

80TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 26, 1978

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of noon having arrived, the Senate will come
3. to Session. Prayer by the Reverend Anthony Tzortzis, Saint
4. Anthony's Hellenic Orthodox Church, Springfield, Illinois.

5. REVEREND TZORTZIS:

6. (Prayer given by Reverend Tzortzis)

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Reading of the Journal, Senator Hickey.

9. SENATOR HICKEY:

10. Mr. President, I move that reading and approval of
11. the Journal of Tuesday, April 25, 1978 be postponed pending
12. arrival of the printed Journal. That's hard.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. You heard the motion. All in favor say Aye. Opposed
15. Nay. The Ayes have it, the motion prevails. Committee
16. Reports.

17. SECRETARY:

18. Senator Knuppel, Chairman of the Committee on Agriculture,
19. reports out Senate Bill 1512 with the recommendation Do Pass.

20. Senator Vadalabene, Chairman of Executive Appointments
21. and Administration, reports out Senate Bills 1653, 1657, 1660,
22. 1663, 1694, 1749, 1654, 1658, 1661, 1669, 1697, 1848, 1656,
23. 1659, 1662, 1693, 1697, with the recommendation Do Pass. Senate
24. Bills 1655, 1664, 1696 and 1859 with the recommendation Do
25. Pass as amended.

26. Pursuant to Amended Temporary Rule 5, the Rules Committee
27. met at 10:30 a. m. April 26, 1978 and makes the following
28. report: by unanimous vote the committee ruled that the
29. following bills can be considered during the Spring Session
30. of the Senate - House Bill 2696, Senate Bill 1468 and 1519.

31. The foregoing bills were ordered to be read a first time,
32. printed and referred to the Committee on Assignment of Bills.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senate Bills 1st reading.

1. SECRETARY:
2. Senate Bill 1468.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. Senate Bill 1519.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. House Bills, 1st reading.
10. SECRETARY:
11. House Bill 2696, Senator Davidson is the sponsor.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Committee Reports.
16. SECRETARY:
17. Senator Donnewald, Chairman of the Committee on Assignment
18. of Bills, assigns the following Senate Bills to committee:
19. Senate Bill...Insurance and License Activities - Senate Bill
20. 1468; Labor and Commerce - Senate Bill 1519 and Appropriations
21. I - House Bill 2696.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. For what purpose does Senator Clewis arise?
24. SENATOR LEWIS:
25. Mr. Chairman, Mr. President, members of the Senate.
26. I ask that the Six Day Notice Rule be suspended so Senate
27. Bill 460 might be heard in the Revenue Committee tomorrow
28. morning.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there leave? Leave is granted. For what purpose
31. does Senator Maragos arise?
32. SENATOR MARAGOS:
33. A...Mr. President, if you have nothing else to do

1. we can go on to 2nd...3rd reading...I mean 2nd reading of
2. House...Joint Resolution 29 which deals with the veteran's
3. is no...we amended it yesterday and I'd like to have three
4. readings on it if possible. That's House Joint Resolution
5. 29 on 2nd reading. Constitutional Amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there leave to go to the Order of Constitutional
8. Amendments? Leave is granted. In the order...that order
9. is House Joint Resolution Constitutional Amendment 29.
10. Secretary will read the amendment a 2nd time.

11. SECRETARY:

12. House Joint Resolution Constitutional Amendment
13. No. 29.

14. (Secretary reads HJRCA 29)

15. 2nd reading of House Joint Resolution Constitutional Amend-
16. ment 29 as amended.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Any amendments? 3rd reading. For what purpose does
19. Senator Rhoads arise?

20. SENATOR RHOADS:

21. Mr. President, I'd like to ask leave to have two
22. additional cosponsors shown on Senate Bill 1558. And
23. those two cosponsors will be Senator Rock and Senator
24. Hynes.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Ask leave of the Body to add two additional cosponsors.
27. Are there...is there leave? Leave is granted. Is there
28. leave to go to the Order of Senate Bills 3rd reading? Leave
29. is granted. On the Order of 3rd reading is Senate Bill 1511.
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1511.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Shapiro is recognized.

4. SENATOR SHAPIRO:

5. Mr. President and Ladies and Gentlemen of the Senate.

6. Senate Bill 1511 makes an appropriation of thirty-five

7. hundred dollars for the painting of a portrait of former

8. Governor Richard B. Ogilvie. We appropriated approximately

9. twenty-five hundred dollars for this portrait several years

10. ago. Somehow or other the money lapsed, no action was

11. taken, so we have reintroduced the bill in order that the

12. Governor's portrait will be placed on the hall on the second

13. floor. So I would urge approval of the appropriation.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is shall Senate

16. Bill 1511 pass. Those in favor vote Aye. Those opposed

17. vote Nay. The voting is open. Have all voted who wish?

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

19. question the Ayes are 52, the Nays are 1, none Voting Present.

20. Senate Bill 1511 having received the constitutional majority

21. is declared passed. Senate Bill 1571, Senator Bloom. Read

22. the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1571.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Bloom is recognized.

29. SENATOR BLOOM:

30. This is the appropriation for the Illinois Industrial

31. Pollution Control Authority.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? The question is shall

1. Senate Bill 1571 pass. Those in favor vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish? Have
3. all voted who wish? Take the record. On that question the
4. Ayes are 56, the Nays are none, none Voting Present. Senate
5. Bill 1571 having received a constitutional majority is declared
6. passed. Senate Bill 1578, Senator Soper. Senator...read the
7. bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1578.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Soper is recognized. May we have some order
14. please.

15. SENATOR SOPER:

16. Thank you, Mr. President. This is the appropriation
17. for the funds for the ordinary and contingent expenses of
18. the General Assembly Retirement System effective July 1st, 1978
19. in the amount of one million forty thousand, seven hundred
20. dollars. Any questions?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? The question is shall
23. Senate Bill 1578 pass. Those in favor vote Aye. Those
24. opposed vote Nay. The voting is open. Have all voted who
25. wished. Have all voted who wish? Take the record. On that
26. question the Ayes are 56, the Nays are none, none Voting Present.
27. Senate Bill 1578 having received the constitutional majority
28. is declared passed. Is there leave to go to the Order of
29. Committee Reports? Leave is granted. Is Senator Rock on
30. the Floor? Senator Rock, our million dollar baby is ill,
31. I thought maybe you might want to come down and work on it.
32. Is there leave to go to the Order of Committee Reports?
33. Leave is granted. Committee Reports.

1. SECRETARY:
2. Senator Vadalabene, Chairman of the Committee on Executive
3. Appointments and Administration recommends that the Senate
4. advise and consent to the following appointments made by
5. the Governor.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator...may we have some order please. Senator
8. Vadalabene is recognized.
9. SENATOR VADALABENE:
10. Yes, thank you, Mr. President and members of the Senate.
11. Mr. President, I move that the Senate resolve itself into
12. Executive Session for the purpose of acting on the Governor's
13. appointments set forth in the Governor's Messages of October
14. 24th, 1977 and March 31st, 1978.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. You heard the motion. We resolve ourselves into
17. Executive Session. All in favor say Aye. Opposed Nay.
18. The Senate is resolved into Executive Session. Senator
19. Vadalabene.
20. SENATOR VADALABENE:
21. Yes, thank you, Mr. President and members of the
22. Senate. With respect to the Governor's Messages of
23. October 24th, 1977 and March 31st, 1978...
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Vadalabene, may I interrupt you please.
26. For what purpose does Senator Graham arise?
27. SENATOR GRAHAM:
28. On a point of personal privilege. Mr. President, perhaps
29. if we stopped the proceedings until we got some order we
30. might stay here till four o'clock and everybody get in their
31. seat. I can't understand and I can't hear what Senator
32. Vadalabene is saying and we're voting on Executive appointments.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. May we have some order. Senator Vadalabene is recognized.

2. SENATOR VADALABENE:

3. Yes, Mr. President, with respect to the Governor's
4. Messages of October 24th, 1977 and March 31st, 1978, I'll
5. read the names of the salaried appointments that the
6. Committee on Executive Appointments and Administration
7. recommends and that the Senate advise and consent to.
8. And after reading the names I intend to ask leave to consider
9. all the salaried appointments on one roll call unless any
10. Senator has objection to any particular name. There has
11. been...an objection in regards to the...the...the Director
12. of Department of Administrative Services, so Mr. President,
13. I think I will read that one separately and ask leave for
14. the rest of them.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there leave to consider the remaining members
17. except for Mr. Puckorius on one roll call? Leave is
18. granted. Senator Vadalabene, if you would name...name the
19. appointees.

20. SENATOR VADALABENE:

21. To be Assistant Director of the Department of Mines
22. and Minerals for a term expiring January 15th, 1979, Daniel
23. W. Clayberg of Cuba.

24. To be a member of the State Board of Elections for
25. a term expiring June 30th, 1979, John J. Lanigan of Palos
26. Hills, J. Phil Gilbert of Carbondale, Teresa M. Petrone of
27. Chicago and Joshua Johnson of Madison. And to be a member
28. of the State Board of Elections for a term expiring June
29. 30th, 1981, Richard A. Cowen of Arlington Heights, John
30. W. Countryman of DeKalb, Michael E. Lavelle of Chicago and
31. Carolyn R. Chamberlain of Springfield.

32. Mr. President, having read the names of the salaried
33. appointments, I now seek leave to consider these names on

1. one roll call unless some Senator has objection to a specific
2. name.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is...is there objection? Senator Vadalabene seeks
5. leave, have these names, these appointees considered on
6. one roll call. Is there leave? Leave is granted. Senator
7. Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you Mr. President. Will you put the question
10. as required by our rules.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, does the Senate advise and consent
13. to the nominations just made. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? Take the record.
16. On that question the Ayes are 58, the Nays are none, none
17. Voting Present. A majority of Senators elected concurring
18. by record vote, the Senate does advise and consent to the
19. nominations just made. Senator Vadalabene.

20. SENATOR VADALABENE:

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

22. To be Director of the Department of Administrative
23. Services for a term expiring January 15th, 1979, I will
24. now ask for a separate roll call for Theodore "Ted" Puckorius.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is shall the Senate advise and consent
27. to the nomination just made. Is there discussion? Those
28. in favor vote Aye. Those opposed vote Nay. The voting is
29. open. Have all voted who wish? Have all voted who wish?
30. Take the record. On that question the Ayes are 50, the
31. Nays are 2, none Voting Present. A majority of Senators
32. elected concurring by record vote, the Senate does advise
33. and consent to the nomination just made. Senator Vadalabene.

1. SENATOR VADALABENE:
2. Yes, thank you, Mr. President. I now move that the
3. Senate arise from Executive Session.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. You've heard the motion. Is there discussion? All
6. in favor say Aye. Opposed Nay. The Ayes have it, the
7. Senate does arise from Executive Session. For what purpose
8. does Senator Grotberg arise?
9. SENATOR GROTEBERG:
10. On a point of personal privilege, Mr. President.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. State your point.
13. SENATOR GROTEBERG:
14. In the President's Gallery on the Democrat side, sit
15. the two ladies of the Parents Organization of our children
16. at...at Lincoln Institution of Mental Health, Mrs. Arbogast
17. and Mrs. Allen, who have come down to make their case for
18. a few bed sheets and linens for that case and I thought
19. because of their timely arrival, we would ask them to
20. stand.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Would they please stand and be recognized by the
23. Senate. What purpose does Senator Harber Hall arise?
24. SENATOR HARBER HALL:
25. Mr. President, I'd like leave of the Senate to...
26. in respect to Senate Bill 1569, to have Senator Shapiro's
27. name removed as principal sponsor and mine...inserted
28. as principal sponsor.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. You heard the motion. Is there discussion? Is there
31. leave? Leave is granted. Senator Rhoads.
32. SENATOR RHOADS:
33. A similiar request, Mr. President. Senator Maragos

SJR 9
4/26/78
3rd reading

1. is chief sponsor of Senate Bill 1768. I'd like to be
2. shown as a cosponsor.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Is there leave? Leave is granted. Senator Savickas.
5. SENATOR SAVICKAS:
6. Mr. President, while we have a lull here, I would
7. like leave of the Body to Table House Bill 2012.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. The motion is to Table House Bill, Senator?
10. SENATOR SAVICKAS:
11. Yes.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. House Bill 2012. Is there discussion? Motion to Table.
14. All in favor say Aye. Opposed Nay. The Ayes have it, the
15. motion to Table prevails. Is there leave to go to the
16. Order of Constitutional Amendments? Leave is granted.
17. Constitutional amendments, 3rd reading, SJR 9. Read the
18. constitutional amendment a 3rd time, Mr. Secretary.
19. SECRETARY:
20. Senate Joint Resolution 9, Constitutional Amendment.
21. (Secretary reads SJR9CA)
22. 3rd reading of Senate Joint Resolution 9, Constitutional
23. Amendment.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Wooten is recognized.
26. SENATOR WOOTEN:
27. Thank you, Mr. President. I have long believed in
28. several changes that have been discussed in the structure
29. of the General Assembly, but I think it is appropriate,
30. perhaps, to begin with a single step. This proposed
31. change to the Constitution simply will divide each
32. legislative district into three equal areas with a
33. representative to be elected from each of those separate

1. and distinct geographical regions. It would eliminate
2. cumulative voting, it does nothing else. It does not
3. reduce the size of the House or the Senate, make any
4. other changes. It applies to the redistricting of
5. 1981 and would take effect in the year 1982. Now, it
6. perhaps seems presumptuous for the Senate to propose
7. this action effecting the House, but I am assured by
8. some of my own colleagues from my own district, that
9. it will not languish on the Calendar and they would
10. like to at least have a run at this. I don't know
11. precisely how the sentiment in this Chamber runs, I
12. have not lobbied, at least not extensively for this,
13. but I would like very much to pass this proposition
14. over to the House to see if they are, in fact, ready
15. to go to single member districts and eliminate cumulative
16. voting. Be glad to answer any questions and ask for your
17. support of this resolution.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion or debate? You...Senator
20. Wooten?

21. SENATOR WOOTEN:

22. Yeah, let's.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. What...Senator Berman, for what purpose do you rise?

25. SENATOR BERMAN:

26. Mr. President, I stand in opposition to the resolution.
27. I think having served in the House that the system that we
28. have affords a rather unique system of representative govern-
29. ment which I think if you eliminate cumulative voting and
30. you make single member districts, you will eliminate that
31. unique and I think valuable asset, that we now have in
32. Illinois. It's true that other states don't follow it, but
33. I think that's their loss and our gain. I think the balance

1. between the Illinois House with the cumulative voting and
2. multimember districts and the Illinois Senate with single
3. member districts provides a unusual, but valuable balance
4. that would be eliminated by the adoption of this constitu-
5. tional amendment. I'm gonna vote No.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Harber Hall.

8. SENATOR HARBER HALL:

9. Mr. President and fellow Senators. I rise to strongly
10. support this measure although I think it could be improved
11. by reducing the size of the House by one third. I will
12. support this nevertheless. I think a hundred and seventy-
13. seven members is too much for efficient operation of the
14. House function, but this is still a good resolution. I
15. hope it passes this Body, and if the House would see fit
16. to reduce the size of its own Body by amendment, I would
17. support that. I think we ought to send this over to the
18. House and have more discussion on it. Most of the good
19. government groups that I'm familiar with support this.
20. League of Women Voters for years has advocated this and
21. many other groups do as well. So let's get behind this
22. for better Illinois government. I think forced minority
23. representation is a poor concept indeed.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Mr. President and members of the Body. For two...for
28. nine solid months I sat in the Constitutional Convention
29. and listened to arguments on the Legislative Committee with
30. respect to the structure that ought to be in this House.
31. Certainly the House of Representatives in Illinois elected
32. by cumulative voting is unique, ...Senator Berman. It's
33. so unique that I agree with Senator Hall that it not only

1. ought to be reduced in size, it ought to be eliminated. And
2. as you know...and as you know, I almost annually, I haven't
3. proposed it this year, propose a unicameral legislature, where
4. people have to stand up and be responsible and can be counted
5. for their acts. It's the only place in the world that I know
6. that a minority of people can elect themselves a Representative.
7. Secondly, the districts in this State are far too large and
8. unless you got a buddy system where you split the district,
9. it's very expensive. That's one reason we have to consider
10. pay raises for the General Assembly. I think this is good
11. legislation and in all camaraderie, I think we should pass
12. this over to the House and let them deal with their own
13. existence. I don't think that we should deny them or
14. that we should pass on this. I think we should allow them
15. the opportunity to decide what's best for them.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Merlo.

18. SENATOR MERLO:

19. A question of the sponsor. Senator Wooten, who determines
20. how the senatorial district will be divided? Or can you briefly
21. explain how it will be done?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Wooten.

24. SENATOR WOOTEN:

25. It will be part of the normal reapportionment process
26. that we must go through. It will apply for the 1982 election
27. when the entire State will be reapportioned. And as we go
28. through that reapportionment process, each legislative district
29. would then be separated into three equal geographic units
30. or population units, I should say.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Merlo.

33. SENATOR MERLO:

1. Then you are not reducing the size, are you, actually?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Wooten.

4. SENATOR WOOTEN:

5. Senator Merlo, I am very much in favor of a reduction

6. of size and I think if any legislator ever seriously wants

7. to think about a pay increase in the future, that's the

8. way to do it. But I also believe in proceeding by reasonable

9. steps. I'd like to see if just this idea will float. If it

10. will, then I think we may address, perhaps, by amendment in

11. the House, a reduction of size. I think that's very much in

12. order. But I'm not sure how well this will go in the House,

13. but I think it certainly will give us an opportunity to

14. test the waters.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator...is there further discussion? Senator

17. Soper. I have Senator Soper, Senator Glass and Senator

18. Rhoads. Senator Kenneth Hall. Senator Soper.

19. SENATOR SOPER:

20. Thank you, Mr. President. First I'd like to make a

21. suggestion. If you want more debate on this you ought

22. to allow the cameras to roll and now after that, I'll say

23. this, question the sponsor. You'll yield? Thank you.

24. Now, would you reduce the salary by two-thirds of the

25. members of the House as long as they only represent

26. one-third of the constituency of the legislative district?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Wooten.

29. SENATOR WOOTEN:

30. No, because I think you could effectively argue that

31. a Legislator right now, needs only have twenty-five percent

32. of the vote and so that's...the people who support him are

33. really only...can be only about a fourth of the voters in

1. that area anyway. I don't think changing the manner of the
2. election of the three in any way diminishes their...their
3. work.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Soper.

6. SENATOR SOPER:

7. Then that...by virtue of that you'd say that...that
8. a Senator should be allowed just the same salary as some-
9. body that's got one-third of the...one-third of the vote.
10. Or would you multiply the Senator's salary by three because
11. he has more constituents.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Well, I certainly think a very good argument could
16. be made for the increased work load of a Senator perhaps
17. being worth more money, but as I say, a step at a time,
18. Senator. I...I don't think that that question would get
19. very far at all in the House.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Soper.

22. SENATOR SOPER:

23. I'm not being facetious, Senator, but I'd say this,
24. that if you want to qualify the salary by the amount of
25. the votes that a Senator receives or a...or a Representative
26. receives. That's what you said, they get twenty-five percent
27. of the vote and so forth and so on. Then in the districts
28. where you have a small vote, well then the Senator should
29. get less money and the Representatives should get less money
30. and those that get more votes maybe we'd...we'd...we'd
31. answer the question all the people that want to get every-
32. body to the polls to vote whether they know what they're
33. voting on or not and they judge a...they judge independence
34. and they say you should have an open primary and if you don't

1. belong to the party you should run it anyway and all that
2. jazz. But I'd...I'd like to finish up by saying that that
3. I believe that with...with this sort of thing that you got
4. to remember you talk about one Senator and...and three
5. Representatives and you ought to cut down the House. Now
6. we have two Senators in the State of Illinois and we have
7. twenty-four Congressmen. Are you think we got too many
8. Congressmen, or should we have more Senators?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Wooten. The gentlemen's time has nearly
11. expired.

12. SENATOR WOOTEN:

13. Yeah. I have not addressed that question at all,
14. Senator Soper.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Soper.

17. SENATOR SOPER:

18. Thank you. But to be realistic, if you say because
19. we've got so many Representatives and only one-third of
20. the Senators we should reduce the Representatives. Now,
21. so you should either increase the United States Senators
22. or you should reduce the Representatives, then we wouldn't
23. have that crowd in Washington. With that I leave you.
24. I think it's a lousy bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Glass.

27. SENATOR GLASS:

28. Well, thank you, Mr. President. A question of the
29. sponsor if he will yield.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates he will yield. Senator Glass.

32. SENATOR GLASS:

33. Senator Wooten, for clarification, how would the

1. new districts be drawn up and...and when would that occur?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Wooten.

4. SENATOR WOOTEN:

5. In the reapportionment process which we must undertake
6. if we don't want the courts to do it, in 1981 as we divide
7. the State into equal districts then each of those districts
8. would be further divided into three equal districts and
9. a Representative would be elected from each of those three
10. districts. The idea being, I'm not trying to change the
11. structure, we have one Senator, three Representatives. I
12. think it would be useful for the lines of communication to
13. be more clearly drawn so the people know "he" is my
14. Representative, "he or she" is my Representative, "he or
15. she" is my Senator. I'm not changing anything else.

16. SENATOR GLASS:

17. Well, Mr. President, Ladies and Gentlemen, I wanted to
18. clarify that point because I...I think it's important to
19. understand that the only thing you're doing is eliminating
20. cumulative voting, creating single member districts. I
21. would incorporate the remarks of Senator Hall with which
22. I fully agree and would like to see this pass and also
23. the size of the House reduced by a third.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator...Senator Rhoads. Senator Kenneth Hall.

26. SENATOR KENNETH HALL:

27. Thank you, Mr. President and Ladies and Gentlemen of
28. the Senate. For fear that someone might think that when
29. you're saying Senator Hall you're referring to me, I also
30. served in the House and as usual, while in the House, if
31. Senator Harber Hall was for one thing, I was against it.
32. And I found out the House the time I served in it was
33. very cosmopolitan, I never found any problems over there.
34. I think that I'm not for abolishing cumulative voting so

1. I just want to tell you that I think that it's better to leave
2. this thing like it is and therefore I rise in opposition to
3. this bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Philip.

6. SENATOR PHILIP:

7. I have a question of the sponsor.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield. Senator Philip.

10. SENATOR PHILIP:

11. And I think I understand what you have said, but
12. I just want you to clarify it. Am I to understand that
13. in each Senatorial district you will have three separate,
14. distinct, independent House districts. In other words,
15. under the present system, when I go around campaigning
16. and the three House members, we all can explain our
17. legislative district because it all have the same boundaries.
18. Under your system, we're going to have four different
19. distinct boundaries, which to say the least, Senator,
20. is most confusing, in fact, it's going to be four times
21. as confusing because everybody is going to have their
22. own boundaries, their own districts. Most of the people
23. in my district at this point, do not understand the
24. Senatorial districts, let alone, another three districts.
25. I would much prefer to have them run in the same district
26. and do away with accumulated voting. In other words,
27. have the three House members run in the same district.
28. It would certainly be, seem to be, a lot clearer, a lot
29. more simple, for people voting in my district.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Wooten.

32. SENATOR WOOTEN:

33. And Senator, that could well be. But what I was...

1. cumulative voting it seems to me has...has a serious problem
2. and quite often when you get a team for your party or my
3. party running, they start out as a team and they wind up
4. cutting at each as freely as they cut at their Republican
5. opponents. I think that in the whole system, you're
6. never too sure against whom you're running. And the voters,
7. quite frankly, are never too sure exactly who is their
8. Representative, so they wind up calling all three plus the
9. Senator. I think it would just be a little more efficient
10. if they knew that, say in my district, the upper end of
11. the county, were Representative Jacobs area, the lower end
12. Representative Darrow. They'd know precisely who the person
13. was. I don't think they would find it that confusing.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Philip.

16. SENATOR PHILIP:

17. I...I'm glad you finally came around to answering
18. my question and I respectfully disagree with you. And...and
19. very honestly the only advantage there is to the present
20. system in accumulated voting is to the City of Chicago
21. operation. Because obviously in those very heavy Democratic
22. districts they are able to influence who they elect as
23. so-called Republicans. And of course I served in the
24. House for eight years and we know what happens when we
25. try to depend on some of those Republicans in those city
26. districts. You know what happens, all of a sudden, they
27. pitter-patter and walk right out the back door and all of
28. a sudden instead of having those eighty-nine votes, you've
29. got eighty-six or eighty-seven. And it happens, you know
30. it and I know it. I'm for abolishing accumulated voting
31. I'm not so...so sure you have got the right vehicle.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. I have Senators Nimrod, D'Arco, Graham and Mitchler

1. have sought recognition. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Mr. President, a question of the sponsor. Senator,
4. one concern comes to me and that is that we are going to
5. have some major changes. I...I'm in concurrence about the
6. fact we do away with cumulative voting, but it is going to
7. cause a shift of those Legislators within the County of
8. Cook from the city and in the suburb. There'll be some
9. massive changes. Your present bill, as I understand it, the
10. resolution provides for the fact that if...within...if you
11. were in any part within that district you may run within that
12. area. Can that incorporate so that you can say that you...
13. if you were in that county that you could run? Because
14. this would give those from the city a chance to run in the
15. suburbs and...and vice versa in...in Cook County where the
16. problem will be a very drastic and massive. I'm thinking
17. about those Legislators who have represented the Republican
18. areas in...in suburbs or Democrats that might want to move
19. to Chicago in order to be elected there and vice versa.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Wooten.

22. SENATOR WOOTEN:

23. I must confess, I have not, cannot call that to mind, but
24. I, it would seem to me that you would be living in the legis-
25. lative area that you represent and that would apply to the...to
26. the representative districts as well. I would have to go back
27. to the legislative article and see what the residence require-
28. ments are, but I would assume they would apply to those
29. subdivisions of legislative, the major legislative district.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Sure they would. Yeah. Senator Nimrod.

32. SENATOR NIMROD:

33. The...the problem is this, if...if a district that
34. you lived in is divided up and you don't live in that area,

1. you're given a set amount of time to move within that district,
2. even if you...if it was separated...if any part of your district
3. is taken away, you may move into that new district, you may
4. run in the new district and you have a certain amount of time
5. to move there. The...the thing that I'm concerned about here
6. is that what we ought to do for this particular provision is
7. to allow anyone who lives within a county to move within that
8. county for that particular seat for this House race for this
9. one time. And because what I'm saying is an example as very
10. well as that we have a...a strong Republican who has been
11. getting the minority votes in a...in a heavy Democrat district.
12. He...he would like...he's an excellent Legislator. If he
13. has to run within his district, all three districts are going
14. to be Democrat, so he might chose to move to the suburbs where
15. he has a Republican district that he can run and to be the
16. third Republican in that area. The present law would prohibit
17. him from doing that and the present legislative article would
18. prohibit from doing that. What I'm saying is that for this
19. article...or for this particular resolution and for this
20. change, could we amend it in a way that he could move to the
21. ...anywhere within the county provided his legislative
22. district was in that county?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Wooten. The gentlemen's time has expired.

25. SENATOR WOOTEN:

26. All right. On the practical level, Senator Nimrod.
27. Senator Nimrod? On a practical level, this would be
28. voted on in the '78 election, it would not take affect
29. until the '82 election, an election will have intervened.
30. So it would be four years for a person to decide to...where
31. he wants to go, what district to get into and all the rest.
32. There is a provision if you're representing, you know, you
33. can wait till the next election. But I think on a practical

1. level, it'll pretty much be taken care of, because this
2. will not go into effect until '82. And if there is some
3. shifting within that district they will have that one
4. two year span to take care of it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod, your time has expired. Senator
7. Nimrod.

8. SENATOR NIMROD:

9. Let me conclude, Mr. Chairman, I think this is a...a
10. problem. The only question I have is if you did have to
11. move while you were in office, you'd have to give up your
12. office. I think we have a little bit of a conflict there
13. now. If we can work this out collectively somehow where
14. we can come up with an answer that might be sensible, you
15. wouldn't be opposed to us giving you a recommendation to
16. amend in the House, would you? Would you consider amending
17. this in the House if we can find some reasonable approach
18. to it.

19. SENATOR WOOTEN:

20. Senator, I am ready to let the House do what they want
21. with this measure. I would merely like to give them this
22. vehicle to work on.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Graham.

25. SENATOR GRAHAM:

26. Mr. President and members of the Senate. There's one
27. thing that strikes me sort of peculiar about this resolution
28. starting in the halls of the Senate. I don't know how many
29. times you goose a tiger until he comes back and bites you.
30. The House on the other side of the rotunda, if I were in
31. the House over there, I would resent the Senate telling me
32. what to do with my House. And I think of this same resolution
33. emanating in the House of Representatives and came over here

1. we'd probably be offended about it too. I always...a great
2. concern about us fishing in someone else's pond. Perhaps
3. you might have the right idea. I think Senator Nimrod has
4. a concern, I don't think they'll be another Navoo in a
5. great outpouring of people moving from area to another.
6. Cumulative voting is one thing, three Senatorial or three
7. Legislative districts in my area. If I try to put it in
8. my current district, there is no one know where in the heck
9. they're supposed to vote and who's running for what because
10. I go from Wisconsin line almost to Aurora. Now maybe that
11. can be corrected in...1982, depending upon which party is
12. in power. But I do have a great feeling that we ought to
13. have some respect for the people in the House of Representatives
14. and I think they will be offended if and when this resolution
15. gets over there. They'll say, hey fellows, why don't you
16. get your fish hooks out of our pond and let us run our own
17. business. I...I just have a strange feeling we might have
18. some bills over there sometimes and they don't get angry
19. over there, but they get even, I'll tell you that.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Mr. President and members of the Senate. I think that
24. we could debate this issue over and over, but the real ultimate
25. decision on this resolution for constitutional amendment is
26. going to be determined in the House of Representatives. I
27. think that it's proper that it is proposed in this Body and
28. that they be the ones to determine their ultimate fate or
29. decision on whatever they want to do with the single member
30. districts. I am very pleased, Senator Wooten, that you
31. introduced this constitutional amendment. I think it's long
32. overdue and for this reason. Illinois is the only State that
33. has cumulative voting and it was unique. Now the world's

1. greatest newspaper of yesteryear was really the instigator
2. and the publisher of that newspaper was the instigator of
3. the cumulative voting. And it was designed because of the
4. large concentration in the City of Chicago, the urban area.
5. And we had the...agricultural area downstate. And the
6. cumulative voting was designed so as to give equal represen-
7. tation throughout the years to the different parties, the
8. two parties. And that has been proven to be true. And the
9. type of representation from the two parties through the
10. cumulative voting in the House historically has demonstrated
11. that that was a good idea, up to a point in time when within
12. each political party they forgot the idea of running as a
13. team, that is, two Democrats, one Republican out of each
14. district. Two...two Republicans, one Democrat out of
15. different district. Now they run two and two and in order
16. to protect themselves they have stopped the so-called
17. buddy system or party loyalty or run as a team, whatever
18. you want to term it and they go for bullet votes. And this
19. brings about a entirely new concept in cumulative voting,
20. where an unknown can go out and where you have three, four,
21. five running, can garner a minority group of people to cast
22. bullet votes where they get three votes and elect them to
23. office. And not really being representative of that district
24. they violate what used to be a sacred trust within your party.
25. I remember that if anybody in my political party in Kane
26. County or the districts that I've represented in the House
27. would ever talk the idea of giving me a bullet vote quietly
28. and it ever got back to the precinct committeemen, they were
29. ostracized and brought...brought before the party and...and
30. really...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator, your time has expired.

33. SENATOR MITCHLER:

1. ...really...so I think that the cumulative voting is
2. expired and I think, Senator Wooten, you've got a good
3. measure here and I hope that we support it and let the
4. House iron it out. Thank you.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. Very briefly, Mr. President and members of the Senate.
9. I think the House members that are over here now in the
10. Senate can attest to the fact that the system worked pretty
11. well the way it is. And nobody has mentioned it, but this
12. is also effective in the primary election where you can
13. create an upset or two with a few friends and a few bullets.
14. And I think,perhaps, it's healthier. I voted for twenty
15. years before I ever did figure out where my representation
16. was until we came up with the new General Assembly districts.
17. Thanks for...let's leave it alone and not confuse the public
18. or the candidates any more than they are now.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Thank you, Mr. President. I rise in support of SJR 9.
23. A couple of observations, Senator Berman earlier alluded to
24. the the system of...of cumulative voting. Just to be clear
25. on this point, Illinois is the only state which combines
26. the two systems in one. We are the only state with both
27. multiple members districts and cumulative vote within the
28. multiple member districts. This came about around the
29. turn of the century and was modeled after the proportional
30. representation systems in Europe. Other states do have
31. multiple member districts, Virginia, some other Eastern
32. states, but not the cumulative vote. There is one very
33. strong argument which, if this resolution does not carry,

1. it ought to be made some day by someone in the courts and
2. that's very simply the argument of one man one vote. Baker
3. versus Carr and Westbury versus Sanders, two separate lines
4. of cases involving reapportionment, both have dictated to
5. Congress and the State Legislatures that one person's vote
6. ought not to be weighted greater than another person's vote.
7. Well with cumulative voting you do have those distortions
8. and that does occur. If there is a justification for pro-
9. portional representation in a general, there certainly
10. is no justification for it in a primary election where...
11. where those distortions are the greatest. I think this
12. is good resolution and ought to at least have a chance to
13. be debated in the House.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Any other Senators seek recognition a first time?
16. On second time, Senator Soper.

17. SENATOR SOPER:

18. Thank you, Mr. President. I'll do that in a minute.
19. First, Senator, I want to apologize for calling your bill
20. a lousy bill. I...I didn't mean that. And I'm not going to
21. say anything funny. But I say this in all...all due respect.
22. I think equal pay for equal time. Now, if you divide a district
23. into three parts and one gets one part of the district and
24. the other gets another part and a third gets a third part, then
25. you got the fourth man, you call the Senator and he gets the
26. three parts. Why should he get all the vibration and all the
27. ...agonizing over what happens in that...in those three districts.
28. You know what the Representatives are going to do, say call
29. the Senator because that includes the rest of this part. Now,
30. if you fellows what to agonize with that and if you think this
31. is a smart thing, I think it's a very dumb thing to...under
32. the guise of knocking out cumulative voting. Now we say, when
33. it benefits us, and we'll say, well the other states don't have

1. it and when it doesn't benefit us we say, well the other
2. states have it or they don't have it and you know, what do
3. we care what the other states have and they don't have.
4. You know you got a lot of land in...in this...in this
5. country and we've got some metropolitan areas, urban areas,
6. a lot of suburban areas, we have different problems. But
7. I think if you divide a district in three parts then the...
8. then the ones that represent the district the one part
9. should get one third of the salary, you're talking about
10. discrimination. That would be discrimination. So I think
11. we ought to let the House make a decision for themselves
12. and if they want this gem, I mean this...this proposition,
13. I'm sorry, they...they ought to bring it up themselves. Let's
14. ...let's keep our fingers out of the House.

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End of Reel #1

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Wooten may close.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. I appreciate the dialogue
5. that has taken place on this resolution and I am particularly
6. sensitive to a couple of points Senator Graham made.
7. I'm not offering this resolution with any sense of
8. animus or to place any kind of onus on the House at all.
9. I have talked with several House members and it is interesting
10. from one election to another how they are all for
11. cumulative voting one time and all against it the next.
12. ...and possibly if we eliminate it, we might lose
13. some very good people. I think under cumulative voting,
14. we presently lose some very good people. The thing that
15. interests me, I believe you ought to be able to think
16. unthinkable thoughts and to deal with all kinds of ideas.
17. It seems to me that the most desirable thing in government is
18. to know exactly who represents you and exactly where that
19. person stands and if you want...if you want to have a
20. decisive impact on his or her political future, you vote
21. for or against that individual. The agony that we go through,
22. as Senator Soper put it, is not going to increase or decrease
23. if we make this change. I think the change that will result
24. is that people will know that Representative X is my Representative.
25. He or she votes this way or that way. That's the individual
26. I must go to now. It just makes the lines of communication
27. simpler. The House is free to amend this, to change it, or to
28. reject it and I'm...you know, I'm not going to live or die by
29. what happens to this resolution in the House. I simply
30. would like to give them the chance to discuss the issue.
31. And I don't think we're doing anything destructive in giving
32. them that opportunity. I solicit your favorable vote on this.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is on the adoption of Senate Joint
2. Resolution 9. Those in favor vote Aye. Those opposed
3. vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that
5. question the Ayes are 31, the Nays are 23, none Voting
6. Present. Senate Joint Resolution 9 having failed to receive
7. the three-fifths required constitutional majority is declared
8. lost. ...ready to go...we're on...resolutions.

9. SECRETARY:

10. Senate Resolution 335, offered by Senators Mitchler
11. and Sangmeister. It's congratulatory.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there leave to place it on the Resolutions Consent
14. Calendar? Leave is granted. Resolutions.

15. SECRETARY:

16. Senate Joint Resolution 79, offered by Senator
17. Berning and Leonard.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Executive. For what purpose does Senator Vadalabene
20. arise?

21. SENATOR VADALABENE:

22. I'd like to have leave to be listed as cosponsor
23. on Senate Bill 1444.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave? Leave is granted. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, then on another Order, I would like to be the
28. sponsor of House Bill 157 and 158, which is going to be in
29. the License Committee tomorrow. Senator Gene Johns
30. was the principle sponsor, but he has been taken to the hospital
31. today and the hearing is set for tomorrow morning.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator, I think you want to leave him as principle

1. sponsor. You're just asking leave to be the...the Senator
2. to handle that in committee?

3. SENATOR VADALABENE:

4. Well, I also would want to be the cosponsor, whatever
5. you want to call it.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right. Is there leave for that procedure? Leave
8. is granted. Senator Donnewald.

9. SENATOR DONNEWALD:

10. Yes, Mr. President. Let the record show that Senator
11. Johns is absent because of illness and I might report that the
12. ...they report that Senator Johns has a virus, so it's nothing
13. more than that.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. Are we on announcements?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Proceed, Senator.

20. SENATOR D'ARCO:

21. I would like to make a motion to waive the Six Day
22. notice requirement rule for House Joint Resolution 76
23. which is presently in Exec.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. And...

26. SENATOR D'ARCO:

27. I don't think the chairman will object.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. It's already been done, Senator, I'm told, by the Secretary.
30. For what purpose does Senator Hynes arise?

31. SENATOR HYNES:

32. Mr. President and members of the Senate. Two announcements
33. and then I have two motions. The announcements are, first, that

1. there will be a Rules Committee meeting in the President's
2. Office at 4:00 p.m. today, which is a continuation of the
3. meeting this morning. Secondly, there will be a
4. Democratic caucus in Room 212 immediately following
5. adjournment. A Democratic caucus in Room 212 immediately
6. following adjournment today. And I would thirdly, Mr. President,
7. move to suspend the Six Day notice...posting requirement
8. for purposes of committee meetings next week so that the
9. bills that were approved and will be approved in Rules
10. Committee this week can be heard even though the notices
11. may be untimely. We have instructed the committee clerks
12. to have those notices mailed out Friday of this week, so there
13. will be notice in the mail on Friday, and those notices will
14. also be published. But next week is the last week for
15. the committees to consider the bills. So, I would move
16. to waive the Six Day notice requirement.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Hynes has moved that the Six Day posting
19. requirement be waived for next week. Is there discussion?
20. All in favor say Aye. Opposed Nay. The Ayes have it.
21. Motion prevails. Senator Hynes.

22. SENATOR HYNES:

23. I have one additional motion which is in writing and
24. is on the Secretary's Desk. A copy has been distributed
25. to each member and this simply puts in writing and is part
26. of our rules, the ruling of the Chair that we have been
27. operating under with respect to amendments of consitutional...
28. resolutions for constitutional amendment, provides that the
29. ...the resolution must be read in its final form on
30. three different days and that amendments may take place only
31. upon the first...initial 1st reading or initial 2nd
32. reading. And I would move the adoption of the motion.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Soper.

2. SENATOR SOPER:

3. Thank you, Mr. President. Senator Hynes, in other

4. words, if there's an amendment on 2nd reading and you go

5. back to 1st reading on these amendments, you can't amend

6. them again?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Hynes.

9. SENATOR HYNES:

10. That is correct.

11. SENATOR SOPER:

12. Well, we won't have time to study...

13. SENATOR HYNES:

14. Mr. President...wait...no, no. That is...that is incorrect.

15. They cannot be amended by Floor amendment from a member.

16. A sponsor is always in order if he wishes to amend

17. a resolution to do so. For example, if he finds a technical

18. error and so on. But the...the amendment will be permitted

19. from the Floor...the order...an amendment will be in order

20. from the Floor only on the initial 1st and 2nd reading.

21. Just as it...with a...a substantive bill on 2nd reading, it

22. could be amended. It cannot be amended on 3rd reading unless

23. it is brought back to the Order of 2nd reading. So, a

24. sponsor having once gone by the initial 1st and 2nd reading

25. could bring the...his resolution back to one of the other

26. orders for purposes of allowing an amendment. But there would

27. be no Floor amendments offered...or allowed, rather, after

28. those two stages.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Soper.

31. SENATOR SOPER:

32. Well, you know, we...we got amendments here and...and

33. you'll get an amendment on 2nd reading and then all of a sudden

1. after you read the amendment thoroughly, you find out that
2. maybe something ought to be done with it. And maybe you've
3. got some other idea. Maybe you changed...it was said here
4. the other day that you could take and strike everything after
5. the enacting clause and you could make a new constitutional
6. amendment. Then after that, you couldn't amend that? You
7. couldn't do anything with it if it went back to 1st
8. reading?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Hynes.

11. SENATOR HYNES:

12. Not without the agreement of the sponsor to do that
13. or without a prior commitment from the sponsor that he would
14. do it. Your remedy at that point is to put in your own
15. amendment saying what you wish it to say or to vote No on
16. the amendment when it's called for passage. But at some
17. point there must be a finality in the amendment process,
18. otherwise a sponsor would be like Charley on the MTA,
19. constantly getting to 2nd reading, being amended and sent
20. back to 1st reading. It reminds me of one of my children's
21. games that I had such difficulty with. So, there has to be
22. some point at which the sponsor can get the...the amendment
23. to a...to a vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Soper. Your time has nearly expired.

26. SENATOR SOPER:

27. I...one minute. I see Senator Netsch nodding her head
28. and saying that's the way it should be done. What happened,
29. Senator, to our full hearings and so forth on...on bills and
30. full committee hearings? You can take this and amend this
31. thing once and then after that, you can put a whole new
32. constitutional amendment and...and then you have no time.
33. You can do it with thirty votes. Then what do we do?

1. That's all.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senators Rhoads, Graham, Mitchler, Harber Hall, Buzbee,
4. and Netsch have sought recognition. It's going from left
5. to right. Senator Rhoads. For what purpose does Senator
6. Hynes arise?

7. SENATOR HYNES:

8. This is on the resolution...on the motion rather, that
9. you seek...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to change Rule 6 concerning the adoption
12. of constitutional amendments. That is the purpose of our
13. discussion. Senator Rhoads.

14. SENATOR RHOADS:

15. Thank you, Mr. President. On the motion, I agree with
16. what Senator Hynes is trying to accomplish here. I'm not
17. sure that this motion does it. That's...that's my only
18. question. Senator Hynes, you mentioned that the sponsor
19. would have the option of calling back for technical corrections
20. but I don't see where it says that in this rule. Could...could
21. you explain to me one more time how that's accomplished?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Hynes.

24. SENATOR HYNES:

25. Under our existing rules with respect to a bill, once it is
26. on 3rd reading, it cannot be amended. We have traditionally
27. allowed a sponsor to bring a bill back to the Order of
28. 2nd reading for an amendment and I would propose that we would
29. continue that custom with respect to constitutional
30. amendments. That a sponsor asking leave of the Body
31. would be given leave to bring his resolution back to the
32. ...for purpose of amendment. Just as yesterday, for example,
33. we put a technical amendment...an effective date amendment

1. on...on the veteran's constitutional amendment. Now, to
2. prohibit that, I think, would be a mistake. And likewise,
3. if a member who feels that he wants to offer an amendment
4. can extract...extract a commitment to bring it back, we
5. should honor that as well.

6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Graham.

8. SENATOR GRAHAM:
9. With regard to the rules we have just been talking about,
10. I wanted to be sure that we didn't fail to read...if you
11. want to do it the last thing so everybody can leave...don't
12. have to hear HJR 22.

13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator, we plan to do that.

15. SENATOR GRAHAM:
16. Thanks.

17. PRESIDING OFFICER: (SENATOR BRUCE)
18. The next Order of Business...we just were on the Order
19. of Motions. Senator Buzbee.

20. SENATOR BUZBEE:
21. Mr. President, this is in the form of an...of an announcement.
22. Is that...is this the time to do that or are we still
23. talking about this motion?

24. PRESIDING OFFICER: (SENATOR BRUCE)
25. We're still on the motion, Senator Buzbee.

26. SENATOR BUZBEE:
27. Okay, very well. Hold off on me.

28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Netsch. Did you wish to comment on this motion?

30. SENATOR NETSCH:
31. Thank you, Mr. President. Senator Soper, if it's a
32. roll call vote, which it probably will not be, I will probably
33. vote No. I just thought I should point that out to you, so don't

1. make hasty assumptions about how I'm going to react to
2. something. A couple of comments. One, and this is just
3. in part for the record, I think, constitutionally, I
4. am absolutely convinced this is not required. The language
5. in full was intended to draw a distinction between
6. the change in the Constitution with respect to the reading
7. of bills only by title and constitutional amendments,
8. which it was felt were of a higher order, a more serious
9. order and therefore, should be read in full and not
10. by title. I do not think it means that you have to read
11. it in full after the amendment stage. I don't think that
12. issue was really being addressed at all. It is actually a
13. very good idea, probably, except for one thing and that is that
14. we still have a March primary, we frequently do not come
15. back in Session until...well, as this year, early in
16. April and as a practical matter, this is going to make it
17. difficult, if not impossible, to get some fairly complicated
18. types of constitutional resolutions worked out and through
19. both Houses by what is almost always going to be approximately
20. a May 5th to a May 7th deadline. Now, since we wrote
21. such a great Constitution in the first place, that may not
22. be the world's worst idea either, because what it means is that
23. you aren't going to be able to amend our work product very
24. often. But I have the distinct impression that some of you
25. do not share in my reverence for our State Constitution
26. and that you may find this rule something of an obstacle
27. in the future. If we could get rid of a March primary,
28. which we ought to do, then it seems to me the rule would make
29. a great deal more sense. But given the present circumstances,
30. I think it's going to be a source of some difficulty.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? Senator Hynes may close the
33. debate.

1. SENATOR HYNES;

2. Well, Mr. President, I only heard part of Senator
3. Netsch's remarks and I am sure that the part that I did
4. not hear would...would not have caused me any problem. I
5. think this is a good motion and I think that...I think...
6. I think...I think that it is one that will simply
7. codify what we have been doing. There is a question
8. under the Constitution. No one can say with certainty
9. that what we are doing is mandated. It is the judgment of
10. our staff, it is my personal judgment, that this is the
11. best way to go. It is the safest and it will not prevent
12. the adoption of any resolutions that, in fact, have the
13. required three-fifths vote. The net effect of it is a one
14. day delay. So, I would move the...then, that we amend Temporary
15. Rule 6 as the motion sets forth.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is on the Motion in Writing to amend
18. Temporary Rule 6. Those in favor say Aye. Opposed
19. Nay. The Ayes have it. The motion prevails. For what
20. purpose does Senator Harber Hall...

21. SENATOR HARBER HALL:

22. Mr. President, I would like leave of the Body to have
23. shown as cosponsors of Senate Bill 1569, Senators
24. Smith, Vadalabene, Graham, Mitchler and Shapiro.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there leave? Leave is granted. For what purpose
27. does Senator Buzbee arise?

28. SENATOR BUZBEE:

29. For the purpose of an announcement, Mr. President...
30. Is that in order at this time?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Certainly.

33. SENATOR BUZBEE:

1. Appropriations II Committee is scheduled for Thursday
2. evening when we're going to hear the Higher Education bills
3. as well as testimony from the Bureau of the Budget on how
4. it is their intention to spend Federal revenue sharing
5. dollars this year. You will recall that Thursday evening
6. is also the Governor's reception for members of the 80th
7. General Assembly and since we felt that some members, this
8. may be the last time they are invited to the Governor's
9. mansion, that it would be appropriate that...that we make
10. those members...give them the...the time availability
11. to be there and that we change the Appropriations II Committee
12. hearing to Friday morning at 10:00 o'clock. The...so,
13. I would like to announce at this time that...that the
14. universities will be heard Friday morning at 10:00 o'clock
15. in Room 400. Now, that testimony by the Bureau of the Budget
16. on the Federal revenue sharing expenditure for this year,
17. this coming fiscal year, we are controlled on that by
18. Federal law. So, we have, since the notice has already been
19. posted on that, we do have to go ahead and take the
20. testimony. We are told it shouldn't take too long.
21. We will convene at the...at 7:00 o'clock to take that
22. testimony on Thursday evening. All of you who can make
23. it, be there. But the real meeting will be Friday morning
24. at 10:00 o'clock in Room 400.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Leave to go to the Order of Resolutions? Leave is granted.

27. SECRETARY:

28. Senate Joint Resolution 80, offered by Senators
29. Leonard, Wooten, Weaver and Berning.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Executive. Oh. For what purpose does Senator Merlo arise?

32. SENATOR MERLO:

33. Mr. President, I introduced a resolution, it's a congratulatory

1. resolution for one of the Senate members, namely Senator
2. D'Arco. It's a congratulatory resolution. I would like to ask
3. leave of this Body for the immediate consideration of this
4. resolution.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there leave for the immediate...for the suspension of the
7. rules and the immediate consideration and adoption of the
8. resolution? Leave is granted. Senator Merlo.

9. SENATOR MERLO:

10. And now, Mr. President, I would ask the Clerk if he will
11. read the resolution.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Secretary will read Senate Resolution 336.

14. SECRETARY:

15. Senate Resolution 336, offered by Senators Merlo,
16. Daley, Vadalabene and others.

17. (Secretary reads Senate Resolution 336)

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

21. A question of the Secretary of the Senate. Was that
22. offered by Senator D'Arco?

23. SECRETARY:

24. Do I have to answer?

25. SENATOR CARROLL:

26. No.

27. SECRETARY:

28. No, Sir.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Merlo.

31. SENATOR MERLO:

32. I merely want to state for you that don't know the
33. organization known as UNICO, that perhaps it's one of the

1. largest national organizations of Italian Americans.
2. It boasts something of...in excess of a hundred thousand
3. members and I really think that this is a...a real
4. distinct honor to our brother here on the Floor, Senator
5. D'Arco, and I move for the immediate adoption of the resolution.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Merlo, would you like to have all Senators
8. shown as sponsors?

9. SENATOR MERLO:

10. Very good.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there leave? Leave is granted. Senator Merlo
13. has moved the adoption of the amendment. Senator D'Arco.

14. SENATOR D'ARCO:

15. If those hundred thousand Italians lived in Chicago,
16. I'd be in good shape.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. On the motion to adopt, all in favor say Aye. Opposed
19. Nay. Well, the Chair will call it...the motion prevails, Senator
20. D'Arco. Senator Hynes, further business before we read
21. Senate Joint...HJR 22? Is there leave to go to the Order of
22. Constitutional Amendments, 3rd reading? Leave is granted.
23. Or 2nd...Constitutional Amendments, 2nd reading? 2nd reading
24. of HJR Constitutional Amendment 22.

25. SECRETARY:

26. House Joint Resolution Constitutional Amendment 22.

27. (Secretary reads HJR-CA 22)

28. 2nd reading of House Joint Resolution Constitutional Amendment 22
29. as amended.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 2nd reading. Any amendments? 3rd reading. For what
32. purpose does Senator Hynes arise?

33. SENATOR HYNES:

1. Just to announce a Democratic caucus in Room 212
2. immediately.

3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Egan.

5. SENATOR EGAN:
6. Yes, just to announce, Mr. President, that the Revenue
7. Committee meets at 9:00 a.m. in the morning and that among
8. the bills that are listed on the Calendar, there is an
9. additional bill that will be heard, that's Senate Bill 1689.

10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator, was there leave sought to have that bill
12. heard tomorrow? All right. Senator Carroll, for what
13. purpose do you arise?

14. SENATOR CARROLL:
15. Just to announce that the Appropriations I meeting will
16. be immediately after the Democratic caucus in Room 212,
17. not simultaneous therewith.

18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Guidice.

20. SENATOR GUIDICE:
21. Thank you, Mr. President. Just to announce that
22. at Senator D'Arco's interest, there's two hundred and fifty
23. places. Five have been sold. There's two hundred and
24. forty-five left honoring him out of about a hundred thousand people.

25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Berman.

27. SENATOR BERMAN:
28. Thank you, Mr. President. To announce that the Committee
29. on Elementary and Secondary Education will meet immediately
30. following the Democratic caucus in Room 400.

31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Mr. President, several of the students asked, when they
2. announced that they're going to have a caucus, what's the
3. difference between a caucus and a meeting. The only way that
4. I could explain it was that a meeting is where you approve
5. the minutes and waste the hours. But a caucus is a group
6. of people who individually can do nothing, but as a group
7. decide that nothing can be done. Thank you.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further announcements? Leave to go to the Order of Resolutions?
10. Resolutions.

11. SECRETARY:

12. Senate Resolution 337, offered by Senators Maragos,
13. Hynes, Shapiro and others.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Executive. Is there leave to place the resolution...
16. the resolution is not referred to Executive. It is referred
17. to the Resolutions Consent Calendar. Further business to
18. come before the Senate? Senator Wooten moves that the
19. Senate stand adjourned until the hour of 12:00 o'clock
20. noon tomorrow. Any discussion? All in favor say Aye.
21. Opposed Nay. The Ayes have it. The Senate stands adjourned
22. until 12:00 o'clock noon.

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