri-  
32. ation bill for payment of their utility bills, every...every  
33. Spring we tell them that, every Spring they agree, they know that,  
but they can never get the money out of the Bureau of the Budget



1. to continue to pay their utility bills. So, this year, finally  
2. General Phipps went to the Governor, he went right to the top, and  
3. ...and the Governor finally agreed to allow adequate funds in  
4. their FY'81. So, this will hopefully be the last time we see  
5. the supplemental for the Military and Naval to finish paying  
6. out their...their bills, because in their FY'81 request there's  
7. going to be sufficient dollars.

8. PRESIDENT:

9. Further discussion? Senator Hall.

10. SENATOR HALL:

11. Would the sponsor yield for a question?

12. PRESIDENT:

13. Sponsor indicates he will yield. Senator Hall.

14. SENATOR HALL:

15. Senator, I would like to know what purpose does the Navy  
16. play in our defense? What...what are we doing, are we guarding  
17. the...Lake Michigan or what? What...what do we...what do we need  
18. a Navy for?

19. PRESIDENT:

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Senator...Senator Hall this is really an appropriation for  
23. FY'80, but in response to your question, what it is, have you  
24. ever been out to Lake Springfield, or up and down the Mississippi  
25. River and see how they're guarding East St. Louis, protecting them  
26. from the invasion of St. Louis, and also in the great Lake Mich-  
27. igan, the wonderful shoreline that we have in the City of Chicago.  
28. They're all over, look around you, they're all around you.

29. PRESIDENT:

30. Senator Hall.

31. SENATOR HALL:

32. Well, the only thing I see in those bodies of water are...  
33. is the Coast Guard. Now, I...I thought that we were going to  
get rid of this thing. Senator Buzbee, I thought you were leading

1. the charge for us to get rid of this, and here we're still  
2. appropriating money to the Navy. Now, boy it must be wonderful,  
3. I...I want to see our battleships.

4. PRESIDENT:  
5. Any further discussion? Senator Vadalabene.

6. SENATOR VADALABENE:  
7. Yes, just a comment in regard to the Navy. I have a boat  
8. named after me, and every time it leaves Tri-City Port it escorts  
9. it up and down the Mississippi.

10. PRESIDENT:  
11. Further discussion? Senator Newhouse.

12. SENATOR NEWHOUSE:  
13. Senator, I wonder if the sponsor would yield to a question?

14. PRESIDENT:  
15. He indicates he will yield. Senator Newhouse.

16. SENATOR NEWHOUSE:  
17. I've seen that facility down on Lake Michigan, and I...I've  
18. never seen anybody go in or out of it. What purpose does it  
19. serve?

20. PRESIDENT:  
21. Senator Mitchler.

22. SENATOR MITCHLER:  
23. You talking about the Naval Armory? The Naval Armory located  
24. down there? Yes, that is being used. That's being used, it's  
25. being occupied and used, every week, reservists.

26. PRESIDENT:  
27. Senator Newhouse.

28. SENATOR MITCHLER:  
29. It's activated.

30. SENATOR NEWHOUSE:  
31. By whom and for what?

32. PRESIDENT:  
33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Their various reserve components of the Military.

3. PRESIDENT:

4. Senator Newhouse.

5. SENATOR NEWHOUSE:

6. Could you give us an idea of what the total number of  
7. people that we're talking about who utilize that facility? What  
8. is...what is the strength of the Naval Reserve?

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. I'd have to come back to you to give you an honest answer  
13. to the exact numbers, Senator, but the facility that you're  
14. referring to is being used, and is being occupied. From time  
15. to time they talk about phasing it out and going back and forth,  
16. but it's...it's being used right today.

17. PRESIDENT:

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

19. SENATOR WOOTEN:

20. Just a point of order, Mr. President. I certainly sympathize  
21. with the opinions that have been expressed here, and I call to  
22. your attention, House Bill 1214, which is on our Calendar, to  
23. abolish the Illinois Naval Militia and maybe these things ought  
24. to be addressed to that, because I think this really is just  
25. some bills that we have to pay and it deals primarily with the  
26. National Guard. I certainly am in sympathy with the feelings  
27. on the Naval Militia, but maybe those comments are misdirected  
28. at this time.

29. PRESIDENT:

30. Point is well taken. Is there further discussion? Senator  
31. Rhoads.

32. SENATOR RHOADS:

33. Well, to just answer some of the questions that have been  
raised, Mr. President. There are, I believe fewer than one

1. hundred personnel involved officers and enlisted men, all of them  
2. are..hold dual rank both in the Naval Militia and in the U.S. Navy  
3. Reserve. U. S. Navy Reserve does pay rent to the State of Illinois  
4. for use of that armory, so there are some quid pro quos, and it  
5. is utilized by the U. S. Navy Reserve.

6. PRESIDENT:

7. Further discussion? Senator Buzbee. Senator Buzbee yields.

8. SENATOR BUZBEE:

9. Yes, thank...

10. PRESIDENT:

11. Oh, did you yield or did you not yield?

12. SENATOR BUZBEE:

13. No, I'd like to speak, thank you.

14. PRESIDENT:

15. All right, Senator Buzbee.

16. SENATOR BUZBEE:

17. I just wanted to make the point, there had been reference  
18. made earlier that...to the Naval Reserve, this is not the Naval  
19. Reserve that we're talking about. Senator Rhoads is absolutely  
20. correct, those folks hold dual ranks, one in the Illinois Naval  
21. Militia and one in the U.S. Naval Reserve. Again I think those  
22. questions are better addressed to, as Senator Wooten said, to House  
23. Bill 1214. It's been on the Calendar several days by the way, no-  
24. body's picked up sponsorship, so any of you folks that are that  
25. interested in...in sinking the ship, I've been sunk many times with  
26. that bill, and so I'm going to let somebody else sink it this  
27. time, but you ought...might pick that up as the sponsor if you're  
28. that interested.

29. PRESIDENT:

30. Any further discussion? If not, Senator Mitchler may close.

31. SENATOR MITCHLER:

32. Just for the record, to say that the amount of four hundred  
33. and thirty-six thousand dollars is broken down to cover deficiencies  
and Personal Services, a hundred and ninety-seven thousand eight

1. hundred dollars in Contractual Services, and Commodities  
2. two hundred and ten thousand dollars. I'd ask for a favorable  
3. roll call.

4. PRESIDENT:

5. The question is, shall Senate Bill 1656 pass. Those in favor  
6. will vote Aye. Those opposed will vote Nay. The voting is open.  
7. Have all voted who wish? Have all voted who wish? Have all  
8. voted who wish? Take the record. On that question, the Ayes are  
9. 49, the Nays are none. 8 Voting Present. Senate Bill 1656, having  
10. received a required constitutional majority is declared passed.  
11. On the Order of Senate Bills 3rd reading, is Senate Bill 1852,  
12. Senator Buzbee. Read the bill, Mr. Secretary.

13. ACTING SECRETARY: (MR. FERNANDES)

14. Senate Bill 1852.

15. ( Secretary reads title of bill )

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This is a transfer bill, trans-  
21. ferring within line items in the Energy Resources Commission, a  
22. total of five thousand six hundred eighty-five dollars. We found  
23. this necessary to be able to get through the fiscal year over  
24. and above our two percent transferability and I would ask for  
25. your favorable vote.

26. PRESIDENT:

27. Is there any discussion? If not, the question is, shall  
28. Senate Bill 1852 pass. Those in favor will vote Aye. Those opposed  
29. will vote Nay. The voting is open. Have all voted who wish?  
30. Have all voted who wish? Take the record. On that question, the  
31. Ayes are 56, the Nays are none. None Voting Present. Senate  
32. Bill 1852, having received the required constitutional majority  
33. is declared passed. 1983, you wish to hold? 1984, Senator

1. Sommer. On the Order of Senate Bills 3rd reading, is Senate  
2. Bill 1984. Read the bill, Mr. Secretary.  
3. ACTING SECRETARY: (MR. FERNANDES)  
4. Senate Bill 1984.  
5. ( Secretary reads title of bill )  
6. 3rd reading of the bill.  
7. PRESIDENT:  
8. Senator Sommer.  
9. SENATOR SOMMER:  
10. Mr. President, and members. This is for forty-five thousand  
11. dollars to...to aid in litigation involving sureties of failed  
12. building projects.  
13. PRESIDENT:  
14. Is there any discussion? Senator Carroll.  
15. SENATOR CARROLL:  
16. Thank you, Mr. President, and Ladies and Gentlemen of the  
17. Senate. Just to identify for all those little school kids  
18. who go about reading the fiction book that Doctor Bob puts out,  
19. this, of course, was not in the budget book as one of the listed  
20. supplementals, although Doctor Bob has sent us an appropriate  
21. letter that will never be part of history asking for this add-  
22. itional money. So, once again the Governor is starting to over  
23. spend the book he, passes out to everybody who wants to come  
24. through the Capitol Building.  
25. PRESIDENT:  
26. Further discussion? If not, the question is, shall Senate  
27. Bill 1984 pass. Those in favor will vote Aye. Those opposed  
28. will vote Nay. The voting is open. Have all voted who wish?  
29. Have all voted who wish? Take the record.. On that question,  
30. the Ayes are 46, the Nays are none. 8 Voting Present. Senate  
31. Bill 1984, having received the required constitutional majority  
32. is declared passed. Well, with leave of the Body, we will get  
33. back to that, if that's all right, we'll go back to that order  
as soon as the amendment arrives up here on the Floor. All right,

1. if the members will please be in their seats. We will, with  
2. leave of the Body, move to page 3 on the Calendar, there have  
3. been a number of requests from the sponsors that the Constitutional  
4. Amendments be afforded the opportunity to be read a first time.  
5. If I can have the attention of the membership, you understand,  
6. of course, that this is governed by Article XIV Section 2 of the  
7. Constitution of the State of Illinois, and we have pursuant to  
8. that Constitutional provision inserted in our Senate Rules under  
9. Rule 6C, the procedure that will be followed. Senator Wooten,  
10. for what purpose do you arise?

11. SENATOR WOOTEN:

12. I rise to offer an amendment to Senate Joint Resolution  
13. No. 1.

14. PRESIDENT:

15. All right, now wait just a minute.

16. SENATOR WOOTEN:

17. All right.

18. PRESIDENT:

19. All right, we are on Constitutional Amendments 1st reading.  
20. Senate Joint Resolution No. 1 offered by Senator Rhoads. Senator  
21. Rhoads, what is your pleasure?

22. SENATOR RHOADS:

23. Read it. Don't read it. Amendments.

24. PRESIDENT:

25. All right, well...I just want to point out that under Rule  
26. 6, Constitutional Amendments as proposed, are subject to amend-  
27. ments on 1st...on the initial 1st reading and 2nd reading only.  
28. The Chair, frankly, has no...will have no way of knowing whether  
29. or not the sponsor, one, wishes an amendment, or two, whether or  
30. not the Body wishes an amendment. So, we will just proceed as  
31. the sponsor directs.

32. SENATOR RHOADS:

33. Thank you, Mr. President. I'm willing to consider amendments  
at this time.

1. PRESIDENT:

2. All right. Senator Wooten.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. The intent of Senator Rhoads'  
5. Constitutional Amendment is to bar changes in the salary of  
6. members, which are voted on between the election...between the  
7. General Election and the second Wednesday of January next  
8. ensuing. A court decision has stated quite frankly that when  
9. the word between is used that it excludes the dates that are  
10. mentioned, that would leave a loophole, which I'm sure Senator  
11. Rhoads does not want, which would prevent salary increases on  
12. the day the new Legislature convenes prior to noon of that day,  
13. and so what my amendment does is just simply make clear that  
14. there are no loopholes between the General Election and the  
15. time when the new General Assembly convenes. I believe it has  
16. his endorsement, and I offer the amendment.

17. PRESIDENT:

18. Senator Grotberg, for what purpose do you arise?

19. SENATOR GROTBURG:

20. Mr. President, a point of order. If we are going to be  
21. dealing with these serious matters of constitutional resolutions,  
22. and Senator Rhoads has just given me a copy, but I think what...  
23. it's incumbent that of all legislation that we have a copy  
24. on our desks of all amendments and the initial bill if possible.

25. PRESIDENT:

26. That request is in order. Senator Wooten.

27. SENATOR WOOTEN:

28. I'm sorry, I only gave that to Leadership, I didn't think  
29. this was a matter of any discussion at all, but I will...if we want  
30. to defer this, I'll get copies circulated.

31. PRESIDENT:

32. Well, we may not need it, if everybody understands it. Five  
33. members have the right, of course, to request that copies be provided on  
the desk, Senator Grotberg. Senator Rhoads.



1. SENATOR RHOADS:

2. Thank you, Mr. President. I rise in support of the amend-  
3. ment. The Democratic staff did bring some Supreme Court citations  
4. to me, I think it's a good amendment, and I urge its adoption.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion on Amendment No. 1 to Senate  
7. Joint Resolution 1? The question is on the adoption of Amend-  
8. ment No. 1 to Senate Joint Resolution No. 1. Those in favor  
9. vote Aye. Those opposed vote Nay. The voting is open. Have  
10. all voted who wish? Have all voted who wish? Take the record.  
11. On that question, the Ayes are 54, the Nays are none. None  
12. Voting Present. Amendment No. 1 to Senate Joint Resolution  
13. 1, is adopted. Are there further amendments to Senate Joint  
14. Resolution 1? Secretary will read Senate Joint Resolution No. 1  
15. as amended by Amendment No. 1 in its entirety.

16. ACTING SECRETARY: (MR. FERNANDES)

17. ( Secretary reads SJR CA No. 1 )

18. 1st reading of the resolution.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senate Joint Resolution 12, Senator Nimrod. Do you wish  
21. to call that today? Senate Joint Resolution 16, Senator Bowers.  
22. Mr. Secretary, are there any amendments submitted to Senate Joint  
23. Resolution 16?

24. ACTING SECRETARY: (MR. FERNANDES)

25. No committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments to the Floor?

28. ACTING SECRETARY: (MR. FERNANDES)

29. No Floor amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Mr. Secretary, if you would read Senate Joint Resolution  
32. 16 in its entirety.

33. ACTING SECRETARY: (MR. FERNANDES)

1. ( Secretary reads SJR.No. 16 )

2. ( Machine Malfunction)

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. We're on the Order of Constitutional Amendments 1st reading,  
5. Senate Joint Resolution 24, Senator Philip. Senator Philip re-  
6. quests the reading of Senate Joint Resolution 24. Are there  
7. amendments from the committee, Mr. Secretary?

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(END OF REEL)

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1. (Machine cut-off)...come to order. We're on the Order of
2. Constitutional Amendments, 1st reading, Senate Joint Resolution
3. 24, Senator Philip. Senator Philip asks that Senate Joint
4. Resolution 24 be read a first time. Mr. Secretary are there
5. committee amendments?
6. ACTING SECRETARY: (MR. FERNANDES)
7. No committee amendments.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Are there amendments from the Floor?
10. ACTING SECRETARY: (MR. FERNANDES)
11. No amendments from the Floor.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Mr. Secretary please read Senate Joint Resolution 24 a
14. first time in its entirety.
15. ACTING SECRETARY: (MR. FERNANDES)
16. Senate Joint Resolution 24, Constitutional Amendment.
17. (Secretary reads SJR 24)
18. 1st reading of the resolution.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senate Joint Resolution 24 has advanced to the Order of
21. 2nd Reading. Senate Joint Resolution 12, Senator Nimrod. Do you
22. wish that read? Senate Joint Resolution 12, 1st reading. Are
23. there amendments from the committee?
24. ACTING SECRETARY: (MR. FERNANDES)
25. No committee amendments.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Are there amendments from the Floor?
28. ACTING SECRETARY: (MR. FERNANDES)
29. No Floor amendments.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Mr. Secretary, would you read Senate Joint Resolution 12
32. a first time in its entirety.
33. ACTING SECRETARY: (MR. FERNANDES)

Day 25  
2nd Reading  
4-16-80

1. Senate Joint Resolution 12, Constitutional Amendment.

2. (Secretary reads SJR 12)

3. 1st reading of the resolution.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. That completes the reading of Senate Joint Resolution 12  
6. and it will be...advanced to the Order of 2nd Reading. Senate  
7. Joint Resolution 25, Senator Netsch. Do you wish it read...a  
8. first time? Sponsor requests that Senate Joint Resolution 25  
9. be read a first time. Are there committee amendments?

10. ACTING SECRETARY: (MR. FERNANDES)

11. Committee on Executive offers one amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. The committee amendment is the  
16. full text of the proposed resolution. What I would like to do  
17. is to either...to withdraw or Table and I think probably Table  
18. is the appropriate motion. The committee amendment, we have  
19. a rewritten amendment which picked up some additional technical  
20. and other corrections that needed to be made and is still the  
21. full text that has been handed out. In addition, I have handed  
22. out a page which explains the differences between, or calls  
23. attention to the differences between the committee amendment  
24. and this version. There are no substantive changes involved  
25. in this substitute. So with that explanation, I would move  
26. to Table Committee Amendment No. 1 to SJRCA25.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to Table Committee Amendment No. 1 to  
29. Senate Joint Resolution 25. Is there discussion of the motion  
30. to Table? All in favor say Aye. Opposed Nay. The Ayes have  
31. it. Amendment No. 1 is Tabled. Further committee amendments?

32. ACTING SECRETARY: (MR. FERNANDES)

33. No further committee amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Are there amendments from the Floor?  
3. ACTING SECRETARY: (MR. FERNANDES)  
4. Amendment No. 2 offered by Senator Netsch.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Senator Netsch to explain Amendment No. 2.  
7. SENATOR NETSCH:  
8. Yes, this amendment is now the text of the proposed Constitutional  
9. Amendment. It is the substitute for the committee amend-  
10. ment with hopefully all of the corrections incorporated therein.  
11. I would move the adoption of Amendment No. 2 to SJRCA25.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. The motion is to adopt Amendment No. 2. Is there discussion  
14. of the motion to adopt? There is discussion, Senator Rock.  
15. SENATOR ROCK:  
16. Yes, thank you. I would just request of the sponsor that a...an  
17. explanation be given. Some of these changes, while I appreciate  
18. the fact that this...the changes from what we heard in committee  
19. have now been...that committee amendment having now been Tabled.  
20. I'd just like to know where we are so that when the subsequent  
21. amendments come along we'll know of that with which we're dealing.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Netsch.  
24. SENATOR NETSCH:  
25. Well, the...the text that we would then be dealing with is  
26. the one that is now before you in Amendment No. 2. There are,  
27. as I indicated, no substantive changes between this and Committee  
28. Amendment No. 1, which was also the text. What happened was that  
29. between the Reference Bureau and ourselves we discovered some  
30. places where words had not been eliminated which should have  
31. been or in one case, two section numbers had been reversed. And  
32. we have tried to pick up all of that cleaning up and technical  
33. changing of the language. All of the changes that are...all of

1. the differences between Committee Amendment No. 1 and this  
2. amendment are the ones that are referred to on this one sheet  
3. that I have handed out to you. If you want me to, I could go  
4. through each one of them. For example, a the...the first one  
5. still had in a section which as recast was dealing only with,  
6. as I recall, circuit court judges, it still had reference to  
7. appellate. So we have simply removed to the words, appellate or,  
8. because they made...they had made no sense in that context  
9. any longer. For purposes of clarification, in several places,  
10. we have added the word, circuit, before the word, judges, so  
11. that there is no question about the category of judge to which  
12. reference is being made, and so forth.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Rock.

15. SENATOR ROCK:

16. I...I too am able to read the technical changes. My  
17. question I guess is, from the presentation that was made  
18. in the Executive Committee at some length, on three separate  
19. occasions as I recall, has there now been...is there now  
20. incorporated in this substitute amendment, any further substantive  
21. change? Specifically with respect to associate judges, I might  
22. add.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch.

25. SENATOR NETSCH:

26. No. I have a separate amendment which incorporates the  
27. only substantive change that I am proposing and I deliberately  
28. left it out of this amendment, Senator Rock. So that this amend-  
29. ment, as best I can possibly control it and read myself, and I  
30. have looked over it and so have a number of others of us and  
31. the Reference Bureau, does nothing except clean up either  
32. ambiguous references or absolute imperfections in the language  
33. in the amendment. It has...has no substantive impact at all.

1. The next amendment that I offer will have a substantive impact  
2. with respect to associate judges.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion on the motion to adopt Amendment No. 2?  
5. Senator Grotberg.

6. SENATOR GROTBORG:

7. Will the sponsor yield?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates she will yield. Senator Grotberg.

10. SENATOR GROTBORG:

11. Senator Netsch, this is a very complicated amendment and  
12. I appreciate what you're trying to do, but I got as far as  
13. page 7, line 10 in that paragraph, for those of you who  
14. haven't read it, I would like to know what in the dickens it  
15. is that it says. God can't figure it out and then he called  
16. me and said, John, you can figure it out and I said, I can't  
17. figure it out. But it says for each Judicial District Nomination  
18. Committee...I thought we're trying to clarify the law and that one  
19. just bugs me. What are you trying to do on said paragraph?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Well, let me make a comment first and then try to respond  
24. to your question also. The amendment that I am offering right  
25. now has in no way changed the original proposal in that respect.  
26. That is language that was in SJRCA25 when it was first introduced  
27. last year. And it was also language that was in the committee  
28. amendment. So that your...your question is not in a sense directly  
29. relevant to the amendment that I am now offering. Now, having  
30. said that, let me try to answer it. This is the provision that  
31. deals with the membership of the District Judicial Nominating  
32. Commissions and what subsection, in fact this whole section  
33. really, is that which spells out how the several nominating

1. commissions are to be constituted. And...I don't, let's see...  
2. Subsection D is specifically the District Judicial Nominating  
3. Commissions which are all of those expect for the 1st Judicial  
4. District, which in fact is Cook County. And what it says is  
5. that they are...that the members are to be...selected...elected  
6. by the Circuit Commission from among its members. Now this is  
7. what I call, because I think it makes a little bit easier to  
8. understand, a derivative membership. In other words, let me  
9. go back one step. The State is divided into five judicial  
10. districts, of which Cook County is one separate. Each judicial  
11. district nominates and right now elects and under this proposal  
12. would select the members of the Supreme Court and the members of  
13. the Appellate Court for that judicial district. Under this  
14. proposal, each of those judicial districts would have a nominating  
15. commission to function therein. In addition, any circuit which  
16. adopts merit selection by referendum would have a Circuit  
17. Nominating Commission. Where there is a Circuit Nominating  
18. Commission in place downstate, if that should ever come to pass,  
19. and it would come to pass only by referendum, then the members  
20. of the Judicial Nominating Commission, which embraces that  
21. circuit, are in part selected from the members of the Circuit  
22. Nominating Commission. That's what I mean when I describe it  
23. as a derivative membership.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Grotberg.

26. SENATOR GROTBORG:

27. Well, I thank you, and I don't mean to...prolong the proceedings  
28. Senator Netsch, but further on you're very explicit that nobody  
29. can sit on two commissions at the same time...and you're quite  
30. specific about it in other areas and here you have a double duty  
31. subcommittee of a super power nature which...we're not here to  
32. debate the issue, no. But I thought it was redundant if you  
33. were correcting the thing that it still has to go back to the



1. Reference Bureau as far as I'm concerned in that area because  
2. it has clouds of conflict all over it. Thank you.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. Will the sponsor yield for a question?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates she will yield. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. I have on my desk two amendments. One amendment is two  
11. pages and the other amendment is approximately...ten pages. I  
12. take it that you Tabled the amendment with the two pages. Am  
13. I correct?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Netsch.

16. SENATOR NETSCH:

17. No. The amendment with two pages will be offered subsequently.  
18. It is a substantive change which the amendment presently before  
19. us is not.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Is the bill then the amendment of ten pages?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Netsch.

26. SENATOR NETSCH:

27. That is correct.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Just...just to clarify for the membership. The committee  
30. amendment would not have been distributed to your desk, so the  
31. Tabled Amendment...No. 1 was never distributed, that was a  
32. committee amendment and Amendment No. 2 incorporates the entire  
33. resolution. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Mr. President, Ladies and Gentlemen of the Senate. My  
3. understanding then, the present amendment, which is the bill,  
4. and I believe that's Amendment 2...refers to merit selection.  
5. Is that correct, Senator Netsch?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Netsch.

8. SENATOR NETSCH:

9. I don't think it uses the terminology, but it is, in fact,  
10. the system of selection which is known as merit selection.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. I would like to speak in opposition to this amendment.  
15. This amendment still leaves it to...to a judicial commission  
16. appointed by the Governor to decide on who shall be appointed  
17. judges in the respective counties and I don't know that this  
18. is exactly what should come up at this time on the 1st reading.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. For what purpose does Senator Netsch arise?

21. SENATOR NETSCH:

22. I...I was trying to raise a point of order. Senator Geo-Karis,  
23. those arguments are appropriate at the time we attempt to pass this.  
24. At the moment, all we are doing is cleaning up the language in  
25. what the proposal represents. Yours is directed to the merits  
26. of it and that will come at a later stage, 3rd reading.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Philip...you wish...we are on the adoption and  
29. consideration of the adoption of Amendment No. 2 to Senate Joint  
30. Resolution 25. Senator Philip.

31. SENATOR PHILIP:

32. Thank you, Mr. President. I just want a clarification of  
33. the rules. Now this bill will be moved to 2nd reading today,

1. allegedly. Are we going to be able to amend her Constitutional  
2. Amendment on 2nd reading? Because, I tell you, I have an  
3. amendment, but, you know, the Legislative Reference Bureau happens  
4. to be bogged down and I probably won't get it until tomorrow.  
5. Am I...am I correct in thinking that we can amend it on 1st  
6. reading and 2nd reading?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Under the rules of the Senate, we will consider amendments  
9. to propose State Constitutional Amendments on both 1st and 2nd  
10. reading. Senator Philip.

11. SENATOR PHILIP:

12. ...My...I guess I have a two part question. The other  
13. question is and...and if it's amended substantially, it has to  
14. be read three more times? I mean that's the way I read the  
15. rules. I don't know what...what...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Well, Senator we...

18. SENATOR PHILIP:

19. ...what the professor thinks, but that's the way I read  
20. the rules.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Under our rules we read each amendment three times in  
23. its entirety in its final amended form. And we plan to...to  
24. continue that policy that has been adopted over a year ago.  
25. Senator Philip.

26. SENATOR PHILIP:

27. You...you said each amendment to the Constitutional Amend-  
28. ment, no matter what it is, even if you take out a...an and  
29. or a the, you still have to read that three more times?

30. PRESIDING OFFICER:

31. Under the rule...

32. SENATOR PHILIP:

33. Okay.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. ...under the rules of the Senate, we read a...a proposed  
3. Constitutional Amendment three times in its entirety, as amended.  
4. And we can amend the...amendments can be considered on both 1st  
5. and 2nd reading of Constitutional Amendments proposed. Further  
6. discussion of...the motion to adopt Amendment No. 2 to Senate  
7. Joint Resolution 25? Senator Netsch, do you wish to close?

8. SENATOR NETSCH:

9. I would just simply point out that this is simply the...the  
10. corrective committee amendment which now incorporates the text  
11. in its form, in its corrected form. And it has no substantive  
12. change from that which the committee itself acted upon.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt. Those in favor will vote Aye. Those  
15. opposed will vote Nay. The voting is open. Have all voted who  
16. wish? Have all voted who wish? Take the record. On that question  
17. the Ayes are 37, the Nays are 11, 1 Voting Present. Amendment  
18. No. 2 to Senate Joint Resolution 25 is adopted. Further amend-  
19. ments, Mr. Secretary.

20. ACTING SECRETARY: (MR. FERNANDES)

21. Amendment No. 3 offered by Senator Netsch.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch, on Amendment No. 3.

24. SENATOR NETSCH:

25. Thank you, Mr. President. This amendment does have a  
26. substantive impact. What it provides is that in any circuit  
27. which subsequently adopted merit selection for the circuit  
28. court level, which includes the associate judges as the amend-  
29. ment is written, they...we would attempt to lessen the work  
30. load on the Nominating Commission for that particular circuit  
31. by dividing the sitting associate judges into two groups and  
32. in effect, staggering their terms. The reason is this. There  
33. are a very substantial number of associate judges, not just in

1. the Cook County Circuit, but in the downstate circuits as a  
2. whole. All...at the present time, all of...their terms expire  
3. at exactly the same time. They are four year terms with the  
4. same termination date. It had been suggested to us by others  
5. who had taken a look at the amendment, that that would put a  
6. particularly heavy work load on perhaps several circuit commissions  
7. and most particularly on the Cook County Circuit Commission,  
8. if Cook County were subsequently were to adopt this method  
9. of selection, because there are in Cook County presently a  
10. hundred and thirty-nine associate judges. What we have attempted  
11. to do is to ease the impact of that instead of having all one  
12. hundred and thirty-nine to...to deal with at one time, we are  
13. dividing them into two groups and giving them, in effect, staggered  
14. terms. That is the purpose of the amendment and I would move  
15. its adoption.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt Amendment No. 3 to Senate Joint  
18. Resolution 25. Is there discussion? Senator Rock.

19. SENATOR ROCK:

20. This...this is a terrible amendment to an otherwise  
21. terrible idea. What we are suggesting here is that we will take  
22. those gentlemen and ladies of high caliber who have been elected  
23. by the judges of their circuit and somehow split them into two  
24. groups to submit to the Chief Executive of this State their names.  
25. I don't think this is a great burden. If the system is good, as  
26. good as the proponents say and if, in fact, the Chief Executive  
27. is as...and the Judicial Nominating Commissions are as good and  
28. wholesome as they purport to be, they can do a hundred names as  
29. well as they can do fifty names. I think this...this amendment  
30. ought to be rejected out of hand.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion of Amendment No. 3? Senator Netsch  
33. may close.

1. SENATOR NETSCH:

2. I would point out, Senator Rock, that the basic decision  
3. whether or not associate judges will be subject to the merit  
4. selection method, is not at issue in Amendment No. 3. This  
5. one has to do only with whether or not an attempt will be  
6. made to ease the work load on the Circuit Nominating Commissions  
7. so that they are better and more reflectively able to deal with  
8. their responsibilities.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Philip, Senator Netsch was closing on that. All  
11. right. The motion is to adopt Amendment No. 3 to Senate Joint  
12. Resolution 25. Those in favor vote Aye. Those opposed vote  
13. Nay. The voting is open. Have all voted who wish? Have all  
14. voted who wish? Take the record. On that question the Ayes  
15. are 23, the Nays are 31, none Voting Present. Amendment No. 3  
16. is lost. Further amendments, Mr. Secretary?

17. ACTING SECRETARY: (MR. FERNANDES)

18. Amendment No. 4 offered by Senator Regner.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Regner on Amendment No. 4.

21. SENATOR REGNER:

22. Yes, Mr. President and members. Back in 1966 when the  
23. so-called Judicial Reform was passed at that time, including  
24. retention, myself, along with many others, predicted that it  
25. would be an absolute disaster if that were to take place.  
26. What this amendment does, it eliminates retention, it's just  
27. that simple. So there is no more retention, the judges that  
28. are appointed through merit selection would go before and  
29. through the same process that they would go through under  
30. the Constitutional Amendment as...presented by Senator Netsch  
31. and I'd move the adoption of Amendment No. 4.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 4. Is there discussion?

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. I...I would point out one aspect  
4. to Senator Regner's amendment that he is now aware of, we have  
5. talked about that this morning. And that is that if adopted in...  
6. in the form in which it presently is, what it does mean is that  
7. at the end of a term, every sitting judge would, in effect, be  
8. out of office and would have to take a chance that he would...he  
9. or she would be one of the three names submitted by the Nominating  
10. Commission all over again. Now, that may sound desirable to some  
11. people, but I suspect you would find that it would do two things.  
12. One, I think it would probably create such uncertainty with...  
13. with respect to the sitting judges themselves that you would  
14. really discourage a number of people who might otherwise be  
15. interested in going into the Judicial system to begin with. The  
16. second thing is, I'm afraid, and I know this is not the reason  
17. for it, but I'm afraid it would have the impact of attempting  
18. a politicization of the process of selection. And I think that  
19. in itself would be extremely unfortunate and not, obviously, what  
20. the process is intended to do. Along with that, I would simply  
21. like to make an affirmative argument for retention. First,  
22. Senator Regner, I think the problem with retention that many  
23. people have had is that if you don't have a good initial selection  
24. system, then obviously retention is not good and unfortunately  
25. what happened in Illinois was that we got the tail but not the  
26. frontest piece of the dog. We got retention, but without what  
27. we considered to be the important part of the selection process  
28. and that is the Nominating Commission appointment...device. I  
29. think you will find that when we changed to the other system  
30. of initial selection that retention itself will lose some of  
31. the...the...the...disadvantages that in your judgment it has  
32. had. Secondly, I would like to say that retention in the  
33. context of the so-called merit selection procedure is a tested

1. and tried device and it has worked extremely well. Most jurisdictions, and there  
2. are a very substantial number of them with merit selection, do  
3. have retention. And again in that context it really does work  
4. in a constructive fashion. Third, it is a safety valve and  
5. it is intended to be. If something goes wrong with the system  
6. and because it's a human system, obviously something could go  
7. wrong with it, then you do retain the protection of submitting  
8. the judges names right after their initial selection and at the  
9. end of their term, to a retention election which again is a  
10. safety valve. Thirdly, I think it is extremely important  
11. in protecting the independence of the judges themselves. What  
12. they know is that the only thing they have to run against is  
13. their record. If their record is good, then they have every  
14. reason to think that they will be retained in that office. They  
15. do not have to worry about any kind of a system or a group of  
16. individuals once they have been put in office. It is simply  
17. a general responsibility to maintain a good record and if that  
18. happens they will be retained and that is the purpose of the  
19. system. So on...for that variety of reasons, I would resist  
20. the amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President and Ladies and Gentlemen of the  
25. Senate. I rise in support of Amendment No. 4 and congratulate  
26. Senator Regner for pointing out the inconsistency of this  
27. elitist position. We are, on the one hand, saying to the electorate  
28. of this State, you do not have the smarts to elect people to  
29. judicial office, therefore we will create this little band of  
30. aristocrats who will submit to the Chief Executive of the State  
31. names...he can only choose from those names, and we will pick those  
32. names, not the people. On the other hand, we are saying that  
33. once picked, we would like the people, the electorate, to ratify  
34. our choices and so we run these persons for retention. If you're



1. going to go with an appointive system, make it appointive all the  
2. way, take retention out. And I...urge everybody to vote Aye.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Rhoads.

5. SENATOR RHOADS:

6. I just was curious since Senator Rock raised...in such  
7. enthusiastic support of Amendment No. 4. Would this mean,  
8. Senator, that if Amendment No. 4 goes on, that you'll be for  
9. the resolution?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rock.

12. SENATOR ROCK:

13. Never.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Philip.

16. SENATOR PHILIP:

17. I...I just wanted to correct Professor Netsch and remind  
18. her not to use the word, merit, it's appointment of judges.  
19. One of the complaints about it, in Missouri, which is a neighboring  
20. state is, that the Governor who makes the appointments of the  
21. people who appoint the judges is always calling those people  
22. and telling them who he wants for judge. So what you have, in  
23. effect, if you pass this blasted thing, is you're having the  
24. Governor appointing the judges, in effect. So you have the...the  
25. Executive Branch appointing the Judicial Branch and it simply  
26. doesn't work, it's not good, it never has been, it never will  
27. be. We ought to support the amendment, incidently.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Walsh.

30. SENATOR WALSH:

31. Mr. President and members of the Senate. Briefly, in  
32. opposition to the amendment, I would like to point out that  
33. what this amendment does is merely abolish the provision in  
34. the existing Constitution for retention. So that if this...

1. amendment is...is adopted and the resolution is ultimately  
2. passed, and adopted by the people, we would not have retention  
3. of judges that...at the expiration of their term, they would  
4. have to undergo the selection process all over again. And as  
5. Senator Netsch pointed out, I think this would be a grave  
6. inhibition to the function of our judges. I...I would hope  
7. notwithstanding the problems we now have with retention that  
8. this amendment not be adopted. I think it would...it would  
9. be a grave tragedy to have all of our judges have to seek  
10. selection at the expiration of their terms, those now sitting  
11. and those who would ultimately be appointed pursuant to...to  
12. this resolution. So I would urge a No vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Egan.

15. SENATOR EGAN:

16. Yes, thank you, Mr. President, members of the Senate. I  
17. think that it should be told as often as we have an opportunity  
18. that this system that Senator Netsch is proposing is certainly  
19. ...that which is not meritorious as she says. This...this  
20. so-called merit selection raises the question so many times  
21. to me that where is the merit in this selection. And...and  
22. if we're going to be, at least logical in our pursuit of this  
23. meritorious system, then we ought to perfect it rather than  
24. discharge that amendment that Senator Regner offers, which  
25. is obviously very logical. If this is such a great system, if  
26. it is, in fact, meritorious, then it should be extended to its  
27. logical conclusion and let the committee that is appointed, of  
28. course, nonpolitically, and let the elitist group who tell the  
29. people of this community and of the State who shall sit in  
30. judgment on their jurisprudence problems that they should also  
31. have the opportunity to refresh their memory about the...the  
32. record of the people that they appoint. To oppose this amend-  
33. ment is illogical. It is logically erroneous to oppose this

1. amendment. The amendment merely puts this meritorious selection  
2. process into fuller focus with logic and into a more perfect  
3. state, if such can be even possible.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Regner may close.

6. SENATOR REGNER:

7. Yes, Mr. President and members. Just a couple of quick  
8. items. This system retention was so great that in fourteen  
9. years only two judges have been discharged through the retention  
10. system. Mark corrected him, he said six, that's still not very  
11. many in fourteen years and...and there still haven't been...all  
12. the rest of them being good judges doing the right job. If in  
13. ...what Senator Walsh and Senator Netsch said in the argument  
14. that it would discourage people from wanting to be judges. If  
15. they're of such high quality I see no problem with them getting  
16. reappointed.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is on the adoption of Amendment No. 4 to  
19. Senate Joint Resolution 25. Those in favor vote Aye. Those  
20. opposed vote Nay. The voting is open. Have all voted who wish?  
21. Have all voted who wish? Have all voted who wish? Take the  
22. record. On that question the Ayes are 30, the Nays are 24,  
23. none Voting Present. Amendment No. 4 to Senate Joint Resolution  
24. 25 is adopted. Further amendments?

25. ACTING SECRETARY: (MR. FERNANDES)

26. Amendment No. 5 offered by Senator Carroll.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll with Amendment No. 5.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen. Senator  
31. Egan, what's the problem?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. For what purpose does Senator Egan rise?

34. SENATOR EGAN:

1. Yes, just to...to point out that I made a very serious  
2. error in my last vote. I meant to vote Aye. I would like the  
3. record to reflect that...that I voted No.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The recorded record will...will show your intent. Senator  
6. Carroll, you ready to proceed on Amendment No. 5?

7. SENATOR CARROLL:

8. If Senator Egan is ready, I'm ready. Thank you.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. This amendment is very simple. It basically says that  
14. some of our colleagues from the south say what's good for the  
15. goose is good for the gander. Rather than make it by local  
16. option, it would make circuit court appointments mandatory  
17. State-wide in all circuits. So that if it happens to one and  
18. is so good for one, it's good for all. I would move adoption  
19. of Amendment No. 5.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt Amendment No. 5. Is there discussion?  
22. Senator Philip.

23. SENATOR PHILIP:

24. Yes, that's kind of an interesting theory, very honestly.  
25. And...and I might say this, that in my judgment and the judgment  
26. of the media, the only problem is...is in Cook County. That's  
27. the only problem they have a gigantic backlog, that's the only  
28. problem they...they have in the State of Illinois. And to lock  
29. everybody else in, in the other hundred and one counties...in  
30. my judgment, not very good. And I don't happen to think it's  
31. a very good amendment. Most lawyers, and as you know I'm not  
32. a lawyer, will tell you that our circuit is probably the best  
33. circuit in the State of Illinois. And we're very proud of

1. that fact and we've done a pretty good job in electing good  
2. qualified judges. And to think that we're going to have  
3. somebody in Springfield indirectly appointing them, it's  
4. not in the best interest of the...the citizens of DuPage  
5. County in my judgment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Martin.

8. SENATOR MARTIN:

9. Yes, there...the questions about merit selection...are  
10. those that we all really know most of the answers to. And  
11. it is fair to ultimately be opposed to merit selection and  
12. to vote Yes or No on the bill. To try and kill the bill via  
13. this amendment, however, is not the appropriate way to do it  
14. either for us or for the people or for ultimately the ballot  
15. position. This bill should remain as the sponsor wished it  
16. to. To kill it by ending the compromise that makes merit  
17. selection a possibility for the State is both indirect and  
18. would not speak well for the Senate. This amendment should  
19. be defeated so that those of the Senate who are opposed to  
20. merit selection can vote on it as the sponsor introduced it.  
21. And those who are for it can vote for it, not indirectly killed  
22. by one amendment in an attempt to change the bill and make it  
23. virtually unpalatable for all.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Lemke.

26. SENATOR LEMKE:

27. Mr. President, fellow Senators. I...I would like to  
28. correct Senator Martin, this is not a bill, this is a  
29. Constitutional Amendment. And every Senator here has the  
30. right to amend that Constitutional Amendment to fit in the  
31. wishes of the constituency...he represents. This is not a  
32. bill. The sponsor doesn't have the...this last say that this  
33. is the way it's going to be and this is all we're going to do.

1. This is an issue, merit selection is an issue. I think that  
2. the...every Senator here has the right to amend it to fit the  
3. wishes of his constituency because if it ultimately goes on  
4. the ballot...there...his constituents will be voting for that.  
5. So the Senate on a...on any Constitutional Amendment loses  
6. control of that and it should be allowed to be amended by  
7. fifty-nine Senators and a hundred and seventy-seven Representatives.  
8. It's...it's going to change our Constitution.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen of the  
13. Senate. I too rise in support of Amendment No. 5. I am aware,  
14. of course, that Senator Philip has a further amendment to limit  
15. the operation of this Constitutional provision to the confines  
16. of the County of Cook and that is certainly his prerogative  
17. to offer that and I will resist it at the appropriate time.  
18. But it seems to me that the arguments made by the proponents  
19. of this appointive system fall somewhat short. Because if, in  
20. fact, it is good policy for the State of Illinois then let's  
21. mandate it for the State of Illinois. And I urge an Aye vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Maragos. Oh...all right.

24. Senator Walsh.

25. SENATOR WALSH:

26. Mr. President, members of the Senate. Just to...to point  
27. out to the...to my fellow Senators, the...the Constitutional  
28. Amendment in its present form by virtue of the adoption of  
29. Amendment No. 2 provides that a...the Judicial Circuit must  
30. adopt by a local option referendum the provisions of this  
31. Constitutional Amendment. Amendment No. 5 would mandate it  
32. State-wide. I don't think we...we want to impose our will on  
33. all of the people of the State of Illinois to that extent. We're

1. merely giving the circuits the option of adopting this proposal  
2. for selection of judges. I think it's a good amendment. It  
3. would have been better without Senator Regner's amendment, but  
4. it's a good Constitutional Amendment in its present form and  
5. we should oppose Senator Carroll's amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Netsch.

8. SENATOR NETSCH:

9. Thank you, Mr. President. The most significant difference  
10. between the proposal that is pending now and the proposal that  
11. was voted on in 1970 at the time of the new Constitution, is  
12. the local option feature. The reason it is in this proposal  
13. is for two very good reasons. One is obviously a political  
14. reason in the broad sense of that word, it enables us to get  
15. support which we might not otherwise have had. The second  
16. reason is that it is also directly responsive to a point that  
17. was raised to those of us who...who are for merit selection  
18. by a number of downstaters. And that is that they do not  
19. object to merit selection for Supreme and Appellate Court, but  
20. they have a different feeling about the Circuit Court which is  
21. the trial court and the...and the court which does, in fact,  
22. have the closest relationship with most peoples' problems who  
23. get into the legal system at all. This form of the amendment,  
24. of the local option feature for Circuit Court, is directly  
25. responsible to our downstate colleagues who have raised this  
26. point. It belongs in the amendment. If it is not there, then  
27. we are voting on something that is very similar to what was  
28. objected to by many downstate voters in 1970. Secondly, I  
29. would like to point out that the concept of having merit  
30. selection for all Appellate Courts, but only for potentially  
31. the largest trial courts in the State, would not be unique  
32. to Illinois. Indeed Missouri, which is the State which started  
33. the movement for what has come to be called merit selection had

1. it in exactly that same form and still does. They have merit  
2. selection for Supreme and Appellate Courts. They started out  
3. with that system, the Appointive System, if you will, only for  
4. their two largest trial courts in Kansas City and St. Louis.  
5. Since then a couple other urban areas have added it. But it  
6. is an absolutely defensible position and in fact that pattern  
7. has been repeated in some of the other states which have that  
8. ...this proposal. Finally, I would like to underscore a point  
9. that Senator Martin made. This...amendment is known as loving  
10. to death and all of us have seen it many times in the Illinois  
11. General Assembly. You will note that the mandated State-wide  
12. merit is being presented by someone who opposes merit selection,  
13. who will vote No on the amendment. It is designed to make sure  
14. that this proposal will never get enough votes to get out of  
15. the Illinois General Assembly and I resent it on that basis.  
16. I would urge a No vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Carroll may close.

19. SENATOR CARROLL:

20. Why, I thank you, Mr. President and Ladies and Gentlemen  
21. of the Senate. Let me just respond to some of the members before  
22. ...as part of my closing. One, Senator Philip, don't kid your-  
23. self, you're next. You know, one goes, they all go and you  
24. know it as well as I do. It depends on when your media decides  
25. to pick up on appointments and call appointments merit. Senator  
26. Martin, why not. It is not inpalatable or palatable or however  
27. you pronounce your new english language as you so aptly point  
28. out to others, nor is it ending a compromise, nor is it indirect.  
29. It is the most direct approach you can take. Either you want  
30. to appoint them or you want to elect them. It is just that  
31. simple. Do you want to elect, do you want to appoint. Not to  
32. read a newspaper and let them decide, but decide as a General  
33. Assembly. How will one equal branch of government be chosen?



1. Will it be chosen State-wide the same way. Senator Netsch  
2. pointed out that her bill now is merely horse trading. It  
3. is politicizing the Judicial Branch of Government by trying  
4. to find the number of votes necessary to create a partial  
5. band aid to what she thinks is the approach to the Judicial  
6. System. That type of horse trading isn't merit, it is not  
7. merit in the least. It is trying to politicize the process  
8. to come up with votes. I say point blank, what do you want?  
9. Do you want to appoint the judges, let the Governor appoint  
10. that branch of government? If so, it's good State-wide, should  
11. not be only forced upon one section of society. Yes or no, up  
12. or down. Either we're appointing them all or we should let  
13. the people elect them. It's just that simple of a process, it  
14. also makes the most sense. If you're for it at all levels,  
15. not just Appellate and Supreme as the original amendment stated,  
16. which supposedly, according to Senator Netsch is what the people  
17. wanted. Appellate and Supreme by an appointment type system.  
18. The minute you enter into the circuit, it should be the same  
19. State-wide. And I would move adoption of Amendment No. 5.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt Amendment No. 5 to Senate Joint  
22. Resolution 25. Those in favor will vote Aye. Those opposed  
23. will vote Nay. The voting is open. Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question  
25. the Ayes are 16, the Nays are 37, none Voting Present. Amend-  
26. ment No. 5 to Senate Joint Resolution...25 is lost. Further  
27. amendments, Mr. Secretary?

28. ACTING SECRETARY: (MR. FERNANDES)

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 2nd reading. Now...all right...hold on. The amendment...  
32. the adoption of amendments to Senate Joint Resolution 25 will  
33. necessitate the amendment being enrolled and engrossed and as

1. soon as that is done, it will be read a first time. The Chair  
2. was in error, it has not been read a first time and it's not  
3. advanced to 2nd. It remains on the Order of 1st Reading and  
4. as soon as it is enrolled and engrossed it will come back up  
5. for an actual 1st reading in its entirety. May we have some  
6. order please. Senator Rock on the Floor? Senate Joint Resolu-  
7. tion 56, Senator Rock. Mr. Secretary, Senate Joint Resolution  
8. 56. Are there committee amendments?

9. ACTING SECRETARY: (MR. FERNANDES)

10. The Committee on Executive offers one amendment.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rock to explain...may we have some order please.  
13. Ladies and Gentlemen. Senator Rock to...to explain Amendment  
14. No. 1. Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President, Ladies and Gentlemen of the  
17. Senate. I did offer an amendment to the proposed Constitutional  
18. Amendment contained in Senate Joint Resolution Constitutional  
19. Amendment 56 in the Executive Committee. It was pointed out  
20. to me by members of that committee that there was one change  
21. that was incorporated in that amendment which was not at all  
22. palatable to them and I would therefore move to Table Committee  
23. Amendment No. 1 and I have...placed an amendment with the  
24. Secretary to be offered at this time.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to Table Committee Amendment No. 1 to  
27. Senate Joint Resolution 56. Is there discussion of the motion?  
28. All in favor say Aye. Opposed Nay. The Ayes have it, Amendment  
29. No. 1 is Tabled. Further amendments, Mr. Secretary.

30. ACTING SECRETARY: (MR. FERNANDES)

31. Amendment No. 2 offered by Senator Rock.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Rock.

34. SENATOR ROCK:

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

1. Senate. The purpose of Senate Joint Resolution 56, which is  
2. a proposed Constitutional Amendment was first presented in  
3. a lengthy report by a group called "Trust Inc.", who has  
4. been very active frankly within the confines of the City of  
5. Chicago and are making a legitimate attempt to rehabilitate  
6. and otherwise bring back to the tax rolls those pieces of  
7. property, particularly in the large urban areas, upon which  
8. taxes, real estate taxes, have not been paid for a number  
9. of years and those buildings, frankly, are in disrepair.  
10. What this says is, as you all understand, that currently  
11. under our Constitutional provisions, I, as a land owner  
12. have a right of redemption from a tax sale, a right which  
13. extends a full two year period. What this would say is it  
14. would carve out an exemption to that two year Constitutional  
15. provision and would limit it to ninety days. And it would  
16. limit it to ninety days only under three or four given  
17. conditions, which are enumerated at page two of the amendment.  
18. One, the property is vacant, nonfarm real estate or two it  
19. contains an improvement containing seven or more residential  
20. units. So we are aiming, frankly, at the multi-story unit  
21. buildings in the City of Chicago or it is commercial or  
22. industrial. And the...most importantly, upon which all or a  
23. part of the general taxes for five or more years have not been  
24. paid, they are delinquent taxes. Now last year this Assembly  
25. saw fit to lower the scavenger sale provision down from ten  
26. years to five years in an attempt again to get more pieces  
27. of property back onto the productive tax rolls. This says,  
28. given those four or five conditions, the right of redemption  
29. will only be ninety days long so that after a five year nonpayment  
30. and all the other conditions the right of redemption, instead  
31. of being two years, will be but ninety days. And we hope that  
32. this will prove extremely beneficial, particularly in the  
33. inner-city urban area and I would move adoption of Amendment No. 2.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion on...motion is to adopt Amendment No. 2.  
3. Is there...if we could have some order, please. We have several  
4. conferences on the Floor; if you would take those off of the Floor.  
5. Would the House members that have joined us this afternoon please  
6. take their conferences off the Floor. The motion is to adopt  
7. Amendment No. 2; is there any discussion? Senator Berning.

8. SENATOR BERNING:

9. Yes, Mr. President. I just would like to observe that while  
10. this is a laudable Constitutional Amendment, because of the condition  
11. of that great document; what we are actually doing, in reality  
12. here is legislating. This sort of verbage ought not to be required  
13. in the Constitution. I think it emphasizes what a sad, sorry  
14. document that...Illinois Constitution really is.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Further discussion? The motion is to adopt. Those  
17. in favor will vote Aye. Those opposed will vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Take the  
19. record on that question. The Ayes are 43, the Nays are 5, none  
20. Voting Present. Amendment No. 2 to Senate Joint Resolution 56  
21. is adopted. Are there further amendments?

22. ACTING SECRETARY: (MR. FERNANDES)

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would you please read Senate Joint Resolution 56 in its  
26. entire...in its entirety a first time.

27. ACTING SECRETARY: (MR. FERNANDES)

28. Senate Joint Resolution No. 56.

29. (Secretary reads SJR CA 56)

30. 1st reading of the resolution.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senate Joint Resolution 56 is hereby advanced to the Order  
33. of 2nd reading. For what purpose does Senator Rock arise?

1. Senator Rock, you're...you're shown on here.

2. SENATOR ROCK:

3.           Okay, thank you...our multimillion dollar system barely  
4. functions. If I can have the attention of the membership, we  
5. have prepared a committee schedule for the ensuing couple of  
6. weeks so that everybody will have an idea...the Adjournment  
7. Resolution is still up there, which we should probably adopt  
8. today. I am told Senator Weaver's amendment to his bill is  
9. ready, so we can get back to that order of business, and if  
10. Senate Resolution 25 is ready to be read, we will read it; but  
11. I wanted to point out to the membership that after discussions  
12. with individual members, it does not appear that there will be  
13. much of substance on the Calendar tomorrow, so that we will  
14. commence the Session at 9:00 a.m., and hopefully, rather  
15. expeditiously, finish up; and that the Committee on Appropriations  
16. II will meet immediately after adjournment. Senator Buzbee, the  
17. Chairman, informs me that...that committee probably will not go  
18. more than an hour and a half or two; that they will meet...in-  
19. stead of meeting at nine, they will go immediately after adjourn-  
20. ment. The Senate will reconvene tomorrow morning at 9:00 a.m.,  
21. so that we can send everybody on their way home. Can we handle  
22. that Adjournment Resolution...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24.           Senator Rock, with your leave...

25. SENATOR ROCK:

26.           We are in at nine o'clock. 9 a.m. tomorrow morning.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28.           Senator Rock, with your leave, I would like to leave that  
29. as intervening business on 1648. Is there leave? For what  
30. purpose does Senator Rhoads arise? Gentlemen, if we could take  
31. some of our conferences off the Floor, the Chair would be able  
32. to see some of the Senators as they stand for recognition.  
33. Senator Rhoads.

1. SENATOR RHOADS:

2. Just to inquire of the Chair, we will get to the Order of  
3. business of Constitutional Amendments 2nd reading tomorrow; is  
4. that correct?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. That is...yes. Is there leave to return to the Order of  
7. Senate Bills on the Order of 3rd reading? Leave is granted.  
8. Senate Bill 1648. Senator Weaver.

9. SENATOR WEAVER:

10. Thank you, Mr. President. I would ask leave to bring 1648  
11. back to the Order of 2nd reading for the purpose of Tabling an  
12. amendment and adopting, possibly another one.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there leave to return Senate Bill 1648 to the Order of  
15. 2nd reading? Leave is granted. The bill is on the Order of  
16. 2nd reading. Senator Weaver.

17. SENATOR WEAVER:

18. I would move to Table Committee Amendment No...excuse me,  
19. I guess this will be...we will not Table, we will adopt an  
20. amendment that Senator Carroll has.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. There is one amendment on the bill already...this will...  
23. Senator Carroll...No. 2...Amendment No. 2 by Senator Carroll.  
24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President and Ladies and Gentlemen of the  
27. Senate. The...corrected procedure...we would seek to adopt  
28. Amendment No. 2 which would add some thirty-two thousand one  
29. hundred dollars to the appropriation as it stands now with  
30. Amendment No. 1 adopted. This add-back is the result of finally  
31. identifying what percentage of the budget of the commission...is  
32. actually involved in those people who change titles, so that we  
33. can identify what percentage of the monies are not related to the

1. seven percent solution of last year, but rather to the title  
2. change to Financial Institutions Examiners from Accountants. This  
3. amendment would produce that and in addition, it would pay some  
4. twelve thousand dollars in Special Retirement monies to two people  
5. who are leaving the Commission, and I would move adoption of  
6. Amendment No. 2. It also makes a transfer to pay the telephone  
7. bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You have heard the discussion...you have heard the motion  
10. which is to adopt Amendment No. 2. Is there discussion of the  
11. motion? All in favor say Aye. Opposed Nay. The Ayes have it.  
12. Amendment No. 2 is adopted. Are there further amendments?

13. ACTING SECRETARY: (MR. FERNANDES)

14. No further amendments

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 3rd reading. Leave to go to the Order of Resolutions. Leave  
17. is granted. Resolutions. Senate Joint Resolution 94, Senator  
18. Rock is recognized.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of the  
21. Senate. This is the Adjournment Resolution which recites that as  
22. we leave Springfield tomorrow we will return on Tuesday, April  
23. 22nd at the hour noon, and I would urge everyone given this  
24. schedule you have just received to post your bills and make sure  
25. that they are heard in committee next week...so I would hope that  
26. everyone would...would be prompt and would be here Tuesday, April  
27. 22nd at noon. I would move, Mr. President, for the suspension of  
28. the rules and the immediate consideration and adoption of Senate  
29. Joint Resolution 94.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to suspend the rules for the immediate con-  
32. sideration of Senate Joint Resolution 94. Is there leave?  
33. Leave is granted. The rules are suspended. Now on the motion to

1. adopt the Adjournment Resolution. All in favor say Aye. Opposed  
2. Nay. The Ayes have it. The resolution is adopted. Is there  
3. leave to return to the Order of Senate Bills 3rd reading? Leave  
4. is granted. We are on the Order of Senate Bills 3rd reading,  
5. Senate Bill 1648. Senator Weaver wishes the bill read. Mr.  
6. Secretary.

7. ACTING SECRETARY: (MR. FERNANDES)

8. Senate Bill 1648.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. Senate Bill 1648 is a supplemental  
15. appropriations for operations for the Commissioner of Banks and  
16. Trusts in the amount of one hundred eight thousand eight hundred  
17. dollars. If there are any questions I would be happy to try to  
18. answer them. If not, I would appreciate a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is on the...the question is...is there debate?  
21. The question is, shall Senate Bill 1648 pass? Those in favor vote  
22. Aye. Those opposed vote Nay. The voting is open. Have all  
23. voted who wish? Have all voted who wish? Take the record. On that  
24. question, the Ayes are 52 the Nays are none. None Voting Present.  
25. Senate Bill 1648 having received the required Constitutional  
26. majority is declared passed. We are certainly happy to have with  
27. us on the Floor today Senator Harris, a former colleague who has  
28. taken other employment. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr. President and Ladies and Gentlemen of the Senate, it is  
31. my pleasure to introduce a number of ladies from the League of  
32. Women Voters who are sitting upstairs in the balcony from Lake  
33. County, Illinois. I would like to have them welcomed.



1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Would our guests please...in the Gallery please stand and  
3. be recognized. Is there leave to go to the Order...leave to go  
4. to the Order of Resolutions. Resolutions.  
5. ACTING SECRETARY: (MR. FERNANDES)  
6. Senate Resolution 459, offered by Senators Lemke, Sangmeister,  
7. Rock, Daley, Bowers, Rhoads, Becker, Philips, Savickas, D'Arco,  
8. Nedza, Nega and all members. It's congratulatory.  
9. Senate Resolution 460, offered by Senators Lemke, Savickas,  
10. Daley, Vadalabene, D'Arco, Nash and all members. Congratulatory.  
11. Senate Resolution 461, offered by Senators Lemke, Nega,  
12. Nedza, Daley, Nash and all members. It's congratulatory.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Consent Calendar. Messages from the House.  
15. ACTING SECRETARY: (MR. FERNANDES)  
16. A Message from the House by Mr. O'Brien, Clerk.  
17. Mr. President - I am directed to inform the Senate that  
18. the House of Representatives has adopted the following joint  
19. resolution, in the adoption of which I am instructed to ask  
20. concurrence of the Senate, to-wit:  
21. House Joint Resolution 90. Senator Chew is going to be  
22. the Senate sponsor.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Executive Committee. For what purpose does Senator Carroll  
25. arise?  
26. SENATOR CARROLL:  
27. For an announcement, Mr. President.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Carroll.  
30. SENATOR CARROLL:  
31. The two o'clock meeting of the Appropriations I Committee will  
32. be on time as usual. It will start immediately after adjournment  
33. or sooner.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Buzbee, did you have an announcement about your...  
3. Senator Buzbee.  
4. SENATOR BUZBEE:  
5. Senate Appropriations will meet tomorrow...Senate Appropriations  
6. II, immediately after our adjournment tomorrow morning, as Session  
7. is scheduled at nine, so we will meet immediately after that.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. All right. So that...will be immediately after Session,  
10. rather than at nine. Senator Rock.  
11. SENATOR ROCK:  
12. Yes, thank you, Mr. President and Ladies and Gentlemen of  
13. the Senate. Before I put the motion to adjourn until 9:00 a.m.  
14. tomorrow morning; in fairness to those who are proponents of  
15. what I think is an untenable position, we are awaiting the  
16. enrolled and engrossed copy of Senate Joint Resolution 25 as  
17. amended. I would suggest that we recess to the call of  
18. the Chair for the single, sole, only purpose of reading that  
19. amendment in full on it's first day, so that tomorrow it will  
20. appear on the Order of 2nd reading. If that is agreeable, I  
21. will ask leave of the Body for that purpose, and that purpose  
22. only. Otherwise, for all intents and purposes, we will stand  
23. adjourned until nine o'clock tomorrow morning.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. ...Senator Newhouse.  
26. SENATOR NEWHOUSE:  
27. I wonder if before that is adopted...I rise to Table a...  
28. Table a resolution, Mr. President. What has happened is that...  
29. there were two death resolutions submitted today in honor of  
30. Jesse Owens. Mine was one of them and I would like leave of the  
31. Body to Table Resolution No. 458.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. The motion is to Table. Is there discussion of the motion?

1. All in favor say Aye. Opposed Nay. The resolution is Tabled.  
2. The motion is to recess. For what purpose does Senator Weaver  
3. arise?

4. SENATOR WEAVER:

5. Thank you, Mr. President. I would just like the record to  
6. show that Senator Shapiro is not with us today because he is out  
7. of the country on State business.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion by Senator Rock that we stand in recess, subject  
10. to the Call of the Chair. We will reconvene solely for the  
11. purpose of reading in Senate Joint Resolution 25, after which time  
12. we will adjourn until tomorrow morning at 9:00 a.m. The motion  
13. is to recess...for what purpose does Senator Carroll arise?

14. SENATOR CARROLL:

15. In which event, with leave of the Body, we will meet as  
16. Appropriations I during the recess as opposed to waiting until  
17. after the adjournment. With leave of the Body.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll has announced that the Appropriations I  
20. will meet immediately, Senator Carroll? Appropriations No. I  
21. immediately upon adjournment. Senator Rock, has Rules Committee  
22. been postponed until three-thirty? Rules Committee will meet  
23. at three-thirty in the Office of the President. The motion is  
24. to recess, subject to the call of the Chair. On that motion, is  
25. there discussion? All in favor say Aye. Opposed Nay. The Ayes  
26. have it. The Senate stands in recess, subject to the call of the  
27. Chair.

28. RECESS

29. AFTER RECESS

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The Senate will come to order. We are on the Order of  
32. Constitutional Amendments, Constitutional Amendment SJR 25.  
33. Read the...resolution as amended, Mr. Secretary, first time  
34. in its entirety.

1. ACTING SECRETARY: (MR. FERNANDES)
2. Senate Joint Resolution 25.
3. (Secretary reads title of resolution)
4. 1st reading of the resolution.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Any further business to come before the Senate? Senate
7. Joint Resolution 25, having been read a first time is advanced
8. to the Order of 2nd reading. Any further business to come before
9. the Senate? The Senate stands adjourned until the hour of nine
10. o'clock on Thursday, April the 17th, 1980.
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