

80th GENERAL ASSEMBLY

REGULAR SESSION

MAY 10, 1978

1. PRESIDENT:

2. The hour of twelve...ten o'clock having arrived, the
3. Senate will please come to order. Prayer will be
4. by Pastor John H. Biderweeden of St. Paul's Lutheran
5. Church of Havana. Will our guests in the galleries
6. please rise.

7. PASTOR BIDERWEEDEN:

8. (Prayer by Pastor Biderweeden)

9. PRESIDENT:

10. Reading of the Journal. Senator Johns.

11. SENATOR JOHNS:

12. Mr. President, I move that reading and approval of
13. the Journal of Tuesday, May the 9th, 1978, be
14. postponed pending arrival of the printed Journal.

15. PRESIDENT:

16. You've heard the motion. Is there any discussion?
17. If not, all those in favor signify by saying Aye.
18. Opposed. The Ayes have it. So ordered. Committee Reports.

19. SECRETARY:

20. Senator Carroll...Senator Carroll, Chairman
21. of Appropriations I Committee, reports out the following
22. bills: Senate Bill 1565, 1592, 1593 and 1594 with
23. the recommendation Do Pass.

24. PRESIDENT:

25. Messages from the House.

26. SECRETARY:

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

28. Mr. President - I am directed to inform the
29. Senate that the House of Representatives has passed
30. bills with the following titles in the passage of which
31. I am instructed to ask the concurrence of the Senate,
32. to-wit:

33. House Bills 2490, 2491, 2540, 2568, 2582, 2597,
2628, 2648, 2653, 2685, 2695, 2723, 2745, 2852, 2855,

1. 2867, 2880, 2881, 2896, 2912, 2929, 2969, 2970,
2. 2989, 2998, 2999, 3035, 3120 and 3230.

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

4. Mr. President - I am directed to inform the
5. Senate that the House of Representatives has concurred
6. with the Senate in the adoption of Senate Joint
7. Resolution 16 together with the following amendment
8. which is attached, in the adoption of which
9. I am instructed to ask the concurrence of the
10. Senate, to-wit:

11. House Amendment No. 1.

12. PRESIDENT:

13. Secretary's Desk.

14. SECRETARY:

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

16. Mr. President - I am directed to inform the
17. Senate that the House of Representatives has adopted
18. the following Joint Resolutions in the adoption of
19. which I am instructed to ask the concurrence of the
20. Senate, to-wit:

21. House Joint Resolution 72 and House
22. Joint Resolution 77.

23. PRESIDENT:

24. Executive. Resolutions.

25. SECRETARY:

26. Senate Resolution 367, offered by Senators Lemke,
27. Hynes, Soper and others.

28. Senate Resolution 368, offered by the same sponsors.

29. PRESIDENT:

30. Consent Calendar. May I have your attention, please.
31. We have some special guests with us today and I would
32. like to ask Senator John Knuppel to introduce them to the
33. Senate. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Well, as you know, I don't do this very often. I think
3. this is the first time I've ever presented a group to this
4. Body. And I don't engage in resolutions or introductions
5. from the balcony, but I'm very proud today to have
6. brought with me a group of young men that I started
7. watching early in the season. They had a record of
8. twenty-nine and four and the four losses were early
9. in the season and it became apparent that they were
10. going to be an outstanding basketball team here in the
11. State of Illinois. And these young men started winning and
12. kept winning and at the conclusion of the season, they
13. played four games in the last three days, one at Macomb,
14. then they went to Champaign and played another one,
15. and then they played two on Saturday over there. They
16. did a remarkable job. They finished second in the Class
17. A basketball tournament here in the State of Illinois.
18. I'm pleased that I know some of these young men personally.
19. Some of them have competed against teams that my son
20. has been a substitute on, although he's a good track man,
21. but also their coach and I've watched their coaches all of my
22. life. The...the coach who is the assistant is Art
23. Dufflemeyer. Many of you may remember the Illinois football
24. team that played in the Rose Bowl the first time. He was
25. right halfback and he was an All American. Art Dufflemeyer,
26. will you...and he came from over in Beardstown, Illinois
27. and was one tremendous basketball player, too. And then there
28. was a young coach, came into our area who first coached
29. at Chandlerville High School and I can say this, after watching
30. him that many times he didn't have a great deal of material
31. but you knew one thing, he was going to give you a heck of a
32. scrap and his teams were always well coached. If they lost,
33. they...they made a remarkable record for themselves. I've

1. watched this...these young men that he coaches conduct them-
2. selves as gentlemen on and off the court and it...they
3. gave me one of biggest thrills of my life to follow this
4. team who, when it started out, had no promise of
5. ending up where it ended up, but it ended up second with
6. a twenty-nine and four record and at this time, I'd like
7. to introduce Coach Bob Gregorich, who grew up in,
8. I think, Sangamon County just south of here and some of
9. his family...one of his nephews plays baseball with
10. Chatham-Glenwood, but an outstanding young coach
11. whose son was one of the stars of this team, Bob
12. Gregorich.

13. BOB GREGORICH:

14. (Remarks by Bob Gregorich)

15. SENATOR KNUPPEL:

16. Thank you very much, Coach, and I'll tell you fellows,
17. I hope to see them back over there next year. This King
18. boy's father is 6 10½ or 6 11, so you can see he's
19. not done growing yet. So, we're looking forward to some
20. good basketball up in this area, not only from Havana,
21. but there were two teams from my district, Mason City and
22. Havana in the elite eight of the Class A tournament.
23. Thank you very much, gentlemen.

24. PRESIDENT:

25. For what purpose does Senator Hickey arise?

26. SENATOR HICKEY:

27. Mr. President, since I came from that part of the world
28. one time, I want to add my congratulations to all these
29. boys, but I'd also like to ask a question. I wonder how their
30. girls team did in the State.

31. PRESIDENT:

32. Check with Senator Knuppel and I think he'd
33. respond. Senate Bills, 2nd reading. Senate Bill 237, Senator

1. Nimrod. Senate Bill 2...Senate Bill 238, Senator Nimrod.
2. Read the bill.
3. SECRETARY:
4. Senate Bill 238.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on Elementary
7. and Secondary Education offers one amendment.
8. PRESIDENT:
9. Senator Nimrod.
10. SENATOR NIMROD:
11. Yes, Mr. President and Ladies and Gentlemen of the
12. Senate. The amendment...pertains to this bill is on
13. minimal competency testing and this amendment has come about
14. as a result of both the Resolution 180...Senate Resolution
15. 180 which was passed and the reports were turned in and
16. hearings which were held both in Springfield and Chicago
17. and this amendment has the approval of both the State
18. Board of Education and the Board of Higher Education and it
19. is a compromise amendment and what it basically does is to
20. say that minimal competency testing is that the State Board
21. shall prepare materials, encourage and assist the local
22. school districts to develop this testing program by
23. December 15th and to report to the General Assembly
24. their recommendations for legislation resulting from this
25. possible study and what costs were involved by June
26. 30th, 1980. I would believe...believe that the...part applies
27. to downstate schools and to the Chicago school district
28. are basically the same and they are to prepare and submit
29. reports that may be requested by the Illinois Office of
30. Education. I believe this permissive kind of legislation
31. approaching this very important subject is a good compromise
32. and it's a good approach and I move for the adoption of
33. this amendment.

1. PRESIDENT:
2. Is there any discussion? If not, Senator Nimrod...
3. Senator Nimrod moves the adoption of Amendment No. 1.
4. All those in favor signify by saying Aye. Opposed.
5. The Ayes have it. The amendment is adopted. Any further
6. amendments?
7. SECRETARY:
8. No further committee amendments.
9. PRESIDENT:
10. Any amendments from the Floor? 3rd reading.
11. Senate Bill 309, Senator Philip. Senate Bill 430,
12. Senator Guidice. Senator...Senate Bill 460, Senator
13. Clewis. Senate Bill 554, Senator Bowers. Senate Bill
14. 571, Senator D'Arco. Senate Bill 1055, Senator Berman.
15. Senate Bill 1083, Senator Berning. Senate...read the bill.
16. SECRETARY:
17. Senate Bill 1083.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. The Committee on Pensions,
20. Personnel and Veterans Affairs offers two amendments.
21. PRESIDENT:
22. Senator Berning.
23. SENATOR BERNING:
24. Thank you, Mr. President and members of the Senate.
25. The two amendments serve to clarify the original bill and
26. bring it into conformity with the proper sections of the
27. Statutes which are affected. This is a codification bill
28. on Social Security and I move for the adoption of the two
29. amendments...committee amendments.
30. PRESIDENT:
31. Is there any discussion? Is leave granted to take
32. both amendments? Leave is granted. Senator Berning moves
33. the adoption of Amendments 1 and 2. All those in favor signify

1. by saying Aye. Opposed. The Ayes have it. The amendments
2. are adopted. Any further amendments?

3. SECRETARY:

4. No further committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor? 3rd reading.

7. We have a request for leave to televise the proceedings
8. today. Is leave granted? Leave is granted. Senate
9. Bill 1415, Senator Carroll. Read the bill.

10. SECRETARY:

11. Senate Bill 1415.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDENT:

15. Any amendments from the Floor? 3rd reading.

16. With leave of the membership, we will not consider
17. appropriation bills today. All of them will be taken at
18. one time on 2nd reading, so that the...the staffs of the
19. two committee can be prepared and be on the Floor
20. and that we can have an orderly procedure for handling
21. appropriation bills. Senate Bill 1419, Senator Maragos.
22. Senate Bill 1434, Senator Demuzio. Senate Bill 14...
23. 1468, Senator Guidice. Senate Bill 1515, Senator Guidice.
24. Senate Bill 1529, Senator Bruce. Senate Bill 1540,
25. Senator Hickey. Senate Bill 1541, Senator Hickey.
26. Senate Bill 1546, Senator Bloom. Senate Bill 1555,
27. Senator Lane. Senate Bill...Senate Bill 1605, Senator
28. Rock. Senate Bill 1617, Senator Davidson. Senate Bill
29. 1624, Senator Leonard. Senate Bill 1674, Senator Vadalabene.
30. Senate Bill 1680, Senator Rock. Read the bill.

31. SECRETARY:

32. Senate Bill 1680.

33. (Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and

1. Reapportionment offers one amendment.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

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

6. Senate. The amendment offered...and adopted in committee

7. does three things. It would make this bill applicable

8. also to electronic voting machines. As drawn, it did not

9. apply to voting machines. And it inserts a provision of the

10. existing law which was inadvertently omitted by the

11. Reference Bureau and I would move the adoption of

12. the amendment.

13. PRESIDENT:

14. Senator Rock moves the adoption of Amendment No. 1.

15. All those in favor signify by saying Aye. Opposed.

16. The Ayes have it...Senator Rhoads.

17. SENATOR RHOADS:

18. I'm trying to catch the explanation of Senator Rock.

19. We...this was the amendment that you offered in committee,

20. Senator Rock? Do you intend to offer further amendments?

21. Is it your intention to move this to 3rd and go back,

22. because Mr. Levell from the State Board, had suggested

23. an amendment and I wondered if he had a chance to talk

24. to you.

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. No, frankly, he has not. I will move it to 3rd

29. and if you wish it called back, I'd be happy to call it back.

30. PRESIDENT:

31. Senator Hickey.

32. SENATOR HICKEY:

33. Thank you, Mr. President. I'd like to oppose this

amendment. The bill, I understand, originally if it pertained

1. just to Cook County, that's...that's fine for Senator Rock
2. to ask for that for Cook County, but I believe that
3. what this does is take us back to the olden days. There's
4. been a court case which has decided this issue progressively
5. where it gives parties alternate possibilities for what's
6. termed favorable listing. My county has an automatic
7. voting machine. We also happen to have, at this point,
8. a Democratic county clerk. But I'm not sure we're always
9. going to have one and as...althought I might add that this
10. time he doesn't even have any opposition from the other
11. party. But I...I think it's fine to let Senator Rock go
12. ahead and do this to Cook County if he wants to, but
13. I don't want this done downstate and I doubt that very
14. many people do. And most...I gather most of the downstate
15. counties do use automatic voting machines and I would
16. like to oppose the amendment.

17. PRESIDENT:

18. Is there any further discussion? Senator Rock.

19. SENATOR ROCK:

20. Well, I...I frankly, don't understand the reason for the
21. opposition. As Senator Hickey probably well knows,
22. the court case says in effect, that we will have a lottery
23. or some kind of revolving system. What this bill attempts
24. to do is to say if the clerk in a county is a Republican,
25. the Republicans get ballot preference. If he's a Democrat,
26. the Democrats get ballot preference. The alternative,
27. I suggest to you, is totally unweildy because there are,
28. as you well know, more than two political parties that file
29. for election purposes. So, if you're trying to rotate five
30. or six political parties, you may well wind up with the
31. Socialist Labor Party or the Communist Party or some other
32. party in top ballot position. I think that's totally unworkable
33. and I would move the adoption of Amendment No. 1.

1. PRESIDENT:

2. Is there any further discussion? If not, Senator
3. Rock moves the adoption of Amendment No. 1. All those
4. in favor signify by saying Aye. Opposed. The Ayes have it.
5. The amendment is adopted. There's been a request for a roll
6. call. The question is on the...for what purpose does
7. Senator Nimrod arise?

8. SENATOR NIMROD:

9. Mr. President, could we please ask the sponsor
10. to again explain the...the amendment so we make
11. sure we know what we're running?

12. PRESIDENT:

13. Senator, I think the sponsor has explained it
14. twice but if he is willing to again...Senator Rock.

15. SENATOR ROCK:

16. The amendment, frankly, is a little bit innocuous.
17. I thought it was a technical amendment. Just...
18. the bill...what the bill does is say that the
19. two established political parties will have ballot
20. preference, will be first on the ballot according
21. to the politics of the elected county clerk. Now, what
22. the amendment does is, one, apply it...that same
23. procedure to electronic voting devices and two,
24. makes a technical change to incorporate a portion of the
25. Statute which was inadvertently omitted by the Reference
26. Bureau because we passed a bill late on last Session
27. that the Reference Bureau, frankly, didn't pick up
28. with their computer. So, all it does is say, if you've
29. got a voting machine or paper ballot or electronic
30. voting device, the first spot or the preferential
31. spot will be in accordance with the political persuasion
32. of the elected county clerk.

33. PRESIDENT:

1. All right. The question is the adoption of Amendment
2. No. 1 to Senate Bill 1680. Those in favor of the adoption
3. of the amendment will vote Aye. Those opposed will vote
4. Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that
6. question the Ayes are 27, the Nays are 14, none
7. Voting Present. Amendment No. 1 to Senate Bill 1680
8. having received a requisite majority of the votes cast
9. is adopted. Are there any further amendments?

10. SECRETARY:

11. No further committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? 3rd reading.
14. Senate Bill 1689, Senator Egan. Senate Bill 1690,
15. Senator Collins. Senate Bill 1691, Senator Leonard.
16. Senate Bill 1711, Senator Shapiro. Senate Bill 1725,
17. Senator Philip. Senate Bill 1727, Senator Walsh.
18. Senate Bill 1755, Senator Walsh. Senator Walsh.
19. Read the bill. You wish the bill...read the bill.

20. SECRETARY:

21. Senate Bill 1755.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. The Committee on Revenue offers
24. one amendment.

25. PRESIDENT:

26. Senator Walsh.

27. SENATOR WALSH:

28. Mr. President and members of the Senate. The
29. committee amendment provides for an effective date
30. upon the Act becoming law. I have an amendment
31. which I would like to offer which is on the Secretary's
32. Desk which would do that and would also contain a technical
33. amendment. So, I would move that the committee...to Table

1. the committee amendment to Senate Bill 1755.

2. PRESIDENT:

3. Senator Egan.

4. SENATOR EGAN:

5. I'm sorry, Mr. President. Are you Tabling the
6. committee amendment? I have not read this amendment
7. and I am really not familiar with it's content.

8. PRESIDENT:

9. Senator Walsh.

10. SENATOR WALSH:

11. Senator, the...the amendment does that. It...it
12. makes the Act effective upon becoming law, so that would
13. mean the committee amendment would be unnecessary. And in
14. addition to that, the...the Act provides that the
15. five hundred dollar civil fine be provided when the...there
16. is a seizure of a machine without a warrant. The
17. amendment applies that fine when there's a seizure of
18. a machine with a warrant. So, it...it...it really just...
19. it should have been in the bill when it was originally
20. introduced. It is a technical amendment and I...I'm
21. sure there's just no problem with it.

22. PRESIDENT:

23. Senator Egan.

24. SENATOR EGAN:

25. Well, I will digest it, but I...your explanation is
26. acceptable. And I...I'll...I'm sure what you're saying is
27. correct, I...I just haven't had time to digest it. So, I will
28. not oppose the amendment and I...

29. PRESIDENT:

30. Senator Walsh moves to Table Amendment No. 1. All
31. those in favor signify by saying Aye. Opposed. The Ayes
32. have it. The amendment is Tabled. Senator Walsh now moves
33. the adoption of Amendment No. 2. All those in favor signify

1. by saying Aye. Opposed. The Ayes have it. The amendment
2. is adopted. Any further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDENT:

6. 3rd reading. Senate Bill 1760, Senator Newhouse.
7. Senate Bill 1761, Senator Newhouse. Senator Newhouse,
8. you wish 1760 read? Senator Newhouse.

9. SENATOR NEWHOUSE:

10. Mr...Mr. President, I have amendments to these bills,
11. but I'd like to distribute them. Can we come back to these
12. bills? 1760...

13. PRESIDENT:

14. Well, we'll...we'll be on 2nd reading perhaps at the
15. end of the Session today, if not, tomorrow morning.
16. So...any member whose bill has been passed by, would you
17. please leave a note with the Secretary if you wish to go to
18. it today. If we have time at the end of the Session, we will
19. come back to it today. For what purpose does Senator
20. Grotberg arise?

21. SENATOR GROTBERG:

22. On a point of personal privilege and it's a distinguished
23. privilege to introduce a twelve year member of the House
24. of Representatives and a man known to everybody in this
25. room except the newcomers, former Representative Carl
26. Hunsicker of Pontiac from the 38th district. Carl.

27. PRESIDENT:

28. For what purpose does Senator D'Arco arise?

29. SENATOR D'ARCO:

30. Mr. President, there is a change of sponsorship on
31. Senate Bill 554. Senator Bowers is relinquishing
32. sponsorship to Senator D'Arco.

33. PRESIDENT:

1. You've heard the request by Senator D'Arco for leave
2. to be substituted as principle sponsor of Senate Bill
3. 554. Is leave granted? Leave is granted. Senate
4. Bill 1769, Senator Leonard. Senate Bill 1772, Senator
5. Buzbee. Senate Bill 1775, Senator Berman. Senate Bill
6. 1777, Senator Leonard. Senate Bill 1780, Senator
7. Davidson. Senate Bill 1792, Senator Guidice.
8. Senate Bill 1793, Senator Egan. Senate Bill 1794, Senator
9. Berman. Senate Bill 1802, Senator Walsh. Senate Bill
10. 1807, Senator Lane. Senate Bill 1817, Senator Leonard.
11. Senate Bill 1819, Senator Lane. Senate Bill 1820,
12. Senator Egan. Senate Bill 1822, Senator Leonard.
13. Senate Bill 1827, Senator Graham. Senate Bill 1830,
14. Senator Weaver. Read the bill.

15. SECRETARY:

16. Senate Bill 1830.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. Amendment No. 1 from the Floor offered by Senator Weaver.

20. PRESIDENT:

21. Senator Weaver.

22. SENATOR WEAVER:

23. Thank you, Mr. President. This amendment adds on
24. page four that all admissions or persons pursuant to
25. the Act shall be made without regard to age, sex, race,
26. color, religion, creed, ancestral...ancestry, physical
27. or mental handicap, occupation or national origin of the
28. person...persons making application. I'd move adoption
29. of the amendment.

30. PRESIDENT:

31. Is there any discussion? Senator Weaver moves the
32. adoption of Amendment No. 1. All those in favor signify
33. by saying Aye. Opposed. The Ayes have it. The amendment

1. is adopted. Any further amendments?
2. SECRETARY:
3. Amendment NO. 2 offered by Senator Hickey.
4. PRESIDENT:
5. Senator Hickey.
6. SENATOR HICKEY:
7. Thank you, Mr. President. What we're doing is changing
8. the word "may" to "shall." There was a change in the
9. bill which took the responsibility for admission from the
10. general assistance supervisor to the county board.
11. It formerly said "shall be admitted" and when they
12. wrote in the new part about the county board, they said
13. "may be admitted" and we simply want to put the "shall"
14. back in.
15. PRESIDENT:
16. Is there any discussion? Senator Hickey moves the
17. adoption of Amendment No. 2. All those in favor signify
18. by saying Aye. Opposed. The Ayes have it. The amendment
19. is adopted. Any further amendments?
20. SECRETARY:
21. No further amendments.
22. PRESIDENT:
23. 3rd reading. Senate Bill 1833, Senator Bruce.
24. Senate Bill 1847, Senator Daley. Senate Bill 1848,
25. Senator Coffey. Read the bill.
26. SECRETARY:
27. Senate Bill 1848.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments. One Floor
30. amendment offered by Senator Coffey.
31. PRESIDENT:
32. Senator Coffey.
33. SENATOR COFFEY:

1. Mr. President and members of the Senate.
2. Amendment No. 1...really all this amendment does is give
3. the description of this transaction. It authorized
4. the Department of Transportation to convey certain
5. real property and it's approximately twelve thousand
6. seven hundred and fifty square feet. This gives the
7. description of that tract of land and makes it more
8. specific and adds to this bill.

9. PRESIDENT:

10. Is there any discussion? If not, Senator Coffey
11. moves the adoption of Amendment No. 1. All those in
12. favor signify by saying Aye. Opposed. The Ayes have
13. it. The amendment is adopted. Any further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. Senate Bill 1850, Senator D'Arco.
18. Senate Bill 1857, Senator Glass. Senate Bill 1873,
19. Senator Lane. Senate Bill 1876, Senator Lane.
20. We have now completed the Order of Senate Bills 2nd
21. reading. Any member having a bill that he wishes called,
22. please leave the number with the Secretary. If
23. there is enough time, we will get back to it today. If not,
24. we will do it tomorrow morning. For what purpose does
25. Senator Graham arise?

26. SENATOR GRAHAM:

27. I'd like to announce to the worthy brothers on this
28. side of the aisle that there will be a Republican caucus
29. in Room 400 immediately upon our recess. Be there fellows,
30. it's important.

31. PRESIDENT:

32. Senator Graham has asked leave for a recess for the
33. purpose of a Republican caucus. Assuming that that request will

1. be granted, we will return...Senator Graham, how long would
2. you estimate that caucus will last? All right. To be on the
3. safe side, 11:15. All right. So when...we will gavel the
4. Session...we will stand at ease subject to the call of the
5. Chair, but for the benefit of the members, it's estimated
6. forty minutes for the caucus. We will return and go to the
7. Order of Senate Bills, 3rd reading. The Senate stands in
8. recess subject to the call of the Chair.

9. Recess

10. After Recess

11. PRESIDENT:

12. The Senate will please come to order. While we are
13. awaiting the return of some of the members to the Floor,
14. we have a request on the Order of Senate Bills, 2nd
15. reading. Senate Bill 1792, Senator Guidice.
16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1792.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Insurance and
21. Licensed Activities offers one amendment.

22. PRESIDENT:

23. Senator Guidice.

24. SENATOR GUIDICE:

25. Thank you, Mr. President. The committee amendment
26. strikes everything after the enacting clause and it
27. expands the membership of the Fair Plan Board, increasing
28. the number to nine allowing four new additional members
29. from the consumer area. And I would move its adoption.

30. PRESIDENT:

31. Is there any discussion? If not, all those in favor
32. of the adoption of the amendment signify by saying
33. Aye. Opposed. The Ayes have it. The amendment is adopted.

1. Any further amendments?

2. SECRETARY:

3. No further committee amendments.

4. PRESIDENT:

5. Any amendments from the Floor? 3rd reading.

6. Senate Bill 1468, Senator Guidice. Read the bill.

7. SECRETARY:

8. Senate Bill 1468.

9. (Secretary reads title of bill)

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

11. PRESIDENT:

12. Any amendments from the Floor? 3rd reading. Senate

13. Bill 1515, Senator Guidice. Read the bill.

14. SECRETARY:

15. Senate Bill 1515.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments. One

18. Floor amendment offered by Senator Guidice.

19. PRESIDENT:

20. Senator Guidice.

21. SENATOR GUIDICE:

22. Thank you, Mr. President. The amendment I'm

23. offering today is pursuant to a request made at the

24. Agriculture Committee. It is restrictive language.

25. It applies only to skeet and trap shooting sport

26. clubs which were chartered and operational prior to

27. January the 1st, 1975 and which are situated in the same

28. location in which they were situated prior to January

29. the 1st, 1975. It's restrictive language and applies only

30. to these particular individuals pursuant to Senator Knuppel's

31. request.

32. PRESIDENT:

33. Is there any discussion? If not, Senator Guidice moves

SB 1546
5/10

1. the adoption of Amendment No. 1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Well, thank you, Mr. President. Not on the amendment,
4. but I just want a...an agreement from the sponsor that he
5. will agree to bring this bill back to 2nd reading because
6. I have spoke to you about...I have some other amendments
7. for this bill.

8. PRESIDENT:

9. Senator Guidice.

10. SENATOR GUIDICE:

11. Well, the...I would hold this bill and bring it back if
12. it was so needed, Senator Demuzio, as I indicated.

13. PRESIDENT:

14. Senator Guidice moves the adoption of Amendment No. 1.
15. All those in favor signify by saying Aye. Opposed.
16. The Ayes have it. The amendment is adopted. Any further
17. amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. Senate Bill 1546, Senator Bloom. Senator
22. Bloom on the Floor? You wish to have that bill read?
23. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1546.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Agriculture
28. offers one amendment.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Yes, the committee amendment, basically, took out the
33. language that said "could not find alternative sources of fuel,"

1. and made the bill what you would call an end use bill.
2. I'd move its adoption.
3. PRESIDENT:
4. Is there any discussion? Senator Rock.
5. SENATOR ROCK:
6. I...I thought this was the amendment that came from the
7. Secretary's Office concerning law enforcement agencies.
8. PRESIDENT:
9. Senator Bloom.
10. SENATOR BLOOM:
11. Yes, Senator Rock. The other language...I forgot
12. about the language that went in. It also adds "and other
13. law enforcement agencies under the Secretary of State."
14. I...I forgot that. Thank you for reminding me.
15. PRESIDENT:
16. Is there any further discussion? Senator Davidson.
17. SENATOR DAVIDSON:
18. Yes, Senator Bloom, you know, I talked to you about
19. the other word and the amendment is not up here yet. Will
20. you bring it back?
21. PRESIDENT:
22. Is there any further discussion? If not, Senator
23. Bloom moves the adoption of Amendment No. 1. All those
24. in favor signify by saying Aye. Opposed. The Ayes have it.
25. The amendment is adopted. Any further amendments?
26. SECRETARY:
27. No further committee amendments.
28. PRESIDENT:
29. Any amendments from the Floor? 3rd reading.
30. Senator Rock.
31. SENATOR ROCK:
32. Thank you, Mr. President. I wonder if we might have leave
33. of the Body. There is a great deal of interest concerning the

1. public demonstration proposed laws, that is Senate Bill 1811,
2. and 1676. I wonder if we might, with leave of the Body,
3. set those for 12:45 so that everybody is aware that
4. that's the time at which these two matters will be heard.
5. I understand the sponsors have agreed that 1811 will
6. be heard first since it's an amendment to the Criminal Code
7. and then subsequently 1676.

8. PRESIDENT:

9. All right. You have heard...you have heard the request.
10. Is leave granted? Leave is granted. For what purpose
11. does Senator Nimrod arise?

12. SENATOR NIMROD:

13. Yeah, I...Mr. President. I think we've agreed that the
14. bills will be called up at the same time but I don't see
15. what the reason is for 1811...should be called first.

16. PRESIDENT:

17. Well, Senator...

18. SENATOR NIMROD:

19. I did...

20. PRESIDENT:

21. ...we've got twenty-five minutes. Would you and Senator
22. Carroll get together and discuss that and then let me know what
23. the agreement is? Senator Rock.

24. SENATOR ROCK:

25. Also, I wonder if with leave of the Body, if we might
26. go to the Order of Business of Committee Reports. There is a
27. gentlemen to be appointed or an appointee to be appointed
28. to State Board of Election. I understand there's some
29. urgency. I understand Senator Vadalabene is ready and we can
30. go to that order and then go to 3rd reading.

31. PRESIDENT:

32. Is leave granted? Leave is granted. Committee Reports.

33. SECRETARY:

1. Senator Vadalabene, Chairman of the Committee on Executive
2. Appointments and Administration to which was referred the
3. Governor's Message of April the 20th, 1978, reports that the
4. committee recommends that the Senate do advise and consent
5. to the following appointments.

6. PRESIDENT:

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President. I move that the Senate
10. resolve itself into Executive Session for the purpose of acting
11. on the Governor's appointments set forth in the Governor's
12. Message of April 20th, 1978.

13. PRESIDENT:

14. You've heard the motion by Senator Vadalabene.
15. All those in favor signify by saying Aye. Opposed.
16. The Ayes have it. The Senate is now in Executive Session.
17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the Senate.
20. With respect to the Governor's Message on April the 20th,
21. 1978, I will read the names of the salaried appointments that
22. the Committee on Executive Appointments and Administration
23. recommends that the Senate advise and consent to.
24. And after reading the names, I intend to ask leave to consider
25. all salaried appointments on one roll call unless
26. any Senator has objections to any particular name.

27. PRESIDENT:

28. All right. You've heard the request by Senator Vadalabene.
29. Is leave granted? Leave is granted.

30. SENATOR VADALABENE:

31. To be Executive Director of the Illinois Law Enforcement
32. Commission for an unspecified term, James B. Zagel of Chicago.
33. And to be a member of the Illinois Liquor Control Commission

1. for a term expiring February 1, 1984, John F. Kneafsey
2. of Evanston. To be Assistant Director of the Department
3. of Insurance for a term expiring January 15th, 1979,
4. Michael V. Hasten of Chicago. And to be a member of the
5. Fair Employment Practice Commission for a term...expiring
6. January 19th...'81, Alfred C. Whitley of Chicago.
7. And to be Chairman and member of the Prisoner Review Board
8. for a term expiring January 17th, 1983, James R. Irving
9. of Aurora. And to be a member of the Prisoner Review Board
10. for a term expiring January 17th, 1983, Joseph T. Dakin
11. of Carbondale, Joseph J. Longo of LaGrange Park,
12. Joseph P. McCombs of Champaign. And to be a member of the
13. Prisoner Review Board for a term expiring January 19th,
14. 1981, Earl K. Dryden of Aurora, Virginia P. Scales of
15. Fairview Heights, Anthony M. Scillia of Aurora and for a term
16. expiring January 15th, 1979, R. Barry Bollensen of Woodstock,
17. Ethel Gingold of Springfield, and Raphael Nieves
18. of Chicago. To be a member and to be Chairman and member
19. of the Illinois Commerce Commission for a term expiring
20. January 17th, 1983, Charles B. Kocoras of Oak Lawn and
21. to be a member of the Illinois Commerce Commission
22. for a term expiring January 17, 1983, Helen D. Schmid
23. of Glen Ellyn. And Mr. President, having read the names of the
24. salaried appointments, I now seek leave to consider these
25. names on one roll call unless some Senator has objection
26. to a specific name.

27. PRESIDENT:

28. Is leave granted to follow that procedure? Leave
29. is granted. Will you put the question, Senator Vadalabene?

30. SENATOR VADALABENE:

31. Yes, Mr. President, will you put the question as required
32. by our rules?

33. PRESIDENT:

1. The question is does the Senate advise and consent
2. to the nominations just made? Those in favor will vote
3. Aye. Those opposed will vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are
6. 54, the Nays are none, none Voting Present. A majority
7. of the Senators elected concurring by record vote, the
8. Senate does...does advise and consent to the nominations
9. just made. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, thank you, Mr. President and members of the Senate.
12. Mr. President, to the Governor's Message of April 20th,
13. 1978, I will read the names of the unsalaried appointments
14. that the Committee on Executive Appointments and Administration
15. recommends that the Senate advise and consent to.
16. And after reading the names, I intend to ask leave to consider
17. all of the unsalaried appointments on one roll call unless
18. any Senator has objection to any particular name.
19. To be a member of the Board of Vocational Rehabilitation
20. for a term expiring January 11th, 1982, Robert S. Gomsrud
21. of Sterling. And to be a member and Chairman of the
22. Board of Vocational Rehabilitation for a term expiring
23. January 9th, 1984, Leonard R. Grazian of Morton Grove.
24. And to be a member of the Board of Vocational Rehabilitation
25. for a term expiring January 14, 1980, Jason R. Barr the
26. III of Springfield. And for a term expiring January
27. 9th, 1984 to the Board of Vocational Rehabilitation
28. Richard A. Kent of Golf. To be a member of the State
29. Soil and Water Conservation Advisory Board for a term
30. expiring January 19th, 1981, Minott Silliman, Jr. of
31. Toulon, Milton M. Hartman of Mounds and for a term
32. expiring January 15th, 1979, Earl T. Schaffer of Wyoming,
33. Kenneth M. Kessler of Champaign, Elmer A. Frerichs of
34. Litchfield. And to be a member and Chairman of the Board

1. Trustees of the State Community College of East St.
2. Louis for a term expiring June 30th, 1983, Marvin
3. Wright of East St. Louis. And to be a member of the
4. Board of Trustees of the State Community College of East
5. St. Louis for a term expiring June 30th, 1979,
6. Edmund M. Jucewicz, and for a term expiring June
7. 30th, 1981, John H. Rouse, and for a term expiring
8. June 30th, 1981, Rufus Starks of East St. Louis, and
9. for a term expiring June 30th, 1983, James A. Voelker
10. of East St. Louis, Narmen O. Hunter of East St. Louis.
11. And to be a member of the Board of Trustees of the
12. State Community College of East St. Louis for a term
13. expiring June 30th, 1979, Clarence Ellis, Sr.
14. of East St. Louis. And to be a member and Chairman of the Illinois
15. State Scholarship Commission for a term expiring June
16. 30th, 1983, Curtis W. Tarr of Moline. And to be a member
17. of the Illinois State Scholarship Commission for a
18. term expiring June 30th, 1981, David P. Eisenman
19. of Champaign, and for a term expiring June 30th, 1983,
20. Reverend Victor Lopez of Joliet. To be Public Administrator,
21. Guardian and Conservator of Madison County for a term
22. expiring December 2nd, 1981, Vernon E. Schulte of
23. Edwardsville. To be a member of the Joliet Metropolitan
24. Exposition and Auditorium Authority for a term expiring
25. December 1, 1981, Dorothy Marich of Joliet, Juliet M.
26. King of Joliet, and for a term expiring December 1, 1979,
27. Richard Jachinowski of Joliet. And to be a member
28. of the Kaskaskia Regional Port District Board for a term
29. expiring January 30th, 1978, Richard L. Guebert of Modock,
30. and for a term expiring June 30th, 1989...for a term
31. expiring June 30th, 1980, Francis Osborn of New Athens.
32. And to be a member of the Department of Children and
33. Family Services Advisory Council for a term expiring January

1. 19th, 1981, Lela B. Carr of Springfield, Sheryl Clayton
2. of East St. Louis and Joseph F. E. Glassford of McLeansboro,
3. Virgil Johnson of Elgin, James K. Robinson of Danville,
4. Celeste Wiggins of Peoria, Betty Williams of Evanston.
5. And for a term expiring January 15th, 1979, the Department
6. of Children and Family Services Advisory Council,
7. Kay Moore of Belleville. And to be a member of the
8. Illinois Community College Board for a term expiring
9. June 30th, 1983, James W. Sanders of Marion, and
10. Toussaint L. Hale of Chicago. And to be a member of the
11. Illinois Racing Board for a term expiring July 1, 1978,
12. Angelo A. Ciambrone of Chicago Heights. And to be a member
13. of the Illinois Racing Board for a term expiring July
14. 1, 1980, Robert G. Ward of Decatur. And to be a member of the
15. Illinois Racing Board for a term expiring July 1, 1978,
16. Joseph Kellman of Chicago. And to be a member of the
17. Southwest Regional Port District Board for a term
18. expiring June 30th, 1978, Norman A. Viner of Cahokia,
19. James E. Barker of Lovejoy. And for a term expiring
20. June 30th, 1979, Fred A. Witte of Caseyville, and Delmar
21. E. Valine, Sr. of East Calonderet. And for a term
22. expiring June 30th, 1980, Scott R. Randolph of East
23. St. Louis and William A. Gregory, Sr. of Centerville,
24. and General W. King of East St. Louis. And to be a member
25. of the Capital Development Board for a term expiring
26. January 15th, 1979, George B. Peters of Aurora. And to be a
27. member of the State Board of Education for a term expiring
28. January 19th, 1981, George H. Thompson of Prophetstown.
29. And to be a member of the Board of Regents for a term
30. expiring January 15th, 1979, David Brewster Parker
31. of Lincoln. Mr. President, and members of the Senate,
32. having read the names of the unsalaried appointments, I now
33. seek leave to consider these names on one roll call unless some

1. Senator has objection to a specific name.

2. PRESIDENT:

3. You have heard the request. Is there any objection?

4. Is leave granted? Leave is granted. The question is shall

5. the Senate...or does the Senate advise and consent to the

6. nominations just made. Those in favor will vote Aye.

7. Those opposed will vote Nay. The voting is open.

8. Have all voted who wish? Have all voted who wish?

9. Take the record. On that question the Ayes are 57, the

10. Nays are none, none Voting Present. A majority of

11. the Senators elected concurring by record vote, the

12. Senate does advise and consent to the nominations just

13. made. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, thank you, Mr. President and members of the Senate.

16. I now move that the Senate arise from Executive Session.

17. PRESIDENT:

18. You've heard the motion. All those in favor signify

19. by saying Aye. Opposed. The Ayes have it. The motion

20. carries. The Senate does arise from Executive Session.

21. On the Order of Senate Bills, 3rd reading. Senate Bill

22. 311, Senator Joyce. Senate Bill 389, Senator Berman.

23. Senator Berman, do you wish the bill read a third time?

24. Senate Bill 389, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 389.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President. Senate Bill 389 is a permissive

33. bill which would authorize local school districts to conduct

1. special education programs for children from zero
2. up to three years of age. The reason for the necessity
3. of the bill is that as a result of certain Federal
4. legislation, the monies that had been available to
5. local school districts from the Federal Government for these
6. programs no longer will be available. What we have done
7. by this bill is to make it totally permissive and
8. without any State reimbursement or State expenditure of
9. monies whatsoever and it will be strictly a local program
10. if a local school board wishes to proceed. I'll
11. be glad to respond to any questions.

12. PRESIDENT:

13. Is there any discussion? Senator Davidson.

14. SENATOR DAVIDSON:

15. ...Mr. President and members of the Senate. I rise in
16. support of this bill. This is a bill which we worked on for almost
17. a year. It's in agreement...it does exactly as what Senator
18. Berman said. It's permissive on the local school district.
19. if they want to do it from zero to three and I urge a favorable
20. vote.

21. PRESIDENT:

22. Is there any further discussion? Senator Berman, do you
23. wish to conclude? The question is shall Senate Bill 389
24. pass. Those in favor will vote Aye. Those opposed will vote
25. Nay. The voting is open. Have all voted who wish? Have all
26. voted who wish? Take the record. On that question the Ayes
27. are 55, the Nays are none, none Voting Present. Senate Bill
28. 389 having received the required constitutional majority is
29. declared passed. Senate Bill 736, Senator Egan. Senate
30. Bill 825, Senator Hickey. Senate Bill 995, Senator Berman.
31. Read the bill.

32. SECRETARY:

33. Senate Bill 995.

(Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President. Senate Bill 995 is addressed
6. to encourage the collection of hundreds of millions of
7. dollars which are languishing somewhere but they are not
8. where they should be and that is in the State Treasury.
9. As you are aware, when a mother goes on Public Aid for
10. AFDC, Aid to Dependent Children, the father of the children
11. is required under law to pay for the support of these
12. children, pay the amount of support to the Department
13. of Public Aid. The Department of Public Aid pays for the
14. support through AFDC. Literally, hundreds of millions of dollars
15. are involved each year. For example, in 1977, two hundred
16. and ninety-eight million dollars was spent under this program.
17. The present procedure for the collection of these monies
18. from the responsible fathers has been done through a
19. process of in-house collection procedures, in-house being
20. either the Attorney General's Office or the local State's
21. Attorney's Office upon...under a...an agreement executed
22. between the Department of Public Aid with the consent
23. of the Attorney General. This bill is to provide one additional
24. tool for the collection of these monies and that tool is the
25. authorization for the collection of these monies on a contingent
26. fee basis. This can be done through either...collection
27. procedures or through attorneys, but it's really an incentive
28. program so that the State does not spend salaries...does not
29. spend money for rent and overhead, utilities and stationery
30. without the assurance of money being collected.

31.

32.

33.

End of reel.

1. This is a method to utilize the Department of Public Aid a
2. means which is used in the commercial fields when you have a
3. debtor who owes money Most collections are made on a percentage
4. basis so that, in fact, you don't throw good money after bad.
5. And what this bill authorizes is the utilization of a percentage
6. contract arrangement with a maximum percentage payable of twenty-
7. five percent. I have distributed on...to the desks of each member
8. of the Senate an explanation of the bill and on the third page is
9. an example whereby Federal...thru Federal programs and the
10. utilization of the...of the percentage collection...program
11. authorized by Senate Bill 995, the State of Illinois cannot only
12. collect a hundred cents on its dollar, to which it is entitled,
13. without any expenditure for collection costs, but the fees will
14. be paid by the Federal Government and through the utilization
15. of county state's attorneys the State...the county can even
16. receive a bonus factor from the Federal Government. I think
17. it's an important additional tool to collect, literally,
18. hundreds of millions of dollars for...for State General
19. Revenue. I'd be glad to respond to any questions.

20. PRESIDENT:

21. Senator Grotberg.

22. SENATOR GROTEBERG:

23. Will the sponsor yield?

24. PRESIDENT:

25. Indicates he will yield.

26. SENATOR GROTEBERG:

27. Senator Berman, the synopsis does not indicate anything other
28. than attorneys. Your legend here suggests individuals. My concern
29. then would be our regular collection agencies and skip-chasers
30. written into this bill. Or is it exclusively for attorneys?

31. PRESIDENT:

32. Senator Berman.

33. SENATOR BERMAN:

1. This question was raised in committee and the review of the
2. language of the bill as amended indicates that it is not
3. exclusively attorneys. All it does is authorize a twenty-five
4. percent collection arrangement through the...whatever means is
5. utilized for the collection purposes.

6. PRESIDENT:

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. You have a copy of the bill? I'll come over to take to
10. a peek.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPPEL:

14. Well, I had a question I wanted to direct to the sponsor
15. but he's...he's...All right. The question is this? Does this
16. bill provide for the attorneys if there is an attorney who is
17. going to do this to be an assistant Attorney General for the
18. purposes of the collection because I don't think constitutionally
19. an attorney unless he receives that appointment can do it.

20. PRESIDENT:

21. Senator Berman.

22. SENATOR BERMAN:

23. The answer, Senator Knuppel, is yes. This is part of what
24. the amendment addressed itself to in light of the Supreme Court
25. decision that said that it must be a...an Attorney General to
26. represent the State. This amendment that was put on in
27. committee was drafted with the concurrence and advice of the
28. Attorney General's Office to meet just that objection.

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPPEL:

32. Then let's assume that you do use collection agencies as it
33. has been indicated here with respect to the collection and they

1. cannot appear in court. They have to appear by an attorney
2. acting for them. Would the fee for the attorney and the
3. collection agency then be divided and would that attorney for
4. the collection agency also have some arrangement whereby he
5. spoke as an assistant Attorney General?

6. PRESIDENT:

7. Senator Berman.

8. SENATOR BERMAN:

9. Again the answer is yes. In my discussions with the Depart-
10. ment of Public Aid and the Attorney General's Office we've
11. tried to give them as much leeway as necessary in order to effectu-
12. ate the purpose of the bill and that is namely, the collection
13. of these monies. The...the maximum fee allowed would be twenty-
14. five percent if we...if an...if a collection agency nonlawyer
15. was utilized in the first instance and they collected the money
16. they would be entitled if they had to utilize and a...an attorney
17. that attorney would have to be appointed a special assistant
18. Attorney General or special assistant state's attorney, but the...
19. the intent of the bill would be the maximum fee for both attorneys
20. and collection agencies total would not exceed twenty-five percent.

21. PRESIDENT:

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. I'm going to vote for this bill because I think the purpose
25. is a laudable one. I think that it's very, very bad and I think
26. about fifteen percent of the fathers support their children in
27. cases of divorces and so forth. I see in this bill though danger
28. for some very serious consequences, very serious abuses knowing
29. collection agencies and how they might be selected and the
30. methods they use to sometimes intimidate people. I certainly
31. would want this to be very closely watched because collection
32. agencies, some of the poor ones, I'm not criticizing them as a
33. whole, there's exceptions to every rule, but some of these agencies

1. actually intimidate people. They call them at home and do many
2. other things and I'm...I'm satisfied that the bill if not very...
3. carefully supervised will result in abuses, but the purpose
4. intended is worthwhile enough that I'll vote for it. I do so
5. with a great deal of reservation. I'm afraid that, as I say,
6. there will be great abuse with respect to collections and
7. collection agencies and even attorneys who work in this field.

8. PRESIDENT:

9. Senator D'Arco.

10. SENATOR D'ARCO:

11. Will the sponsor yield for a question?

12. PRESIDENT:

13. Indicates he will yield.

14. SENATOR D'ARCO:

15. Arthur, are the attorneys for the support unit having a
16. problem collecting the monies from the fathers at the present
17. time?

18. PRESIDENT:

19. Senator Berman.

20. SENATOR BERMAN:

21. I'm not sure I would say that they're having a problem,
22. but let me give you some statistics and I think it's a problem
23. if they don't think...if they don't recognize it as such. I
24. gave you the figure of three hundred million dollars...spent
25. in the AFDC program in 1977. Of that amount only 12.4 million
26. dollars was collected by the present procedure. In 1976 four-
27. teen million, '75 thirteen million. You...they 're not even
28. scratching the surface of what can be collected and I think it's
29. a problem. I don't know if they think it is.

30. SENATOR D'ARCO.

31. So...

32. PRESIDENT:

33. Senator D'Arco.

1. SENATOR D'ARCO:
2. Well, all you're...you're not...you're not suggesting
3. that the unit relinquish its responsibility. All you're
4. suggesting is that the private attorneys can supplement them
5. and try to get more money collected. Is that right?
6. PRESIDENT:
7. Senator Berman, indicates that is correct.
8. SENATOR BERMAN:
9. That is correct.
10. PRESIDENT:
11. Senator Don Moore.
12. SENATOR MOORE:
13. Thank you, Mr. President and members of the Senate. I rise
14. in support of Senate Bill 995. This is a new approach to the
15. problem. We in Illinois have been plagued with a lack of
16. initiative on the part of our state's attorneys and in some cases,
17. under civil aspect from the Attorney General's Office because of
18. staff problems. Senator Berman is quite correct when he said we
19. collected only 12.4 million during the FY-'77. I think Senator
20. Knuppel was high with his estimate of fifteen percent. I think
21. that's an overall figure if we reduce it to the AFDC caseload,
22. I believe it's something like seven or eight percent of our
23. absent fathers are paying something. There is a very substantial
24. amount of money out there to the tune of about a hundred and
25. sixty-five million a year. Granted, all of it cannot be collected,
26. but on the other hand there is a very substantial amount of it
27. that can be collected. I think this is a new approach. I think
28. we ought to try it out and see what the results are. To have the
29. next General Assembly next year take a look at it and see whether
30. or not it's working or whether it isn't and I think it's worth
31. a try and it's therefore, I am going to support this bill and
32. would urge the other members to support it also.
33. PRESIDENT:

1. Senator Hickey.

2. SENATOR HICKEY:

3. Thank you, Mr. President. I'd like to ask the sponsor
4. a question.

5. PRESIDENT:

6. Indicates he will yield.

7. SENATOR HICKEY:

8. The one thing that I'm worried about, Senator Berman, is
9. the...all of the collections being turned over to lawyers who
10. will take twenty-five percent. Is there anything built into
11. your bill which says that it will first be attempted by the
12. department itself and after a certain time of failure in that
13. attempt then the assistance of lawyers to the tune of twenty-
14. five percent can be enlisted? Otherwise not only will we be
15. possibly delivering forty million dollars into the hands of
16. lawyers but also twenty-five percent of all that amount which
17. now is being collected successfully by the department and it
18. certainly doesn't cost the department twenty-five percent to
19. collect what they've been collecting.

20. PRESIDENT:

21. Senator Berman.

22. SENATOR BERMAN:

23. The bill, Senator Hickey, does not set forth those kind of
24. requirements. I have sat with, not only the department but also
25. with employees of the department that work in this area and they
26. have raised this same issue and let me give you the response
27. that I have given to them. Most of the people that are involved
28. in this present collection process are involved in what I call
29. current collections. The thirteen million that was collected
30. last year, the twelve...the fourteen the year before, the thirteen
31. the year before are on an on going current basis. There is sitting
32. there, which is either not been worked or been neglected, hundreds
33. of millions of dollars for last year, the year before and I have

1. been...it has been indicated to me that the department is
2. certainly not willing to just turn over current collections
3. to the collectors, but rather their looking at the...the backlog.
4. Stuff that's been sitting that has not...never been collected as
5. the main initial step that will be utilized under this bill. So
6. I think that the...the existing mechanism is certainly not going
7. to be displaced. I think, hopefully, it would be expanded. But
8. that we're looking at big money from past years that ought to be
9. collected and that's again what this is addressed to.

10. PRESIDENT:

11. Senator Hickey.

12. SENATOR HICKEY:

13. I certainly, Senator Berman, don't dispute the fact that
14. that it would be fine for them to start on the backlog, but there
15. isn't...if there is nothing in the bill to keep current collections
16. and the first attempts from going to lawyers who will charge
17. twenty-five percent, I...I really think we need that safeguard
18. in the bill before it's presented. It would be very costly if
19. the State of Illinois if it is not.

20. PRESIDENT:

21. Senator Savickas.

22. SENATOR SAVICKAS:

23. Yes, Mr. President, would the sponsor yield to a question?

24. PRESIDENT:

25. Indicates he will yield.

26. SENATOR SAVICKAS:

27. Senator, when we talk about the attorneys and other
28. individuals collecting these fees, how are they notified who
29. is in arrears? Will the department publish lists and distribute
30. it to everybody, every individual that requests one or what is
31. the procedure?

32. PRESIDENT:

33. Senator Berman.

1. SENATOR BERMAN:

2. This will be a ongoing program just as the existing one is
3. with close cooperation, hopefully, between the department and the
4. collectors. Right now, the same procedure that they use, they
5. have, for example, agreements with a number of local states
6. attorneys, they turn...the department turns over to these local
7. states attorneys the names and amounts of...of fathers who are
8. residing within those counties. If there's an agreement entered
9. into, for example, between the Attorney General and the Department
10. of Public Aid on the one hand and the States Attorney of Cook
11. County on the other there will be an on going exchange of information.
12. I don't anticipate there will be any necessary breach of confidentiali-
13. ty other than what is necessary and is presently followed in the...
14. in the existing collection procedures.

15. PRESIDENT:

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. Well, my...that still doesn't answer my question. If I, as
19. an attorney or as an individual, wanted to take advantage of this
20. process I would just walk in and say I want a list of the people
21. so I can go after them or how would that...how would this...
22. work?

23. PRESIDENT:

24. Senator Berman.

25. SENATOR BERMAN:

26. The people that will be hired to do this job will be within
27. the discretion of the Attorney General or the local states attorney.
28. That is really the response to not only your question, but to
29. Senator Knuppel and...and that is this. If you are using collection
30. agencies, for example, I would hope that the public official, the
31. Attorney General or the states attorney, is going to very care-
32. fully screen the people that are going to be in...contracted
33. with to do this work. That they are going to have to, number one,

1. comply with the Collection Agency Act that we passed a couple
2. of years ago. As far as attorneys are concerned, they're going
3. to have to abide by the rules of ethics of the legal profession
4. and probably the most important safeguard, practically,
5. realistically speaking, is the fact that you have a...anelected
6. public official who is either the states attorney or the Attorney
7. General who is going to be the contracting party. And if you
8. have a fly-by-night shady operation the best response and the
9. best way to get rid of that guy is through the political pressure
10. on that elected public official and that contracting party is...
11. can be fired overnight if he...if the Attorney General or the
12. states attorney finds that he is not acting properly.

13. PRESIDENT:

14. Senator Savickas.

15. SENATOR SAVICKAS:

16. In other words, this is a patronage for lawyers for our
17. system, isn't it?

18. PRESIDENT:

19. Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Thank you, Mr. President. I...I wonder if the sponsor
22. would yield for a question.

23. PRESIDENT:

24. Indicates he will yield.

25. SENATOR NEWHOUSE:

26. Senator, can you give me the average amount of the
27. delinquency of the people we are going after?

28. PRESIDENT:

29. Senator Berman.

30. SENATOR BERMAN:

31. You mean on a monthly basis or what the total number of
32. people are and divided by the total amount outstanding?

33. PRESIDENT:

1. Senator Newhouse.
2. SENATOR NEWHOUSE:
3. The total number of people divided by the total amount of
4. money.
5. PRESIDENT:
6. Senator Berman.
7. SENATOR BERMAN:
8. I don't have those figures.
9. PRESIDENT:
10. Senator Newhouse..
11. SENATOR NEWHOUSE:
12. I'm concerned...I think that this is a meritorious idea.
13. This is a juice bill, you know, you got to go after the juice
14. and I think we ought to do it for our runaway pappys. The
15. question that I'm raising is I...I go in the opposite direction
16. from Senator Savickas and the question I'm raising is who wants
17. the business? If, for example, a judgment is rendered and a...
18. and a...person is required to save...pay...say thirty dollars
19. a week which runs out to a hundred and twenty a month, it means
20. that the lawyer will get maybe less than thirty dollars a month
21. on that particular case and the question is, is it worth...is
22. the game worth the candle? And I just can't see that that...
23. that it will be worthwhile. Could you give me some...some
24. idea of what the incentive for lawyers to take this business
25. would be?
26. PRESIDENT:
27. Senator Berman.
28. SENATOR BERMAN:
29. Well, I can tell you this, that the average...the average
30. ADC payment on a monthly basis is a hundred and thirty dollars.
31. You have two hundred and twenty thousand families on ADC in the
32. State of Illinois. It doesn't take long and the figures from last
33. year, for example, certainly show that if you have a father who

1. refuses to pay, it doesn't take long to run up a pretty
2. substantial amount that would certainly give an incentive.
3. If, as you suggest, there is not enough money to chase, well
4. then, the...the bill will be annulity and we won't be able to
5. interest collectors to do it. I don't think my impression is
6. that there is big money sitting out there and that there should
7. be an...an incentive program that not only saves us tax dollars
8. as far as the overhead of operations of in-house collectors, but
9. will result in big money to the...to the tax coffers of the
10. State.

11. PRESIDENT:

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Is there any evidence, Senator, that we're talking about
15. people who are making money? Are we talking about people in
16. the ten thousand dollar category, the fifteen thousand dollar category,
17. the twenty thousand dollar category. It would seem to me and I
18. could be wrong that those persons who run away and avoid their
19. obligations by and large couldn't be making very much money in
20. the first instance and if they're not making very much money
21. in the first instance the court can't get blood from a turnip.
22. And if you can't get blood from a turnip I don't know how the
23. lawyer is going to get his drops and that's what concerns me.
24. Well, I...I guess I've made my point. I guess the lawyers have
25. to have a welfare bill, too, but I don't think the lawyers are
26. going to get very much welfare out of this bill, so I'm going
27. to oppose it.

28. PRESIDENT:

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, a question to the sponsor?

32. PRESIDENT:

33. Indicates he will yield.

1. SENATOR NIMROD:

2. Senator Berman, does the Attorney General support this
3. bill and secondly, why are we giving the authority to hire the
4. attorneys through the Public Aid and not through the Attorney
5. General? If they 're going to have to be certified by the
6. Attorney General then why not...why shouldn't this be to the
7. Attorney General?

8. PRESIDENT:

9. Senator Berman.

10. SENATOR BERMAN:

11. The...the answer first...to the first question is yes, the
12. Attorney General supports this...bill. Secondly, the Department
13. of Public Aid supports the bill. The language was drafted in
14. concurrence with both agencies and the...both the Department of
15. Public Aid and the Attorney General concurrently will have
16. responsibility and the authority regarding the entering into of
17. these contracts. The technicalities as to their joint agreement
18. has been worked out with them.

19. PRESIDENT:

20. Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. I, too, believe that this is a
23. new and innovative approach that's worthy of support but I would
24. like to ask the sponsor a question...

25. PRESIDENT:

26. Indicates he will yield.

27. SENATOR BERNING:

28. ...that...that arises. You say that the...the Senate
29. or that the State will benefit by the collections. Are you
30. implying that there will be less Public Aid dollars having to
31. be spent if we make these collections and if that is true, how
32. do we correlate this so that we are not supplying money from
33. the State which is offset by money collected?

1. PRESIDENT:

2. Senator Berman.

3. SENATOR BERMAN:

4. This is money, Senator Berning, that has already been
5. paid by the State to ADC families. The monies that we are
6. seeking to collect through the methods of this bill are monies
7. that are owed back to the State. Now there was a ruling several
8. years ago that required the Department of Public Aid to pay ADC
9. regardless of whether the responsible father makes contribution
10. or not and the responsible fathers contribution must go to the
11. State. It does not go to the mother so that the ADC mother
12. collects the money. What I'm pointing out though, is that the
13. State has to benefit and I hope, dramatically, under the
14. provisions of this bill because unlike some procedures where
15. you are going to have to hire more lawyers on salary, pay for
16. secretaries, pay for overhead and rent and utilities, this bill
17. says the State is going to collect money that is owed it. If
18. they collect it, they're going to have their money. If there
19. is no collection it doesn't cost the State anything and if you
20. look at the third page again of my handout under the Federal
21. Reimbursement Programs the entire cost of collection is going
22. to be paid for by the Federal Government. The...you know, we
23. always talk in Illinois about how Illinois taxpayers send a
24. lot of money to the Federal Government and we don't get much
25. of it back. This is one program where we can get some of that
26. money back from the Federal Government without costing the
27. State anything.

28. PRESIDENT:

29. Senator Berning.

30. SENATOR BERNING:

31. Well, I thank you for a very, very long answer and I am
32. delighted to know that the State is really going to be recovering
33. something. I...this wasn't clear to me. I thought ADC payments

1. went to the court and to the court or the court clerk and from
2. there to the parent..the mother. There's one other little
3. question,however, that I...I wish that you would consider if
4. you have not already. What provision will there be for prevent-
5. ing an unscrupulous attorney, and I admit that there are not many,
6. but there might be one who is able to affect a payment program
7. and then he sits back and it's a continuing forever sort of a
8. payment. Is there some way that you have a...a maximum or a
9. minimum amount of delinquency which must be in existence before
10. it becomes a...an item for this type of action?

11. PRESIDENT:

12. Senator Berman.

13. SENATOR BERMAN:

14. Again, my discussions with the department indicate that the
15. first area that they're going to utilize this bill for, will be
16. old monies owed. Not rather than current. And I think that you
17. will find that again within the discretion of the department
18. they 're not looking...hopefully not looking to give away monies
19. that they do have to and I would...I have not spelled it out.
20. I don't...I think it's really detailed that doesn't belong in
21. legislation. But I think as Senator Moore suggests that we give
22. this innovative approach a try and in a year get a report back
23. from the department as to exactly how its worked and then we
24. can see if there are more details or less details that should
25. be written into the legislation.

26. PRESIDENT:

27. Senator Kenneth Hall.

28. SENATOR KENNETH HALL:

29. ...yield to a question?

30. PRESIDENT:

31. Indicates he will yield.

32. SENATOR KENNETH HALL:

33. Senator, I see that you say here that two hundred and twenty

1. thousand families receive in their average monthly payment of
2. one hundred and thirteen dollars a month. One hundred and
3. thirteen dollars a month. It's a disgrace in this country
4. today that anybody has to live on a hundred and thirteen dollars
5. a month. But, nevertheless, you say that this is going to allow
6. attorneys and others, what others to do this collecting? Who
7. are you referring to?

8. PRESIDENT:

9. Senator Berman.

10. SENATOR BERMAN:

11. If the Attorney General or the states attorney wishes to
12. utilize the services of a collection agency that would be within
13. the purview of this bill also.

14. PRESIDENT:

15. Senator Hall.

16. SENATOR KENNETH HALL:

17. I...number two, now you are saying this applies to fathers,
18. now what about the paternity cases where they are getting...
19. fellows that had been brought into court, they had denied that
20. they are the fathers and they are...these kids are getting
21. Public Aid if it hasn't been established they 're not going to
22. be let...All right. The...the next thing is that what is
23. happening today with so many of these that are brought in and
24. they admit that they are the fathers and how are they going to
25. determine whether that they have any visible means of support
26. themselves? How...who's going to determine that?

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. That can be determined either in the initial contact by the
31. department before these cases are turned over or by the procedures
32. that could be set forth in the contract entered into between the
33. collectors and the Attorney General or states attorney. If...as

1. was indicated...if there is an unemployed father you're not going
2. to be able to collect money. If a father is earning less than
3. sixty-five dollars a week you can't collect it because he's not
4. subject to garnishment or wage deduction orders. Again, there is
5. anticipated some communication and reasonableness in this procedure.
6. The...the department is aware of that and again, you have the
7. check and balance of a...of public sentiment and a...an elected
8. public official that hopefully will be responsive to any trans-
9. gressions that could be involved.

10. PRESIDENT:

11. Senator Hall.

12. SENATOR KENNETH HALL:

13. Well, I have one final question. You know that often times
14. we are always told about the Attorney General's Office that he
15. never has enough lawyers to handle the cases they have. I often
16. question while that many times that we hire outside attorneys when
17. we have the Attorney General and his staff. Now, if we're going
18. to start assigning more things to him that...are we sure that
19. he's not going to ask for some more attorneys in his office to
20. help carry on this program?

21. PRESIDENT:

22. Senator Berman.

23. SENATOR BERMAN:

24. The whole purpose is to avoid more attorneys and staff on
25. State payrolls. This bill avoids that necessity and as far as
26. the other implications that really isn't addressed at...at this
27. bill. We'll leave that up to the Better Government Association.

28. PRESIDENT:

29. Senator Maragos.

30. SENATOR MARAGOS:

31. Mr. President, this matter has been fully discussed. I
32. move the previous question.

33. PRESIDENT:

1. Well, Senator we have Senator Ozinga and Senator Collins,
2. D'Arco and Grotberg that have asked if you would hold that
3. motion, I'll recognize you when they have had their opportunity
4. to speak. Senator Ozinga.

5. SENATOR OZINGA:

6. Mr. President, I would like to just ask a few questions here
7. of the sponsor. First of all, when you're...sit down, Barry...
8. When...when we're talking about a contingent fee of twenty-five
9. percent of the collection, doesn't this make a real incentive
10. for those not collecting...those that are paying now, not to
11. pay so that we could develop a little bit of a conspiracy here
12. for...where we are collecting twelve million we will now
13. collect nothing of that and pay out twenty-five percent to
14. collection agencies. This to me, to put this on a contingent
15. fee basis is a little bit risky. Number two, are these attorneys
16. or collection agencies going to have to negotiate first before
17. the fact, before they get into this collection business? If so,
18. with whom and for what? Now, I...I agree with Senator Savickas'
19. thinking before where he said this could create one great big
20. long list of patronage people. In other words, a list of all of
21. the people might be solicited not to pay so that attorneys could
22. create a good contingent fee basis. I...I'm fully in favor of
23. the concept, but I'm just wondering whether there aren't a lot
24. of bugs that should be worked out of this thing before you get
25. it finally passed over in the House.

26. PRESIDENT:

27. Senator Berman.

28. SENATOR BERMAN:

29. Well, I think that Senator Savickas and I agree upon one
30. thing. There's nothing wrong with patronage. Number two, this
31. is not a patronage bill. This is a bill that allows payment of
32. fees for services rendered. Gentlemen, we're talking about a
33. modest estimate according to the Department of Public Aid of a

1. hundred and fifty million dollars a year that's collectable
2. that's not being collected. And this is one step to try to
3. get that money collected. And if we collect a hundred million
4. dollars under this bill and you pay out twenty-five million in
5. fees the State has, in fact, gained seventy-five million. It
6. hasn't cost the State twenty-five 'cause you've got money sitting
7. there that has never been touched. Now let's be realistic. If
8. you're a businessman, your bank collects its notes through
9. contingency contracts with lawyers and that's what I'm suggesting
10. be done here with substantial monies owed to the public treasury.

11. PRESIDENT:

12. Senator Ozinga.

13. SENATOR OZINGA:

14. I...I too, am in favor of patronage, but I am just wondering
15. if we're not opening up Pandora's Box here by setting forth a list
16. of people's names and then just say, okay you guys, go ahead and
17. at will. Now don't get me wrong, I'm...I just think that it has
18. to be set up to some sort of limitation so that these people
19. are before the fact and...accounting made. Now, if I interpret
20. your statement right any attorney or collection agency can
21. solicit these funds or solicit the authority. Now, are they
22. going to be required to enter into a specific contract with the
23. Attorney General or with the Department of Public Aid for this
24. particular type of solicitation? Shall I say or collection?

25. PRESIDENT:

26. Senator Berman.

27. SENATOR BERMAN:

28. The answer is definitely yes. The amendment, the language
29. of the bill calls for agreements. In other words contracts be
30. entered into with the collectors and any...any types of safeguards,
31. prior contact initiatives before lawsuits, for example, all of
32. these things can be and I anticipate should be spelled out in
33. these contracts between the public official and the people that

1. are going to collect it.

2. PRESIDENT:

3. Senator Collins.

4. SENATOR COLLINS:

5. Will the sponsor yield for a question?

6. PRESIDENT:

7. Indicates he will yield.

8. SENATOR COLLINS:

9. Senator Berman, you really have not answered many of the

10. questions that's been raised here and I think one very important

11. one you really did a pretty good job on really evading the real

12. answers to those questions, with which I'm very much concerned

13. about the possible abuses that Senator Nimrod...I mean

14. Senator Knuppel raised. But I would like to know, let's assume

15. now that the states attorney has a list of people and these

16. other groups and these other groups you are referring to collection

17. ...existing collection agencies or any other group who established

18. themselves as a collection agency or lawyer. Am I correct...the

19. groups that you're talking about? You're talking about existing

20. collection agencies, lawyers, individually or as a collecting

21. agency or any other group. You know, define that and then what

22. happens at the states attorney office. Does he publish a list of

23. ...delinquent clients and say, you know, here, open season? Then

24. what happens?

25. PRESIDENT:

26. Senator Berman.

27. SENATOR BERMAN:

28. The program would operate as follows. If the Attorney General

29. enters into a contract with the State's Attorney of Cook County, for

30. example, that agreement would authorize the State's Attorney of

31. Cook County to utilize either collection agencies or attorneys

32. to collect monies owed to the State from a list of the following

33. ...you know...on a...on a schedule the following named fathers

1. who owe the following listed amounts and a file whatever the
2. Department of Public Aid happens to have on each of these
3. debtors. The...Okay.

4. PRESIDENT:

5. Senator Collins.

6. SENATOR COLLINS:

7. I understand that point, but I'm talking about procedures
8. because I know the practices of collection agencies right now
9. and no...no holds are barred, you know, if...if they are set
10. for a bank, for example, that someone owes some money. You know,
11. they are not out there concerned about whether or not that person
12. has a job or...or what. They go out to make a profit...that
13. percentage and that is to collect the funds by any means. And
14. I'm concerned about the...the harrassment that can exist with
15. this kind of...kind of legislation and I don't...I'm...I'm...
16. really not...they're comfortable safe with the so-called ethics
17. of the lawyers and...and this is not to be critical, but I don't
18. think that we can, in all consciousness, leave it up to the
19. practical ethics and I'm not talking about what's on...you know...
20. which...which ethic codes is. But what...what I'm trying to get
21. at Senator Berman, in all honesty, what this really is, is legalized
22. bounty hunting of lawyers...for lawyers. And I...I don't think
23. it's...it's just another form of harrassment and if you really
24. take a look at...that figure that you're...you're quoting here
25. in terms of money owed. A persons owing money for child support
26. That decision is made in court and the amount that a person is
27. supposed to pay for child support is also determined in the courts.
28. And those figures that you are reading from are total figures.
29. It does not say whether or not how many of these people are actually
30. able to pay the child support or what has happened to them since
31. the time that the judge made a decision that they would pay
32. a hundred dollars a month, twenty-five dollars, whatever. And...
33. and...and you're blowing the whole figures out of proportion I think

1. and I think this bill really should be defeated for all of the
2. reasons and questions that many of the people...the Senators
3. have raised on this Floor.

4. PRESIDENT:

5. Senator Soper.

6. SENATOR SOPER:

7. Thank you, Mr. President and members of the Senate. I
8. think you will find that this is a good concept if it does
9. only one thing. Right now it's getting to be a way of life.
10. People say, well, you can go on ADC if we get a divorce and
11. then the...then the parties get a divorce and they...there's
12. a certain amount to be paid under the decree and what happens.
13. All of a sudden she says, well, I can't find the father now.
14. But if you go to the house three or four times a week or
15. different times of the night you'd find the father there, so
16. they...they take all of the benefits and the people that really
17. deserve this money are cheated. Now, you'll find that you'll...
18. you'll clear up about twenty-five to thirty percent of the
19. delinquency by just visiting the home out there and finding who
20. the gentleman is that comes there every three or four times a
21. week or has his breakfast or dinner or who the children call
22. father. I think that's what you'll do with this bill. At least
23. you'll...you'll find that these...these ripoff artists are
24. caught and I think it's a good concept, Senator Berman. I've
25. had this thing in mind for a long time. I'm glad that somebody
26. on the other side of the aisle took it upon themselves. I...I...
27. SENATOR GUIDICE:

28. No, he didn't. He did...job with it.

29. PRESIDENT:

30. Senator...Senator Guidice.

31. SENATOR GUIDICE:

32. Thank you, Mr. President. I'm rising in support of this bill.
33. I don't find an ethics question, Senator Collins, at all in this

1. thing. We have three hundred million dollars that this State
2. paid out for this particular problem. These people owe the
3. money. They're not paying the money. The Attorney General
4. hasn't the people to work in this particular area to get this
5. money. The fact of the matter is that most...most collection
6. cases an attorney...or a collection...agency charges forty to
7. fifty percent of what they receive. Here it looks like a very
8. good deal. We're only charging twenty-five percent or getting
9. twenty-five percent. The State is going to recoup seventy-five
10. percent of that money and with this, this means a lot to all
11. of the taxpayers, too. So I rise in support of it.

12. PRESIDENT:

13. Senator Grotberg, for the second time and then Senator
14. D'Arco. Senator Maragos.

15. SENATOR GROTBURG:

16. Thank you, Mr. President. My first time up I asked a
17. couple of questions. I think I might shed some light on this
18. fine bill and I rise in support of it. First of all, we have
19. been part and parcel of raising a generation of deadbeats in
20. several areas of life, not just ADC. But you're going to see
21. bills like this in the very near future...near future on...on
22. the college loan program. You're going to see it in many areas
23. and it's something we owe to ourselves because it is our money
24. and the taxpayers money in general that we're talking about
25. recovering. Now, I submit to you that the phrase new and
26. innovative is not so new and innovative on this bill. In the
27. County of LaSalle they enact...they enacted a resolution and
28. authorized a "skipchaser" but a very fine collection
29. agency to take over the delinquent personal property taxes from
30. 1969 before the 1970 Constitution. Last year he collected one
31. hundred thousand dollars and I don't know how much you think
32. about your county funds but in LaSalle County a hundred thousand
33. dollars is a lot of money. So much so that the County of Kane

1. the States Attorney is about to negotiate a contract with a
2. collection agencies to do the same thing in Kane on not only
3. delinquent old personal property but in several areas of
4. collection at the county level and they are paying a fee by
5. contract. I think that this is a coming occasion and that we
6. may be able to dampen down the enthusiasm of ripping off public
7. funds at the local level and individual level among our society
8. a problem that we in government have fostered and fostered since
9. 1932. Thank you very much.

10. PRESIDENT:

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. Thank you, Mr. President. I think the idea is a very good
14. one and I...I think that the State is losing money and this
15. would be a beneficial way for the State to get some money due
16. and owing to it, but I see a problem in the procedure aspects
17. of this situation. The Attorney General and the states attorney
18. will decide arbitrarily who will be the lawyers and who will be
19. the collection agencies that will get this work. And there are
20. no standards that they will use as guidelines to determine what
21. lawyers get it or what collection agencies get it. It is a
22. political plum. There are no procedures set out by rule that
23. the Attorney General or the states attorney can look to to
24. determine who, in fact, will get this work. The Cook County
25. Governing Commission of Cook County Hospital has collection
26. agencies on their payroll trying to collect bad debts due and
27. owing to them, but they do it by a competitive bidding procedure,
28. which is the good way to do it. This is a political plum and
29. it's going to go to the political party that's in power at any
30. given time and although the idea is good I don't think the
31. procedure merits my vote on this bill.

32. PRESIDENT:

33. Senator Smith had thought his name was on the list and has

1. asked that he be added to the list to speak and with leave of
2. the Body.Senator Smith.

3. SENATOR SMITH:

4. Mr. President and Ladies and Gentlemen of the Senate. After
5. all, I don't think you understood me. I am not asking for the
6. right of the purpose to make a speech at all. I...I think this
7. matter has been perhaps fully discussed. I rise merely to say
8. that, perhaps, twenty years ago, more or less, this your humble
9. servant passed a bill and placed the responsibility for
10. collections in the hands of the counties and...the counties
11. legal representative. We also had an appropriation bill to
12. reimburse the counties for whatever expense they were put to
13. in their attempts to collect monies from these deserting...having
14. deserted fathers. As of this moment as we stand here there is
15. a county in the Southern part of this State near our lady, I don't
16. know whether...I take it we can yet refer to the members of the
17. fairer sex as Ladies. They have a lady attorney general down
18. there. She came here and she testified and she is perhaps
19. the only one that came before the Body, our commission, and
20. testified to the fact that she was actually collecting funds.
21. I'm not going to vote for this bill and I'm sure the sponsor
22. knows that I'm not. It's not for any of the reasons that have
23. been suggested here. And I need not go further than to say
24. that I don't want anyone to get the impression that I believe
25. that the condition should be permitted to continue. Not by any
26. chance. By any means. I could illustrate my thinking in a few
27. words but I dare not because I know Fred Smith. Senator Ozinga
28. is back there. He doesn't know I have the Floor. He would...
29. be expecting a long oration on my part. I'm not going to do
30. that. I merely say that for reasons known to the sponsor I'm
31. going to vote against this bill. I believe in a certain concept.
32. I think the law...that the county officials already have sufficient
33. authority of law...at law to act now. I'm not advising, cautioning
34. or suggesting how anyone should vote. But I'm going to vote against

1. the bill on roll call.

2. PRESIDENT:

3. Senator Berman may close the debate.

4. SENATOR BERMAN:

5. Thank you. I regret that Senator Collins felt that I
6. evasive in my answers. I tried to as candid and forthright
7. answers to the questions as I was able to. Let me point out
8. and I can understand the fears regarding the ethics of the
9. collectors. I would point out again that the contracting
10. party is a public official. And I'm not sure that I know in
11. this day and age any public official that wants to draw a lot
12. of heat by entering into a contract with the disreputable
13. collection operation. Number two, the State of Illinois has
14. enforced and the Federal Government passed on March 20th, 1978
15. a Collection Agency Supervision Bill and if any of these
16. agencies or individuals run afoul of the very stringent standards
17. set forth in both the State and Federal regulation, they will
18. not only lose the contract to collect ADC money, they will lose
19. their license to operate. So I have tried to address myself to
20. all realistic possibilities. I am not saying that every
21. possibility can be addressed or has been addressed in this bill.
22. I think it's an important, very important step to realizing
23. hundreds of millions of dollars that are owed to the State.
24. I think that when we discuss such...issues such as cost of living
25. or better than cost of living pay...benefit raises for Public
26. Aid recipients that this is a source of money which we can
27. certainly address ourselves to in justifying those kind of
28. increases and they are necessary. But we've got to get the
29. funds that this program is drawing out from public monies. I
30. think it's a responsible, reasonable step. I invite our very
31. serious perusal in one year to see how it works and I solicit your
32. Aye vote.

33. PRESIDENT:

1. The question is, shall Senate Bill 995 pass. Those in
2. favor will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question, the Ayes are 45, the Nays
5. are 11, 2 Voting Present. Senate Bill 995 having received the
6. required constitutional majority is declared passed. The hour
7. of 12:45 having come and gone pursuant to leave granted by the
8. Senate...on the Order of Senate Bills, 3rd reading, Senate Bill
9. 1811. Senator Carroll. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1811.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. In an attempt to alleviate some of the questions that
19. might have arisen on Senate Bill 1811, I had distributed to each
20. Senator a fact sheet, that you should have on your desks, that
21. goes through the various reasons as to why the approach of
22. Senate Bill 1811 is, in fact, constitutional. As I think you all
23. know, both Senate Bill 1811 and the bill of which I am a co-
24. sponsor by Senator Nimrod are an attempt by the General Assembly
25. to deal with the real problem facing today one area of our State.
26. But in the future much more than that. What we are attempting
27. here to do is to do that which the Supreme Court has already
28. said. We have the right, power and duty to do. Senate Bill 1811
29. in creating the Criminal Group Defamation Statute is doing
30. something that has already been allowed by our courts. What I
31. would like to do is just very briefly go through it as we had
32. done in committee. I know that many of the members of...of the
33. committee had substantial questions on the constitutionality.

1. And while I know that this Body is one of humanity and compassion
2. may pass this bill anyway. I think it important that we under-
3. stand why we feel this is a totally constitutional concept. Back
4. in 1952 there was a case known as Beauharnais where a very
5. similar Statute had been on the books in Illinois and a man by
6. the name of Beauharnais was arrested, convicted and appealed to the
7. U.S. Supreme Court on the constitutionality of that type of
8. conduct. That particularly is the language that we've used in
9. this Act. The Supreme Court with Justice Frankfurter answering
10. the opinion declared that the State has the right to limit
11. defamatory type speech. The point is we are not trying to
12. eliminate free speech. I have long been an advocate and defender
13. of the First Amendment and this is consistent with that position.
14. The courts have said and continue to say, the State has the
15. power and the right and the obligation to set the perimeter.
16. What we have said here is that group hate statements have no
17. place on the streets of America. We have the right to say that.
18. Beauharnais clearly spelled that out as Professor Kirlin
19. indicated. We have provided in here for injunctive relief. That
20. has also been upheld by the United States Supreme Court in
21. Kingsley versus Brown. Rather than go through all of the cases
22. that I've cited in this fact sheet let me...let me merely say
23. again, the issue here is whether or not people have the right to
24. live with human dignity. The issue here is whether or not we,
25. the State, will pass a law that the courts have said we can pass.
26. Whether we will pass a law that says, race baiting and hate
27. mongering has no place in the public streets of our society.
28. The issue here is whether or not we will allow these people,
29. specifically, to live in our society free of being reminded of
30. what has happened to them and others. I think we all know of
31. the atrocities that were committed in the particular case that
32. brought rise to this bill. I think we all know about the eleven
33. million people who died in World War II, both Jew and non-Jew alike.

1. I think we all know about the several hundred thousand of
2. American soldiers who gave their lives in defending our
3. concepts that is present in this bill. I think more importantly,
4. we should know that there's no one of these survivor groups
5. and I and many members of this Body and members of the House,
6. have been at their meetings, have been at their memorial services,
7. have seen the emotionalism that can come into this. And I really
8. don't want to go into some of that. Some of the statements that
9. they've made in committee, some of their own personal tragedies
10. because I think that we want to...approach this on a constitutional
11. basis and not get into those emotions. But I think they have
12. said to us, no let's no limit the First Amendment. Let's not
13. talk about taking away anybody's rights. They don't want our
14. rights taken away, their rights taken away, anyone's rights
15. taken away. They didn't come to this country for that purpose.
16. Nor did any of the people who came to America and became citizens
17. here come for that purpose. But what we do want, is to say that
18. within our society hate mongering has no place. Race baiting has
19. no place. That is not a protected right. That is not a protected
20. privilege. That's what this bill establishes. It carves out the
21. type of language that the United States Supreme Court says we have
22. the right to do and rather than go through the language of the
23. bill, I'd be willing, Mr. President, to answer any questions. I
24. would ask for a favorable roll call.

25. PRESIDENT:

26. Senator Glass.

27. SENATOR GLASS:

28. Thank you, Mr. President and Ladies and Gentlemen. I rise
29. in support of this bill as I will in support of Senator Nimrod's
30. bill which is to follow. I compliment Senator Carroll and
31. Senator Nimrod on responding to a problem that while currently
32. is somewhat unique to the people of Skokie, is a problem that
33. certainly will arise in other context and has in the past. And

1. to the credit of the sponsors the language in this bill has been
2. carefully drawn to make it stand a better chance than perhaps
3. any other Statute or local ordinance has stood of being upheld
4. by our Supreme Court. The witnesses in committee were eminent
5. legal constitutional scholars, Professor Philip Kirlin and
6. Joel Spraregan and the theory upon which this bill proceeds that
7. of group defamation with the basis in the Beauharnais case. I...
8. I think it stands, as I say, a better chance of anything we
9. could produce of being upheld constitutionally. It's true that
10. the Supreme Court under the First Amendment and...under free
11. speech has not as yet, recognized any local ordinance in...in
12. effect at the time...at the current time in Skokie as...as being
13. sustainable. But, again, I compliment the sponsors. I think
14. they have come up with constitutional legislation and I would
15. urge an Aye vote.

16. PRESIDENT:

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Mr. President and Ladies and Gentlemen of the Senate.
20. I, too, rise in support of this bill and say that we as legislators
21. find it certainly our responsibility and our duty to offer...local
22. government the tools with which to work with and certainly these
23. bills are within that spirit. I think that Senator Croll has
24. explained about the constitutionality and some of the discussion
25. has taken place in committee and in my case they've amended the
26. bill accordingly to provide for that and I would certainly urge
27. a Aye vote.

28. PRESIDENT:

29. Senator Maragos.

30.

31. (End of Reel)

32.

33.

1. SENATOR MARAGOS:

2. Question of the sponsor, Mr. President, if I may.

3. PRESIDENT:

4. Indicates he will yield.

5. SENATOR MARAGOS:

6. Senator Carroll, have you changed the language at all
7. of this bill since it was left committee?

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. Senator Maragos, the committee suggested amendment
12. was adopted in committee and on the Floor. And it has
13. not been changed since.

14. PRESIDENT:

15. Senator Maragos.

16. SENATOR MARAGOS:

17. That is restricting it for the two standards that we
18. stated in the committee? The three? All right. So there-
19. fore outside of that amendment, there's been no other changes,
20. is that correct?

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. And the streets. The public streets. Let me explain
25. very briefly, Senator Maragos, if I may. What we have said
26. here, it would be a crime to demonstrate or exhibit on the
27. public street, highway, sidewalk, park or parking lot
28. where you knowingly display signs, slogans, uniforms, symbols
29. or other communications which portray, state or imply,
30. depravity, criminality or unchastity of a class of persons
31. based on their race, color, creed or religion which demonstra-
32. tion exposes these citizens to derision, contempt or obloquy
33. or which is productive of a breach of the peace.

34. PRESIDENT:

1. Senator Maragos.

2. SENATOR MARAGOS:

3. Mr. President and members of the Senate, I too arise
4. in favor of this bill as I ask these questions of Senator
5. Carroll because in Judiciary I Committee when it was brought
6. before us, we discussed it thoroughly with the constitutional
7. authorities that were before us, and after we had made the
8. agreed amendments, I think it is in better form than even
9. the Supreme Court had originally, in the Beauharnais case
10. and I think it is an...it's a step forward for this State
11. to state to individuals of that nature who are out to
12. arouse against any particular race or creed or any religion
13. that they cannot do it. And I speak in favor and ask for
14. your support.

15. PRESIDENT:

16. Senator Leonard.

17. SENATOR LEONARD:

18. Senator Carroll, I have some questions and I'd like
19. you to speak to them.

20. PRESIDENT:

21. Indicates he will yield.

22. SENATOR LEONARD:

23. We are thinking here of Skokie, we're thinking of Auschwitz
24. and we're thinking of people who have survived some of the
25. ...the great tragedies of Western Civilization and I am thinking
26. that after this is over, there are going to be some other issues.
27. Who can get behind this protection. That's when I hear Senator
28. Nimrod say it's time the local people have something to do, I
29. can't help but think of some of the things I have lived through.
30. I have lived through some racial disturbances and I think the
31. people involved there had a right to speak their mind. I
32. remember a labor dispute, a police strike that I covered years
33. ago in which it struck me that if the fight broke out, the room was

1. so crowded I couldn't find a desk to crawl under. And I'm
2. aware the elected officials have very tender skins at those
3. kind of times and think of themselves as put upon and anybody
4. that criticizes them is defaming their character, one thing
5. and another. I think there's unanimous sympathy in this
6. room for the problem in Skokie. The problem that bothers
7. me is after...after the march in question is over, what
8. have we made law and what people that we don't intend to
9. give protection to, can find protection behind this, and I'm
10. thinking primarily of elected officials.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you. Yes, Senator Leonard, I happen to think, as
15. I've explained to you and others in the past that the approach
16. by this bill is because of the problems you raise. We have
17. talked here about a demonstration in a public area with
18. knowingly displaying signs that are defamatory of a class of
19. people, based on their race, color, creed or religion. Defamatory
20. of a class of people and where they present thereby, either
21. slogans or whatever to defame them or productive of the
22. breach of the peace. You must have those elements present. That's
23. very narrowly drawn. A labor dispute does not fall within that.
24. Any of those other examples. There's been some questions by
25. letters to the editor that we've been answering. Those don't
26. come into it. For example, and this is the unspoken one, what
27. about a church group that takes a public stand on an issue such
28. as abortion and somebody else comes in and takes a...a pro-
29. abortion or a Right To Life demonstration. Fine. No one
30. wants to stop discussion on the issues of today in the streets
31. of our society. We do have the right, however, to limit that
32. to everything but hate mongery, hate mongering aimed at a
33. class of people, based on their race, based on their color,

1. based on their creed or based on their religion. And if I might,
2. just briefly, read two or three sentences from the majority
3. opinion and the descenting opinion in Beauharnais. Let me add,
4. Beauharnais was decided five-four, but there are other issues
5. in that case, free press issues, petitioning the Government
6. issues, that are specifically left out of this bill. And all
7. those who have looked at the minority opinions in Beauharnais
8. and I've quoted some of them in the fact sheets. It would be
9. an eight to one vote in favor of constitutionally, the one
10. Justice descenting the sense anytime you use the word, first
11. amendment. But Justice Frankfurter said, "to curb malicious
12. or false defamation of racial and religious groups made
13. in public places and by means calculated to have powerful
14. emotional impact on those to whom it was presented is the
15. type of thing a State has the right and power to do. And
16. even Justice Douglas, who was one of the descents in that
17. case, and let me just read two paragraphs from his opinion
18. and as you know he's one of the legendary defenders of
19. ...free speech. And Beauharnais was not a Nazi march type issue.
20. Even there he observed. Hitler and his Natzis showed how
21. evil a conspiracy could be, which was aimed at destroying
22. a race by exposing it to contempt, derision and obloquy.
23. I, Justice Douglas, would be willing to concede that such
24. conduct directed at a race or group in this country could
25. be made an indictable offense, for such a project would
26. be more than the exercise of free speech. I would also
27. be willing to concede that even without the element of
28. conspiracy, there might be times and occasions when the
29. Legislative or Executive Branch might call a halt to
30. inflammatory talk. I think we've also seen that, by the
31. way, in the signs at every airport, that you can't even
32. joke about carrying a weapon onto a gun. A
33. perfect example of the legitimate right of government to

1. curb some language without exercising...without oppressing
2. anyone's exercise of free speech.

3. PRESIDENT:

4. Senator Netsch.

5. SENATOR NETSCH:

6. I thank you, Mr. President. The...Senator Carroll, as
7. you know, there is no disagreement I suppose among anyone
8. in this room, about what you are about, in this bill, and
9. those who have attempted to stop the incidents in Skokie.
10. No one is going to argue and I guess the great tragedy of
11. the whole event is that if the thing had gone ahead originally
12. without having so much attention focused on it, it would
13. have gotten exactly the attention which it deserved and
14. that was none. There is no base of support for the kind
15. of thinking that the Nazi's stand for in this country.
16. The support they have is probably evidenced by their
17. total membership, which is about fifteen to twenty-five
18. people, I think. And it's...it's really too bad, in a
19. sense, that they have been given an attention which they
20. do not deserve and which is really shared by, I think,
21. no one, no matter what side of the political spectrum or
22. the...the liberal to conservative spectrum they are on in
23. this country. But the fact is that it has come out this
24. way. Now, the first point, I think, that has to be made,
25. is that the argument in...in large part, as you presented
26. it, cannot really be defended on purely constitutional
27. grounds. Hate mongering and race baiting as evil as they
28. are, are nevertheless protected by the First Amendment.
29. And on that basis alone, I think, that you cannot defend
30. either what is in this Statute or certainly in the one
31. to follow and to emphasize that I would simply like to
32. read one small section of the...the court opinion which
33. invalidated the very ordinances that the Village of Skokie

1. had passed. And I might at the outset, read the language
2. of one of the ordinances which was held unconstitutional.
3. The ordinance provided "the dissemination of any materials
4. within the Village of Skokie which promotes and incites
5. hatred against persons by reason of their race, national
6. origin or religion and is intended to do so is hereby
7. prohibited." That was, in fact, invalidated on the
8. very basis that the Beauharnais opinion, while never literally
9. overruled, has been greatly eroded by subsequent decisions
10. of the Supreme Court, particularly those dealing with
11. libel generally and group libel in particular. And in
12. concluding the court that invalidated the Skokie ordinance
13. said, "in this case a small group of zealots openly pro-
14. fessing to be followers of Nazism, have succeeded in
15. exacerbating the emotions of a large segment of the citizens
16. of the Village of Skokie, who are bitterly opposed to their
17. views and revolted by the prospect of their public appearance.
18. When feelings and tensions are at their highest peak, it is
19. a temptation to reach for the exception to the rule announced
20. by Mr. Justice Holmes. If there is any principal of the
21. Constitution that more imperatively calls for attachment
22. than any other, it is the principle of free thought. Not
23. free thought for those who agree with us, but freedom for
24. the thought that we hate. Freedom of thought carries with
25. it the freedom to speak freely and to...publicly assemble to
26. express ones thoughts. The long list of cases reviewed in
27. this opinion agrees that when a choice must be made, it is
28. better to allow those who preach racial hate to expend their
29. venom in rhetoric rather than to be panicked into embarking
30. on the dangerous course of permitting the government to
31. decide what its citizens might say and hear. The ability
32. of American society to tolerate the advocacy even of the
33. hateful doctrines espoused by the plaintiff's without

1. ...abandoning its commitment to freedom of speech and
2. assembly is perhaps the best protection we have against
3. the establishment of any Nazi type regime in this country.
4. As you have expressed it, I don't think your constitutional
5. argument will hold up, but I understand what you are trying
6. to do and I wonder whether you can answer this question.
7. Is there any difference between the Skokie ordinance that
8. was invalidated by the courts, the...the ordinance that I
9. just alluded to and quoted and the statute that you have
10. presented before us in Senate Bill 1811?

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. I assumed when you started there would be a question
15. there and there was. And I also note with interest that
16. the Northwestern University of Chicago Law Schools have
17. been fighting over issues like this for centuries. Professor
18. Kirlin and you just have totally different opinions as to
19. what Beauharnais stands for and what the First Amendment means
20. and what particularly this type of statute means. Yes, there's
21. a difference, to get to your question, between the proscribed
22. activity here and the Skokie Village Ordinance and it falls
23. in two categories. One, this is a State Statute, creating
24. a crime that should not be lightly overlooked. The courts
25. have held that it is the State's power within their criminal
26. laws to enact these types of statutes, specifically this
27. language. They have not carried that down to local village
28. ordinance authority. Two, we also have here, which is
29. productive of breach of the peace or riots, in addition to
30. the being a...defamation on this category of people. I
31. think that is distinguishable between this and the village
32. ordinance. This creates a State criminal act, rather than
33. a village trying to do it by something that is aimed at,

1. which is, we have in other bills here, which is a decision
2. hopefully the Legislature will allow the village to continue
3. that fight. But that is aimed at whether or not the village
4. has the power to deny a demonstration within the village.
5. This is aimed at the State criminal law, which says that
6. it would be a crime to have this type of conduct.

7. PRESIDENT:

8. Senator Netsch..

9. SENATOR NETSCH:

10. Then, what you are saying, is putting aside for one
11. moment the State Statute versus Village Ordinance suggestion
12. that difference and I don't know whether that is a valid
13. one or not, that's...they're both laws, in a sense and
14. they're both...both being tested under the Federal Constitu-
15. tion. What you are suggesting to us is, well you're
16. suggesting that the whole thing is constitutional and
17. what I am suggesting to you is that a...a part of it
18. clearly is not constitutional and cannot be defended on
19. that ground. But what you are telling us now is that
20. the fact that the...there is a standard that is...that
21. involves the language productive of breach of the peace
22. or riots. That is language which is not just racial
23. slur, racial hatred, which unfortunately or not, is
24. protected by the First Amendment in my judgment and
25. in the judgment of the courts of this country, but that
26. there is involved here language which goes beyond that
27. and which will, in fact, be productive of a bre^Ach of
28. the peace or riots. And it is on the basis of that
29. interpretation that you are trying to persuade me that,
30. at least, that this statute may withstand a judicial
31. onslaught.

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. Yes.

3. PRESIDENT:

4. Senator Netsch, would you conclude your remarks, please.

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Thank you, Mr. President, very briefly. When Senator
8. Mitchler had a resolution back in March, I spoke against
9. his request to suspend the rules because I felt it was an
10. unwarranted legislative intrusion in something that was
11. then pending in the courts. And when Senator Carroll
12. first introduced his bill I was in opposition to the
13. concept because I primarily felt that the guarantees of
14. the First Amendment and the guarantees to free speech
15. were absolute. Senator Carroll and I have discussed
16. this a little bit since then. I don't know whether
17. he's had an opportunity to read the learned discussion
18. that I sent to him. But, frankly, Senator, I've changed
19. my mind. And I think what caused me to change my mind
20. on this particular concept on...and on your bill were
21. two things. First, the testimony of...of Professor
22. Kirlin and I am at least persuaded that there is a chance
23. that this bill will be upheld as constitutional. And
24. secondly, the argument put forth in the article that I
25. shared with you earlier today, which was, I think, one of
26. the most persuasive ones. And that is that the guarantees
27. of the First Amendment, notwithstanding, that the under-
28. pinnings of all American law rely on certain moral precepts,
29. and that group defamation have no place...has no place among
30. those moral precepts. That to me is a very compelling
31. argument and one that if there is a doubt of constitutionally,
32. would decide it in favor of Senator Carroll's bill. Thank
33. you.

34. PRESIDENT:

35. Senator Guidice.

1. SENATOR GUIDICE:

2. Thank you, Mr. President. Will the sponsor yield to
3. a question? Senator Carroll, your bill is going to attack
4. this problem now as far as, in this particular instance at
5. least, the Nazis marching in Skokie. What happens if the
6. Nazis marched in my district?

7. PRESIDENT:

8. Senator Carroll.

9. SENATOR CARROLL:

10. Senator Guidice, as I said at the beginning, that happens
11. to be a problem in Skokie today, which happens to be in my
12. district. It's a problem that could occur anywhere on the
13. streets of our society and it has elsewhere in the country.
14. The issue could be the same if it's on the streets of your
15. district or any street in the State of Illinois when this
16. becomes law. The issue is, if they are going to be using
17. this defamatory type activity aimed at a class of people
18. based on their race, color, creed or religion, to hold
19. them up to contempt, ridicule, derision, obloquy or is
20. productive of the breach of the peace. If that what
21. occurs, it is a crime, it should be a crime, and it is
22. enjoined. If that is not what occurs, they have every
23. right.

24. PRESIDENT:

25. Senator Guidice.

26. SENATOR GUIDICE:

27. When you're talking about the Nazis as a whole, or
28. as a political party, all right, then they, by their own
29. definition would be excluded from marching anywhere. Is
30. that correct?

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Again, the bill does not speak of just Nazis, nor does
2. it ever use the language, Nazis. Obviously, it would have
3. that effect in this case. The Nazis at least, as I under-
4. stand it, have stood for certain precepts that are intolerable
5. in American society and are defamatory. If that is the case,
6. yes, they would fall within this. If it's not the case,
7. they won't.

8. PRESIDENT:

9. Senator Guidice.

10. SENATOR GUIDICE:

11. Well, I'm still...have just a little bit of a problem
12. with your definition then as...as such now. We're talking
13. about, well, the Communists then, or the fascist or a political
14. party that...that professes in any way...well in this particular
15. case, I don't know necessarily the Nazis are...are calling
16. for the violent overthrow of the, you know, of the government
17. or any other political party, but it...it's something that's
18. not...the Ku Klux Klan marching in...in a black neighborhood,
19. or marching in a Catholic neighborhood. Are they in and of
20. themselves fall within the definition thereto?

21. PRESIDENT:

22. Senator Carroll. Pay attention.

23. SENATOR CARROLL:

24. Senator Guidice, if they fall within the definition,
25. they fall within the definition. I'm not trying to work
26. around your thing. There's nothing in here that talks about
27. political parties. There's nothing in here that predisposes
28. of any of those issues by saying automatically Communists
29. can't speak, Fascists can't speak, Nazis can speak, KKK
30. can't speak. Nothing in the bill that says that. If they
31. fall within the test here however, if they come into your
32. neighborhood and ask for a parade permit and it is shown
33. either through the injunctive process or after the fact as

1. a crime, that they came in with the type of defamatory
2. conduct that was productive of holding these people up
3. to contempt or breach of the peace, they would have
4. committed this crime. Whatever the group would have
5. been who conducted the demonstration. Automatically
6. in front there would have to be a showing in court in
7. my opinion that that particular group does do those
8. activities and has asked for permission to do those
9. activities that would be proscribed under this bill.

10. PRESIDENT:

11. Senator Guidice.

12. SENATOR GUIDICE:

13. All right. Along the same line now. If, in other
14. words, if the Nazi Party came in to Skokie and they were
15. professing a...their system of government one way or the
16. other, but deleted any violence whatsoever as far as their
17. attitude and they're saying well we're making a change
18. of heart regarding this particular part of our platforms.
19. Then this would be acceptable under this bill?

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. If by that you mean, Senator Attorney Guidice, that
24. if a group came in who happens to say we were members of
25. the National Socialist Party, we will not have any signs
26. that are derogatory of any group. They will not be wearing
27. the uniforms or symbols that...that have been shown to be
28. derogatory of a group. They will not be defaming anyone,
29. but will be demonstrating on the streets, as a party, fine.
30. I personally think that that's their right and privilege
31. to do. As well as spewing their filth in their own
32. meeting halls. That's their right, too. It's when you
33. put the two together and they want to come on the streets

1. and spew that filth that it's being prohibited.

2. PRESIDENT:

3. Senator Guidice. Senator Lemke.

4. SENATOR LEMKE:

5. Mr. President and fellow Senators, I rise in support
6. of this bill. It's time that the State of Illinois stands
7. up and says that we have the power as...and the police
8. power to protect the public health, welfare and safety
9. of a community. When a group goes in to a community
10. wearing helmets and carrying sticks and signs to
11. defame people, their intent is only one thing and that's
12. to break the law and create some crimes and maybe it's
13. wrong for the community to get angry, it's wrong for the
14. community to retaliate and break the law, but it's a
15. proven fact that the only people that are injured in
16. that community are the people that neither participate
17. in the march or neither participate in being spectators
18. of the march or carrying signs that are against each
19. other. But these groups are meant to do one thing and
20. that's to inflame people to react in their frustration
21. and their anger and come out. And it's about time that
22. we in the State and we in this country get a Federal
23. determination whether it's right for people to march
24. to cause civil distribe...strife in that area. Justice
25. Frankferter said, we all have the right to free speech.
26. But that doesn't mean you can get up in a crowded theater
27. and yell fire. You can't yell fire and expect to have
28. a reaction which is going to be the reverse of what's
29. going to be done. Now I'm telling you this, that we
30. better start doing something to regulate demonstrations.
31. Because the people, when a riot occurs, they get their
32. homes damaged and they're not even participating or an
33. individual is going to work and he's attacked by a band of

1. people that had nothing to do with the first party that
2. created this anger and we've seen this community in my
3. area for years in Marquette Park. Marches have only meant
4. one thing there and that's to inflame the people. The
5. march by Martin Luther King served its purpose. It showed
6. that there was racial prejudice, but every march since
7. that has been only one thing and that's to create civil
8. order and strife and to split the people up in trying
9. to solve their problems. Now, it's about time, I think
10. the Federal Government realizes, especially the Federal
11. Judiciary, who I considered have been annointed and
12. appointed and don't have to report back to the people
13. after they pass laws and let the criminals run around
14. and cause trouble. I have always supported the position
15. that the Federal Judiciary should report to the people
16. and the only way they can report to the people is by
17. election. Since we don't have that process, then the
18. only process we have is to pass laws to try to regulate
19. powers and things from happening. And trying to keep
20. people from becoming anger and frustrated and causing
21. riots. And if we don't pass this bill and realize what
22. this bill is about then we have not supported our
23. constitutional duties. I think our founding fathers
24. when they gave everybody the First Amendment and gave
25. them the right to free speech and the right to demonstrate
26. and the right to...right for newspapers to print. Then
27. give the newspapers or the news media the right to inflame
28. people like they do, giving the right to publicity to the
29. Nazi Party or anybody and showing their signs or their
30. swastikas and inflaming people in a community to
31. bring back things that happen in the past and to bring up
32. what's gone...gone. It's the news media that creates the
33. problem because they want to serve and they want to sell

1. paper and time on TV. They keep things going and they keep
2. inflaming people to react and then when they react they put
3. the picture in and they say isn't it too bad that this
4. private citizen who all his life went for thirty years and
5. never broke the law, breaks the law. He's a racist or
6. he's prejudiced or he's a Nazi or he's...he's...he's
7. breaking the law, he's a criminal and he's burning buildings.
8. It's a news media has some rights,too. They have self control
9. and they better start doing it because I think the people
10. are getting fed up with the news media and they're not
11. going to buy the newspapers and they're not going to buy
12. a lot of things. And they're going go against them and
13. they're going to put pressure on their advertisement.
14. But the audacity to me that all my life in this country
15. was when a particular network refused to air a religious
16. sermon by the Lutheran Church, Missouri Synod told
17. them that sermon can't go on the radio. It interfered
18. with the right because they said that sermon violates
19. and causes a controversial topic. Well I'm telling
20. you, as a Christian, or as any...as a Jew or as an Arab
21. or as any type of person who believes in religion the
22. church has a right to broadcast on the radio and they
23. have the right to put what kind of sermon they're on.
24. As long as that sermon doesn't call for the violent
25. overthrow of this government. So let's go, news media,
26. what's your duty in this particular circumstances, Skokie.
27. Your duty is right now is right now is to play it down and
28. not say anything about it, but as always the news media
29. will play it up and they'll play it up big until the march
30. happens and until the people in Skokie react to the marchers
31. and cause a riot and then they'll play that up big and they
32. say isn't it too bad, how did that ever occur. How did
33. these innocent people get killed or maimed. It's terrible.

1. Well, news media start looking around and controlling it.
2. This thing in Skokie would not have happened if you in the
3. news media did your job and start restricting what you
4. put in the press. And quit printing stuff to inflame people
5. and start printing something to create good in this world
6. and start printing something to try to get people together
7. instead of separating them. So I urge an Aye vote on this
8. bill.

9. PRESIDENT:

10. Senator Wooten.

11. SENATOR WOOTEN:

12. Thank you, Mr. President. We'll probably have a
13. unanimous vote on this and I think all of us owe Senator
14. Carroll a vote of thanks for finding a way to put things
15. together so we can vote or something most of us realize
16. will probably be declared unconstitutional. I think it
17. is unfortunate, group defamation has just been part and
18. parcel of our history. I think if you listen carefully
19. you can hear it in personal conversations everyday.
20. And some of the things that have gone on in the Capitol
21. Rotunda would probably be outlawed in the...in the
22. language of this bill. This...this is an extremely
23. difficult subject to deal with and I think we've all
24. aired our problems in dealing with it. We certainly
25. do not want in any way to support the Nazis or
26. contribute to the distress of the citizens in Skokie.
27. But I really think that we are on very thin constitutional
28. ground. We, at best, are going to buy the citizens of
29. Skokie enough time for this to go through the courts,
30. be tested and, I think, probably rejected. And if that
31. isn't at least a subsidiary goal of this legislation, well
32. then I think that's probably what's animating many of us
33. in this Chamber today. It is awfully hard to try to deal

1. with this in a strictly rational and reasonable way, when
2. emotions are running so high. But as I say, because of
3. the way it's put together we are assured of at least another
4. court test and at least that much delay. And...I...I do
5. want to point out, someone said here that probably Phyllis
6. Schafley's campaigning could get in trouble on some of
7. the language of this bill and I think not only that group,
8. but some others might very well find that they have...they
9. have been in violation of what we are proposing as a law.

10. PRESIDENT:

11. Senator Daley.

12. SENATOR DALEY:

13. Mr. President and fellow Senators. I would like to
14. congratulate Senator Carroll and Nimrod for allowing the
15. citizens of Skokie and that area to petition the elected
16. officials. They sought relief at the local level and
17. eventually they sought relief at the legislative level.
18. And this is through the efforts of Senator Carroll and
19. Nimrod, through Professor Kirlin and others have worked
20. constantly on this bill. Everyone is talking about
21. the constitutionality of this bill. We don't have to
22. worry about the constitutionality of the bill, the
23. Judicial system will worry about the constitutionality of
24. the bill. And those who think it's unconstitutional, you
25. vote No.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President and Ladies and Gentlemen of
30. the Senate. I rise somewhat reluctantly in opposition to
31. this bill. I think we are all to a man and woman sympathetic
32. with the Village of Skokie and its residents. But I would
33. ask for the moment and I am glad Senator Carroll read...read
34. the bill in its entirety. I would ask for a moment, if you

1. can, to take that element out and just read the bill in
2. its pristine form without that kind of a background. It
3. seems to me that under the terms of Senate Bill 1811 there
4. would have been no anti-war demonstrations back in '68 or
5. any other year under this bill. There would have been no
6. anti-Catholic demonstration, there would have been no
7. march in Marquette Park, there would have been no anti-
8. politician rallies under this legislation. There would
9. have been no massive march on Springfield by the supporters
10. of ERA under this legislation. So perhaps, even if it
11. is constitutional, the bottom line question and I don't
12. happen to think it's constitutional, but the bottom line
13. question is do we wish to impose this kind of restriction
14. on ourselves. I suggest to you we should not. This is
15. still America.

16. PRESIDENT:

17. Senator Washington.

18. SENATOR WASHINGTON:

19. Mr. President, clearly everyone here is opposed to
20. what has been proposed in terms of a march in Skokie.
21. And the least we can do is sympathize with the tremendous
22. aggravation that those people are suffering out there in
23. terms of what the Nazi march would do to their...to their
24. psyche. I come from a race of people which too have
25. suffered from derision and obliquy for years. I've looked
26. at this bill rather carefully and trying to find some
27. method, means, or a rational excuse for supporting it, but
28. I simply can't do it. Even if the bill is constitutional
29. and even if the language here is tight enough to prevent
30. an abuse of it, what bothers me is not so much the language
31. of the act, but the potential abuse by the Judiciary,..by
32. the Judiciary. I'm concerned that with the injunctive
33. procedure set out here or the permissive injunctive procedure

1. set out here, some marches, some demonstrations, well motivated
2. which would come clearly within the purview of civil rights
3. constitutional demonstrations, might be truncated, might be
4. shortchanged and might be turned off by access to the
5. courts in a locale in which we know the courts do not always
6. respond to constitutional mandates. I think it's...dangerous
7. ground we tread on. I won't go as far as Senator Rock, but.
8. I go part way. I think it's a dangerous business. I think
9. we have to take another hard, long look at it. I don't
10. think the language has done what we want it to do and
11. frankly I'm not certain that we can put together the kind
12. of language which will one, protect the worthy citizens
13. of Skokie and others and at the same time not tramp upon
14. legitimate rights of people. Not because it's constitu-
15. tionally impossible, but because I don't think our
16. Judicial system is clear enough, clean enough, honest
17. enough, decent enough, and fair enough to be fair to
18. people who have legitimate rights to demonstrate.

19. PRESIDENT:

20. Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President. I rise in support of this bill
23. and merely to address myself to the two previous speakers.
24. We've heard the word, sympathize. The people of Skokie
25. who came down to testify and the constitutional experts
26. that came down to testify, did not come down seeking sympathy.
27. They came down here seeking legitimate redress for a void
28. that exists in our laws. Senator Washington talks about
29. his fear of the judiciary. It is because of the lack of
30. recognition of the problem by the judiciary that requires
31. us to, in fact, support this bill wholeheartedly. They...
32. the judges, don't understand what's involved in a march
33. in Skokie. They're talking about freedom of speech. That's

1. not the issue in Skokie. It's a trauma, psychic trauma,
2. that's involved in Skokie. The law is well settled, but the
3. judges haven't recognized it. That you don't have to hit
4. a person in the face to cause an injury. And the Nazis
5. are trying to cause injury to the residents of Skokie. I
6. think it's interesting. This Legislative Body responds
7. time and time again to crises. We respond to floods,
8. we respond to energy crisis, we respond to financial crisis.
9. We are faced here with a human crisis. Those witnesses
10. that appeared before our committee are not asking us to
11. wring our hands and say, it's terrible, it's terrible, but
12. we can't do anything. Senator Carroll has beautifully
13. given us the product by which we can do something and a
14. product, which in the opinion of experts far beyond my
15. ...competency, and I would suggest the competency constitu-
16. tionally of almost any other person on this Floor, believe
17. that this bill is constitutional. If there has been ever
18. a way to address the needs of a large group of our citizens
19. that justify our affirmative response, this is the bill that
20. can do it. And I urge an Aye vote.

21. PRESIDENT:

22. Senator Carroll may close the debate.

23. SENATOR CARROLL:

24. Thank you, Mr. President, very briefly. I think Senator
25. Berman has eloquently answered some of the questions posed
26. by Senators Rock and Washington, who I know made their
27. statements in all honesty and good faith, however, I think
28. they are wrong. I think they are clearly wrong, if you
29. read the bill. The bill has within it, exactly the type of
30. safeguards that they are concerned with, exactly the type
31. of safeguards that we as members of a Legislative Body
32. should be concerned with and exactly the type of safeguards
33. the courts have said they can use as their guide for

1. securing the guarantees of free speech to all that have
2. legitimately availed themselves of the right to exercise
3. that speech. Let me just end with a few commentaries.
4. You know, Justice Jackson has reminded us that the Bill
5. of Rights must not be converted into a suicide pack, as
6. some would hope us to do. This bill is so consistent
7. with that that we are not saying that we are creating
8. suicide by saying that every word uttered has to be
9. protected. I think we've all talked about the fire in
10. a crowded theatre or even the, as I mentioned before,
11. the signs at the airports that you can't even joke about
12. any type of a weapon if you're getting on to an aircraft,
13. I mean that's clearly a limit on what is harmless type
14. speech. Let me just mention, very briefly, one of the
15. other witnesses, Sol Goldstein, who was there on behalf
16. of the Survivors of the Holocaust, which is an association.
17. Some of us attended their memorial service just a few days
18. before his testimony. And again, I think those who were
19. there were moved by some of the examples and he was very
20. careful in not using examples, except when absolutely
21. pushed, 'cause they're not looking for that type of sympathy.
22. Basically, what he said is don't we have the right not to
23. be reminded, don't we have the right not to have it thrown
24. in our face. The personal tragedies that we suffered, we
25. can learn to deal with and we can learn to use our emotions
26. in the appropriate place, like at this memorial service
27. we went to, where we saw strong men and women, who by the
28. end were shamelessly weeping at their remembrances. But
29. they're saying don't let us have to have that, let us do
30. so when we see fit, don't force it on us, don't throw it
31. in our face. The other witness, who I think specifically I've
32. mentioned, who should be mentioned, is a former general
33. counsel for the Illinois Division of the American Civil

1. Liberties Union, Joel Sprayrag. Joel was here testifying
2. on behalf of the constitutionality of this bill and he said
3. that he had spent some eight years of his life defending
4. the First Amendment from attack as General Counsel of
5. the ACLU, he was their litigating attorney and with that
6. experience, feels this is a totally constitutional approach.
7. Let me just end with his ending comment to us. When
8. talking about this racial hate and...and real hate mongering,
9. this legislation, in being enacted will combat the poison
10. of racial and religious hatred before it can be injected in-
11. to the vital arteries of our society. I would ask for a
12. favorable roll call.

13. PRESIDENT:

14. The question is shall Senate Bill 1811 pass. Those
15. in favor will vote Aye. Those opposed will vote Nay.
16. The voting is open. Have all voted who wish? Have all
17. voted who wish? Take the record. On that question the
18. Ayes are 44, the Nays are 10, 3 Voting Present. Senate
19. Bill 1811 having received the required constitutional
20. majority is declared passed. On the Order of Senate Bills
21. 3rd reading, Senate Bill 1676, Senator Nimrod. Read the
22. bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1676.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Mr. President and Ladies and Gentlemen of the Senate.
31. I think we had extensive discussion on this subject and we
32. certainly had a number of questions, but just me let me
33. briefly define the purviews of the...Senate Bill 17...1676,

1. which is an amendment to the public demonstration law
2. and would give the necessary tool again to the local
3. government to forbid a parade or demonstration by groups
4. which arouse reasonable apprehension that they are
5. organized for the purpose of either using or displaying
6. physical force in promoting their beliefs. Now, in
7. determining the reasonable apprehension, the bill also
8. allows for the decision to include either racial or ethnic
9. character of the community for that particular purpose.
10. I would be happy to answer any questions that might
11. come up. I think one thing that we need to do when
12. we're talking about the discussion of the constitutionality
13. is we must remember that all of our bills and all of our
14. legislation says, be it enacted by the people of the State
15. of Illinois. It doesn't say be enacted by the judiciary
16. or someone else. What we have to be concerned with, what
17. is the will of the people and what we have to respond to.
18. We certainly recall that in the question of the capital
19. punishment, we heard an expression from the people and it
20. took us almost eight years and four bills to come around
21. with a bill that is at least constitutional today. So
22. I would think that what we are...should be motivated by
23. and moved by certainly is what is the will of the people
24. and I clearly stand here and tell you that the will of
25. the people is to look for some means and some effort on
26. behalf of this State to not only have offered one to...but
27. two, as they attack it from two different subjects and two
28. different areas and I would be happy to answer any questions,
29. if not, I would ask for a favorable roll call.

30. PRESIDENT:

31. Is there any discussion? If not, the question is shall
32. Senate Bill 1676 pass. Those in favor will vote Aye. Those
33. opposed will vote Nay. The voting is open. Have all voted

1. who wish? Have all voted who wish? Take the record. On
2. that question the Ayes are 40, the Nays are 14, 4 Voting
3. Present. Senate Bill 1676 having received the required
4. constitutional majority is declared passed.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Announcements. Senator Hynes.

7. SENATOR HYNES:

8. Mr. President, by way of an announcement, on the
9. Calendar on page 16 will be found Motions in Writing,
10. rather beginning at page 15 of the Calendar, Motions
11. in Writing. It has been a...the decision of the leader-
12. ship on both sides of the aisle that orderly procedure
13. would call for these motions all to be heard at one time
14. on...on a given day and we have selected Thursday, May 18,
15. which is a week from tomorrow, as the day on which those
16. motions will be heard. So tomorrow, a motion will be made
17. to put all of them over until Thursday, May 18th. We
18. have also determined that any motion that is not filed
19. with the Secretary by tomorrow, so that it will appear
20. on the Calendar and be available for the information of
21. the membership, will not be heard on that date. So that
22. if you intend to file a motion to discharge a committee,
23. that motion must be filed with the Secretary in writing
24. tomorrow. It will then be put on the Calendar and will
25. be heard on Thursday, May 18th and thereby the members
26. will be given adequate opportunity to study the bills that
27. are coming up.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. Senate Appropriations
32. Committee No. 2 will meet fifteen minutes, exactly fifteen
33. minutes after the adjournment time. In Room 212.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Merlo.
3. SENATOR MERLO:
4. Mr. President, I would like to ask leave to show
5. Senator Dawn Netsch as a cosponsor of Senate Bill 1630
6. and Senate Bill 1747.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Is there leave? Leave is granted. Senator Philip.
9. SENATOR PHILIP:
10. Thank you, Mr. President. Senate Bills on 2nd reading,
11. Senate Bill 309. I'd like to ask leave of the Body to
12. replace myself as a cosponsor and have Senator Sangmeister.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Is there leave? Leave is granted. Senator Vadalabene.
15. SENATOR VADALABENE:
16. Yes, thank you, Mr. President. Tomorrow morning at
17. 9:00 in Room 212 Executive Appointments and Administration.
18. Nine o'clock, tomorrow morning.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Harber Hall.
21. SENATOR HARBER HALL:
22. Mr. President, I'd like leave of the Body to be shown
23. as cosponsor on Senate Bill 1643. This is Senator Netsch's
24. bill, I talked to her about this.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is there leave? Leave is granted. Senator Carroll.
27. SENATOR CARROLL:
28. Thank you, Mr. President. There's a error on the
29. Calendar, Appropriations I is meeting tomorrow. It
30. doesn't show on the Calendar. Immediately after adjourn-
31. ment tomorrow afternoon.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. That will show on tomorrow's Calendar.

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SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further business to come before the Senate?

Senator Hynes moves that the Senators...Senate stands
adjourned until 1:00 o'clock tomorrow afternoon. Those
in favor indicate by saying Aye. Those opposed. The
Ayes have it, the motion carries. Senate stands adjourned.