

GENERAL SESSION
of the 78th GENERAL ASSEMBLY
October 29, 1973

1. PRESIDENT:

2. The Senate will come to order. The Regular
3. Session of the 78th General Assembly will
4. reconvene. The prayer will be offered by the
5. Reverend Charles Hendricks of the Third Pres-
6. byterian Church of Springfield. Reverend
7. Hendricks.

8. (Prayer by Reverend Hendricks)

9. PRESIDENT:

10. Reading of the Journal.

11. SECRETARY:

12. Tuesday, October 23, 1973.

13. PRESIDENT:

14. Senator Soper.

15. SENATOR SOPER:

16. ...Mr. President, Members of the Senate, I move
17. that we dispense with the further reading of the
18. Journal of October 22nd. Unless there are some
19. additions or corrections to be made that the Journal
20. stand approved.

21. PRESIDENT:

22. Senator Soper has moved that we dispense with
23. further reading of the Journal of October 22nd and
24. that the...that it be approved. Is there discussion?
25. All in favor signify by saying aye. Contrary no.
26. Motion carries. The Journal is approved.

27. SECRETARY:

28. Tuesday, October 23rd, 1973.

29. PRESIDENT:

30. Senator Soper.

31. SENATOR SOPER:

32. Mr. President, I...Members of the Senate, I move
33. that we dispense with the further reading of the
Journal of October 23rd unless there are some corrections

1. or additions to be made that the Journal stand approved.

2. PRESIDENT:

3. Senator Soper moves to postpone further reading...

4. I'm sorry, to dispense with further reading of the

5. Journal of October 23rd and moves its approval. Is

6. there discussion? All in favor of the motion signify

7. by saying aye. Contrary no. The motion carries.

8. Senator Soper.

9. SENATOR SOPER:

10. Now, Mr. President, Members of the Senate, I move

11. that we...postpone the reading and the approval of the

12. Journals of October 24th and October 25th pending the

13. arrival of the printed Journals.

14. PRESIDENT:

15. Senator Soper moves that we postpone reading of

16. the Journals of October 24th and 25th until the arrival

17. of the printed Journals. Is there discussion? All in

18. favor signify by saying aye. Contrary no. Motion

19. carries. Resolutions.

20. SECRETARY:

21. Senate Resolution 269 by Senator Savickas and it's

22. congratulatory.

23. PRESIDENT:

24. Senator Savickas moves to suspend the rules for the

25. immediate consideration of the resolution. All in favor

26. signify by saying aye. Contrary no. The motion carries.

27. The rules are suspended. On the motion to adopt, Senator

28. Savickas moves that...Senate Resolution 269 be adopted.

29. Is there discussion? All in favor signify by saying aye.

30. Contrary no. The motion carries. The resolution is

31. adopted. Senator Partee. Regular Session will stand

32. in recess for both Democrat and Republican caucuses.

33. Senator Donnewald, you wish to announce yours...time and place?

1. SENATOR DONNEWALD:

2. Mr. President...

3. PRESIDENT:

4. Senator...Senator Donnewald.

5. SENATOR DONNEWALD:

6. ...Did a splendid job in announcing, I only want
7. to add that it's up on the 6th floor right now.

8. PRESIDENT:

9. There will be a Republican caucus in my office
10. immediately, hopefully 20 minutes or so, might run just
11. slightly longer than that.

12.

13. AFTER THE RECESS

14.

15. PRESIDENT:

16. ...Sours, could you come to the podium please?
17. The Regular Session...The Senate in Regular Session will
18. come to order. Senator Weaver moves that the Regular
19. Session recess subject to the call of the Chair later
20. this afternoon. All in favor signify by saying aye.
21. Contrary no. Motion carries.

22.

23. AFTER THE RECESS

24.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. ...And we are now calling into Session...the Regular
27. Session of the 78th General Assembly having already had
28. the Journals read and approved or postponed or what have
29. you, we are ready to proceed on the order of business out-
30. lined on our Calendar. ...Come on fellows, let's get the
31. battle plan in order here...discussion for a change....
32. just at ease for a moment. It's been jointly agreed that
33. we will go to the order of considerations postponed for

1. the consideration of a couple of measures first of which
2. and not the least of which in the minds of some is SB 866,
3. Senator Partee.

4. SENATOR PARTEE:

5. Well, Mr. President, I don't want to go through a
6. long explanation of this bill. It's been up before,
7. we explained it the other day and this is the bill that
8. got caught somewhat in a parliamentary and partisan snafu
9. between Senator Walker and myself. I think everybody knows
10. what it is now and I think Senator Walker will tell you
11. that the matter has been adjusted whatever the problem was
12. at that time and I'd simply ask for a roll call.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. If there is...there is some discussion. Senator
15. Clarke.

16. SENATOR CLARKE:

17. I just want to...Mr. President, I just like to
18. comment that this bill was very thoroughly discussed last
19. Spring in the Revenue Committee here on the Floor and
20. the House. It was amended and I've had considerable
21. discussion with various people since and I think it...
22. despite the reasons for the veto a very worthwhile piece
23. of legislation that we ought to have now and I urge a
24. yes vote.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. ...Further discussion? The...the question is shall
27. SB 866 pass the veto of the Governor to the contrary not-
28. withstanding. Upon that question the Secretary will call
29. the roll.

30. SECRETARY:

31. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
32. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
33. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Régner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver, Welsh, Wooten, Mr. President.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Shapiro, aye. Knuepfer, aye. Sours, no. Berning,
10. aye. On this question the yeas are 52. The nays are 3.
11. SB 866 having received the required three-fifth's vote
12. is declared passed. The veto of the Governor to the con-
13. trary notwithstanding. We will now...Senator Palmer.

14. SENATOR PALMER:

15. Senator Palmer would like to make a motion to re-
16. consider.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Palmer'd like to move to reconsider and
19. Senator Kosinski moves to Table Senator Palmer's motion.
20. All in favor of the motion to Table signify by saying
21. aye. Opposed. The ayes have it and the motion is
22. Tabled. Senator Harris, you'd like to call up 833 on
23. the order of consideration postponed.

24. SENATOR HARRIS:

25. Mr. President, you will recall that the other day
26. this bill did have 36 votes. Senator Soper was involved
27. in a overseas telephone call and did not respond to the
28. bell and the roll call was...request for verification was
29. requested. We didn't have 36 votes here at the time so I put
30. the bill on postponed consideration. Now you'll recall
31. there was a great deal of debate I'm sure, Ladies and
32. Gentlemen of the Senate, about this bill. I did have in
33. fact the 36 votes but we couldn't verify it at that precise

1. moment. This bill affects the operations...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. He's still here. The freshman quarterback just
4. got the signals twisted...time. Senator ParTEE.

5. SENATOR PARTEE:

6. ...Mr. President, we are...we are requesting a
7. Democratic caucus for fifteen minutes.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. ...I would like to suggest that before we go to
10. a caucus, I'm intrigued by those flowers behind the
11. Gentleman from Peoria. I'm instructed that today
12. represents a great day in his parent's lives and I
13. think Happy Birthday might be in order for Senator
14. Sours. Well, nobody told me, you got the signals
15. crossed. I withdraw the last statement.

16. SENATOR SOURS:

17. Will someone...will someone please send me Senator
18. Wooten's copy of Wordsworth's Ode on the Intimations
19. of Immortality?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. After the caucus. The Senate will stand in
22. recess...how many minutes. Senator ParTEE?

23. SENATOR PARTEE:

24. Fifteen minutes is sufficient.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. For a fifteen minute...caucus called by the Members
27. of the Democrat Party. Senate will be in...Senator Harris.

28. SENATOR HARRIS:

29. Mr. President, it might be an appropriate course of
30. action to clear the record that we take SB 833 out of the
31. record. Is there leave for that?

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Leave has been granted.

1. SENATOR HARRIS:

2. And very quickly on the order of resolutions,

3. could we proceed with recognition of Senator Soper

4. and then...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator who?

7. SENATOR HARRIS:

8. ...adopt the resolution. I...I mean, Senator

9. Sours.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Soper and Senator Sours are vying for

12. recognition. I think we have a resolution that the

13. Secretary needs to read if that's what we're trying

14. to do. How long is it?

15. SECRETARY:

16. Senate Resolution No. 270 by Senator Harris and

17. all Members of the Senate.

18. (Secretary reads Senate Resolution 270)

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Harris.

21. SENATOR HARRIS:

22. Mr. President, I'm sure that all of my colleagues

23. will wish to join in the co-sponsorship of this resolution

24. that acknowledges the natal day of the bard from Peoria

25. our good friend, Senator Hudson Sours. We do wish you

26. a Happy Birthday, Hudson.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Knuppel.

29. SENATOR KNUPPEL:

30. You know I'm not very much on these congratulatory

31. messages but now that I know his birthday is the same

32. day as my mother's, I think maybe I'll be able to under-

33. stand Hudson a little better and I want to second that

 motion.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. We will all join...are we going to adopt the
3. resolution and give him our accolades. The motion
4. is by Senator Walker that the rules be suspended
5. ...Senator Harris, the rules be suspended for the
6. reconsideration. I'm trying to help you Jack you...
7. all in favor signify by saying aye for the suspension.
8. All in favor of the adoption of the resolution for
9. Hudson Ralph Sours will signify by saying aye.
10. Opposed. The resolution is adopted. Happy Birthday.
11. Senator Sours.

12. SENATOR SOURS:

13. There was one thing that was omitted in that
14. obituary. I did get the good posture medal in World
15. War II and as I view some of my contemporaries, I
16. thoroughly propose to be your pallbearers. As for
17. Wordsworth's Ode on the Intimations of Immortality
18. I just wish I could find some way to take some with
19. me, but I know I won't I'm going to leave this earth
20. with the same clothing with which I was clad when I
21. came. I can tell you this that being in this Senate
22. as Dwight Friedrich said many, many times is a rare
23. privilege. Or to quote from Gray's Elegy for the
24. Purest Ray Serene. Thank you very much.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Thank you. The Senate will stand in recess until
27. the conclusion of the Democratic caucus. Senator Chew'll
28. be back at 10 o'clock he said. Just to make things
29. compatible there will be a Republican caucus in the
30. President's office immediately if not before...

31.
32. (...CUT OFF...)

33.

1. PRESIDENT:

2. For what purpose does Senator Chew seek recognition?

3. SENATOR CHEW:

4. ...Well I thought since we didn't quite get the
5. program together that we could take a little break for
6. lunch, come back at 12 tonight?

7. PRESIDENT:

8. Senator, I was just about to announce as I have done
9. on two occasions in the past, I've ordered chicken, relishes
10. and beverages for everyone. It will be ready to be served
11. at about 7:30...those of you who do not or are not able to
12. negotiate chicken if you would let Mrs. McBride in my
13. office know, we'll try to make some substitute arrangements
14. but we're going to proceed as we have done in the past and
15. that will be here, ready to be served in my office to the
16. Senate Members at 7:30.

17. SENATOR CHEW:

18. Thank you, Mr. President.

19. PRESIDENT:

20. The recess will be reconvened, we are in the Regular
21. Session... On the order of total vetoes, first bill that
22. the Chair has been notified is SB 82. Senator Don Moore.

23. SENATOR DON MOORE:

24. ...Thank you, Mr. President, Members of the Senate.
25. The Members of the Senate may recall that we passed SB 82
26. back in...in April of this year, a 38 to 2 vote. It appro-
27. priated five million dollars for a grade separation that
28. exists at the Illinois Central Railroad and Sauk Trail. I
29. would also like to refresh your recollection that this is
30. where the Illinois Central Railroad ends in South Suburban
31. Cook County. The areas affected by this particular inter-
32. change which I might add is a four lane highway which
33. narrows down to two lanes under the viaduct and then opens

1. up into four lanes contains the area of Richland
2. Park, Chicago Heights, Madison, Park Forest, Flossmoor,
3. Park Forest South, Olympia Fields, Steger, Crete,
4. Northern part of Will County...presently a population
5. of about 120,000. Back in April or March, Mr. President,
6. I represented to this group that the traffic count of this
7. particular location at peak hours was some 16,000 cars
8. a day. I was informed today at a recent traffic count
9. that was completed by the County of Cook that it is now
10. 28,300 cars a day...if there is anyplace that there's
11. any assistant needed it surely is at this particular
12. location. The bill was amended down to...from five million
13. dollars to a mere one hundred thousand dollars for a
14. feasibility study and engineering work.. I think that
15. although this is a county highway and I would appreciate
16. the Members from Chicago and the other side hearing that
17. particular thing, it's a county highway not a State highway.
18. It is without the... reach of the county to spend
19. the estimated five or six million dollars. We would like
20. to get a project started out there and I think that an
21. expenditure of a hundred thousand dollars to get this
22. project started is well within the public interest and
23. the budget of the State of Illinois and I'd be happy to
24. answer any questions if not I would respect a favorable
25. roll call that SB 82 Do Pass the veto of the Governor to
26. the contrary notwithstanding.

27. PRESIDENT:

28. Is there further discussion? Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President. I rise in opposition to
31. SB 82. Very simply stated this project is not included in
32. the Department of Transportation's 1974 program. I think
33. that if we wish to set ourselves up as a Department of

1. Transportation that's one thing but I think that as long
2. as we have that Department and fully funded they should
3. be responsible for these projects.

4. PRESIDENT:

5. Is there further discussion? Question is shall
6. SB 82 pass the veto of the Governor to the contrary
7. notwithstanding. And on that question the Secretary
8. will call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
11. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
12. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
13. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
14. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
15. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
16. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
17. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
18. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
19. Weaver, Welsh, Wooten, Mr. President.

20. PRESIDENT:

21. Fawell, aye. ...Question the yeas are 28. The nays
22. are 15. SB 82 having failed to receive the required three-
23. fifth's vote is declared...the...the veto is declared sus-
24. tained. ...Bill 116, Senator Knuppel.

25. SENATOR KNUPPEL:

26. Mr. President, this bill passed both the House and
27. Senate by a substantial majority. It's a bill designed
28. to clear up confusion caused by an Appellate Court decision
29. on...on...on the...conflict that now exists in the law
30. between involuntary manslaughter and reckless homicide.
31. By passing this bill, you will avoid the confusion which
32. now exists and which will continue to exist until there is
33. a United States Supreme Court decision in this matter when-
ever that may be and it's for this reason...somebody I think

1. misread the opinion in the...in the Governor's Office
2. ...there's been some discussion about the fact that the
3. case which I had which went up, it is now before the
4. Supreme Court, it's pending litigation. I submit to
5. you, Gentlemen, that this bill will in no way help or
6. hinder or affect that case because that case occurred
7. long ago. The gentleman involved has already served
8. the penalty imposed. This only affects those cases
9. arising after this date and will give certainty to the
10. statute by making the killing of another person with an
11. automobile a definite offense. It will remove the
12. argument about equal protection which now exists and
13. also prosecution...atorial...prosectorial discretion.
14. This bill is a good bill from a lawyer's standpoint
15. it'll give certainty and assistance to State's Attorneys
16. in determining the planning of their suits and they will
17. not be reversed due to some technical error or dis-
18. agreement with the Appellate Court case and the statute
19. as it now exists. I submit this is good legislation. I
20. ask for a favorable roll call. Thank you.

21. PRESIDENT:

22. Is there further discussion? The question is shall
23. SB 116 pass the veto of the Governor to the contrary
24. notwithstanding. ...Question the Secretary will call
25. the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh, Wooten, Mr. President.

4. PRESIDENT:

5. On that question the yeas are 29. The nays are 2.
6. Those voting present are 13. SB 116 having failed to
7. receive the required three-fifth's vote is declared
8. lost. SB 146. Senator Ozinga.

9. SENATOR OZINGA:

10. Well, Mr. President, I suppose we're just spinning
11. our wheels but I'd like to take that same roll call and
12. add a few more to it. Now this bill happens to be the
13. bill that's really...what might be termed a people's bill
14. and I am thoroughly convinced that the Governor in vetoing
15. this bill was thoroughly misunderstood or misadvised or
16. whatever you want to call it. This bill received...SB 146
17. received a vote of 43 to 1 and 136 to 4 over in the House.
18. This bill actually increased the amount transferred monthly
19. to the Motor Fuel Tax Fund which is still the Road Fund
20. to the Grade Crossing Protection Fund which is still in
21. the Department of Transportation upon the order of the
22. Illinois Commerce Commission. Now, this becomes vital
23. and in the Governor's veto he said that the reason that
24. he vetoed this was because of a SB 200 which I believe he
25. said would have used three million six hundred thousand
26. dollars allocated to the Grade Crossing Protection Fund
27. and therefore this was not needed. Now that is so far
28. afield that it's pathetic. Actually all that this does
29. it increases from two hundred thousand to...five hundred
30. thousand per month the transfer of these funds within
31. that particular department. Now one of the reasons for
32. this bill is that the Federal Highway Act of 1973 which
33. actually was worked for and honestly passed by Congressman

1. Kluczynski of the Federal Congress together with more
2. of our fellas from Cook County like Hanrahan and others
3. from downstate and downstate is specifically in need of
4. this bill especially around the St. Louis area and...
5. and you fellas know around Springfield here. Now, this
6. bill, the Federal Highway Act, appropriated twenty-five
7. million dollars to be used in fiscal 1974, seventy-five
8. million in fiscal '75, seventy-five million in fiscal '76.
9. Ninety percent of these funds, matching funds for the
10. elimination of hazards and railway highway crossings.
11. The additional money transferred monthly from the road
12. fund by this bill is desperately needed to provide a
13. State share of the matching funds necessary to implement
14. that Highway Act of 1973 and I'm sure that if you will
15. just go back in your own neighborhoods, there was a high-
16. way Grade Crossing Protection Commission that toured the
17. State all over the State and had large numbers of people
18. that were trying for the grade separations. Now, it's been
19. said that there's money in this Fund. That is not true.
20. There is about two hundred and some odd thousand dollars
21. that is in the Fund but that has been allocated and there
22. are a large number of projects that are being awaited...
23. are waiting passage by the Commerce Commission and in
24. order for any of this money to be touched there must be
25. a thorough hearing by the Commerce Commission and at that
26. time it would then decide on the amount of participation by the
27. local as well as the State and the Federal Government.
28. I would therefore urge each and everyone of you to consider
29. ...or reconsider your stand with reference to the transfer
30. of this Fund. This adds no new money. It is merely a
31. transfer of funds and I would beseech you to think twice.
32. This is a people's bill and the people are sadly in need
33. of the passage of this legislation. I would urge considerable
...consideration on this bill.

1. PRESIDENT:

2. Senator Partee.

3. SENATOR PARTEE:

4. I've always supported those bills which were
5. necessarily passed in Illinois to make certain that
6. we got every dime of Federal money which was available
7. to us. I am reliably informed by that division of the
8. State government involved in this situation that this
9. bill is not necessary, that Illinois will receive every
10. dime that we are going to get from the Federal adminis-
11. tration and hence I rise in opposition to the bill to
12. the veto of this new bill on the basis that it is not
13. needed to perform those things which are performable
14. under the existing operable financial situation and
15. relationship between this State and the Federal Govern-
16. ment.

17. PRESIDENT:

18. ...Further discussion? The question is shall SB
19. 146 pass the veto of the Governor to the contrary not-
20. withstanding. On that question the Secretary will
21. call the roll.

22. SECRETARY:

23. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
24. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
25. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
26. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
27. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
28. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
29. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
30. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
31. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
32. Weaver, Welsh, Wooten, Mr. President.

33. PRESIDENT:

1. On that question the yeas are 30. The nays are 5.
2. SB 146 having failed to receive the required three-
3. fifth's vote is declared lost. The next bill to stay in
4. the subject matter that we just considered is SB 200
5. requested by Senator Mitchler. SB 200.

6. SENATOR MITCHLER:

7. Mr. President, Members of the Senate, SB 200 passed
8. the Senate and House and as amended in the House...

9. PRESIDENT:

10. Senator Partee, for what purpose do you arise?

11. SENATOR PARTEE:

12. Well, I just don't want to be obstreperous or
13. anything but I think if we just go right down the list,
14. the subject matter here inclusion is not that important.
15. I have Members here who say well they...we're going to
16. start skipping around I'll get missed and that...

17. PRESIDENT:

18. Well, earlier discussion did relate to these two bills
19. by Senator Ozinga. Senator Mitchler asked me earlier, I...I
20. do not intend to do this, but since there was discussion to...

21. SENATOR PARTEE:

22. Did he have to go to the movie or something, he's going
23. to be here isn't he?

24. PRESIDENT:

25. ...Senator Mitchler, you are going to be here? Yes.
26. Well, proceed...proceed with SB 200.

27. SENATOR MITCHLER:

28. My staff insisted that I remain. The...200 passed
29. the Senate and House as amended in the House. It originally
30. started out with a bill that was entirely different than
31. what it wound up to but I consented to use. My Senate Bill
32. originally was for a grade crossing separation in Aurora
33. and inasmuch as Representative Jack Hill in the House

1. had a similar bill and we passed that my SB 200 was used
2. as a vehicle to be amended to appropriate the necessary
3. money to the Department of Transportation from the Grade
4. Crossing Protection Fund for the construction of railroad
5. grade crossing separations in various locations throughout
6. the State. Now, SB 200 is the appropriation bill for the
7. grade crossing separations that are necessary to have
8. money in the Department of Transportation to match with
9. Federal funds and to implement Section 203A of the
10. Federal Highway Act of 1973. Therefore, I would ask for
11. a favorable roll call so that we can no longer be necessitated
12. to delay in the Federal-State Program for the construction
13. of these badly needed grade crossing separations in many,
14. many locations throughout the State.

15. PRESIDENT:

16. Is there further discussion? The question is shall
17. SB 200 pass the veto of the Governor to the contrary
18. notwithstanding. On that question the Secretary will
19. call the roll.

20. SECRETARY:

21. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
22. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
23. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
24. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
25. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
26. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
27. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
28. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
29. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
30. Weaver, Welsh, Wooten, Mr. President.

31. PRESIDENT:

32. On that question the yeas are 26. The nays are 5.
33. SB 200 having failed to receive the required three-fifth's

1. majority is declared lost. SB 183, Senator Weaver.

2. SENATOR WEAVER:

3. Mr. President and Members of the Senate, SB 183,
4. 184, 5 and 6, all these comments are pertinent to all
5. of these four bills but 183 is an appropriation of
6. \$12,138,599 to the State University's Retirement
7. System. This is intended to bring the unfunded accrued
8. liability up to the 65% level over a period of 30 years.
9. In the veto message, the Governor points out that he has
10. appropriated sufficient dollars to meet the payout level.
11. Well, we have...we are short in this years' pay out of
12. at least \$200,000 in just this one system. Also the
13. Governor refers to the funding level consistent with
14. the historically sound procedures of the Federal Social
15. Security System. A couple of years ago the Federal
16. Social Security deficit was in the neighborhood of three
17. trillion dollars, however much that is, but it seems to
18. me that...that the Governor intends to fund State supported
19. pension funds in this same manner. We're in sad shape if we
20. don't address ourselves to this problem in the very near
21. future. I understand the House has passed a pension bill,
22. a couple of bills for the downstate teachers in the amount
23. of forty-five million dollars this afternoon. Well, of
24. course these series of bills relates to all State supported
25. pension funds not just one and it was my intention when...
26. when I introduced these bills back in February to relate
27. to all the State's obligation not just one favorite pension
28. fund. I was chastised for introducing these bills but
29. there was very little input from the Governor's office,
30. none from the Governor's office and certainly none from
31. the other side of the aisle. There's no use of debating
32. these bills but I would like a roll call on all three bills,
33. Mr. President.

1. PRESIDENT:

2. Is there further discussion? The question is
3. shall SB 183 pass the veto of the Governor to the
4. contrary notwithstanding. And on that question
5. the Secretary will call the roll.

6. SECRETARY:

7. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
8. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
9. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
10. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
11. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
12. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
13. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
14. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
15. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
16. Weaver, Welsh, Wooten, Mr. President.

17. PRESIDENT:

18. On that question the yeas are 29. The nays are 4.
19. SB 183 having failed to received the required three-fifth's
20. majority is declared lost. SB 184, Senator Weaver.

21. SENATOR WEAVER:

22. Mr. President, Members of the Senate, 184 does the
23. same thing for the Teacher's Retirement System. Nothing
24. further to be added, it does the same thing over a thirty-
25. year period. It is an appropriation of \$61,265,446. I'd
26. appreciate a favorable roll call.

27. PRESIDENT:

28. Is there further discussion? The question is shall
29. SB 184 pass the veto of the Governor to the contrary not-
30. withstanding. And on that question the Secretary will
31. call the roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

1. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
2. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
3. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
6. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDENT:

11. Senator Soper.

12. SENATOR SOPER:

13. Just a suggestion. If we keep on going this fast
14. we could save yourself or the State some money. We could
15. cancel that chicken, we'll be out of here.

16. PRESIDENT:

17. On that question the yeas are 28. The nays are
18. 5. SB 184 having failed to receive the required three-
19. fifth's majority is declared lost. SB 185.

20. SENATOR WEAVER:

21. Mr. President and Members of the Senate, 185 appropriates
22. \$10,408,230 to the State Employees Retirement System. I'd
23. appreciate a favorable roll call.

24. PRESIDENT:

25. Senator Knuepfer.

26. SENATOR KNUPEFER:

27. I just want to take a moment to address this Body.
28. I have been here nine years now and every term I've seen
29. this absolute failure to deal with the pension issue.
30. But, what is most astounding to me is that an administration
31. that feels it can reduce taxes does not feel that it can
32. fund its liabilities to the teachers and the employees of
33. this State of Illinois. This money is owed whether we put

1. the money in or not and it ought to be paid. And I'm
2. just sorry to see another Session go by and leave
3. the question in limbo while we play games with programs
4. for tax refunding. If you've got the money put it in
5. here where it belongs.

6. PRESIDENT:

7. Is there further discussion? The question is shall
8. SB 185 pass the veto of the Governor to the contrary
9. notwithstanding. On that question the Secretary will
10. call the roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
13. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
14. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
15. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
16. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
17. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
18. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
19. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
20. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
21. Weaver, Welsh, Wooten, Mr. President.

22. PRESIDENT:

23. ...Question the yeas are 28. The nays are 3 and
24. 1 voting present. SB 185 having failed to receive the
25. required three-fifth's majority is declared lost.
26. SB 186.

27. SENATOR WEAVER:

28. Mr. President and Members of the Senate, SB 186
29. is a real gem. It...it takes care of the Judges Retirement
30. System and I hope I get 35 votes on this.

31. PRESIDENT:

32. Does Senator Knuppel wish to be recorded aye?
33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. I would recommend that all of those people who
3. voted to rescind the...the action for constitutional
4. amendment ought to support this.

5. PRESIDENT:

6. Is there further discussion? The question is
7. shall SB 186 pass the veto of the Governor to the
8. contrary notwithstanding. On that question the
9. Secretary will call the roll.

10. SECRETARY:

11. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
12. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
13. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
14. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
15. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
16. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
17. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
18. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
19. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
20. Weaver, Welsh, Wooten, Mr. President.

21. PRESIDENT:

22. On that question the yeas are 24. The nays are 7.
23. SB 186 having failed to receive the required three-fifth's
24. majority is declared lost. SB 187...Fawell. Take that
25. out of the record please. SB 218, Senator Ozinga.

26. SENATOR OZINGA:

27. Well, Mr. President, this is probably an effort in
28. futility too...this...this again is one of the better bills
29. that the Governor was misinformed on as per custom and
30. this...by this bill we were creating what might be called
31. an automatic fire sprinkler contractors and journeymans
32. examining board. The appropriation which was contained
33. in 418 to examine these people was reduced and the

1. Governor's veto appears to be based solely on the fact
2. that he feels the added expense to the State, the primary
3. reason given in his veto message that it impose an un-
4. necessary cost on both the cities and local government
5. of the State. Then he commented also on the...local
6. government could do this. Well this is exactly why we
7. wanted the bill so we would have people that would be
8. protective of the public welfare of the people that
9. would be in these larger buildings where they do have
10. large crowds gathering. This is...would have been a
11. good bill and would have aided and abetted the local
12. authorities to such an extent that their job would
13. have been made a lot easier and I would say that again
14. because of the misinformation all that I'm asking for is
15. a favorable roll call and I'll go along with Weaver's 34.

16. PRESIDENT:

17. Is there further discussion? The question is shall
18. SB 218 pass the veto of the Governor to the contrary
19. notwithstanding. On that question the Secretary will
20. call the roll.

21. SECRETARY:

22. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
23. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
24. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
25. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
26. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
27. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
30. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
31. Weaver, Welsh, Wooten, Mr. President.

32. PRESIDENT:

33. ...Question the yeas are 27. The nays are 6.

1. SB 218 having failed to receive the required three-
2. fifth's majority is declared lost. SB 333, Senator
3. Course. No. Senator 338. Senator McBroom.

4. SENATOR MCBROOM:

5. Yes...Mr. President, SB 338 does just what the
6. Calendar says. I'm happy to report to you, Mr. President,
7. that I'm sure this bill won't take much time and will
8. sail through with a comfortable majority in view of
9. the intense and extreme and unswerving interest that
10. the administration expressed in flood control, Mr.
11. President. I'm confident that both sides of the aisle
12. will concur on this one. Appreciate a favorable roll call.

13. PRESIDENT:

14. Any other advocates of flood control wish to be
15. heard from? The question is shall SB 338 pass the veto
16. of the Governor to the contrary...to the contrary not-
17. withstanding and on that question the Secretary will call
18. the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
25. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
26. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
27. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
28. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
29. Weaver, Welsh Wooten, Mr. President.

30. PRESIDENT:

31. On that question the yeas are 29. The nays are 6.
32. SB 338 having failed to receive the required three-fifth's
33. majority in spite of campaign oratory to the contrary

1. is declared lost. SB 380, Senator McBroom.

2. SENATOR MCBROOM:

3. Well, Mr...Mr. President, that shows up two places on
4. the Calendar. Actually it's on postponed. I don't ...
5. you want to go ahead now?

6. PRESIDENT:

7. ...Proceed.

8. SENATOR MCBROOM:

9. Well, Mr. President, I've gone over this bill and
10. I don't think it's really necessary unless someone would
11. want to ask me question to...to explain it further and
12. it extends the terms of township supervisors so they
13. would coincide with highway commissioners which we did
14. in a...in a previous Session, Mr. President. I...Senator
15. Nimrod has an intense interest in this and so does
16. Senator Schaffer and Senator Berning. If they'd care
17. to comment otherwise I'd just as soon have a roll call,
18. Mr. President.

19. PRESIDENT:

20. Senator Don Moore.

21. SENATOR DON MOORE:

22. ...Thank you, Mr. President and Members of the Senate.
23. I would just like to call to the attention of the Democratic
24. Members from the County of Cook on the other side of the
25. aisle who are not too prone to often be in favor of town-
26. ship government that this bill does not affect anybody in
27. the County of Cook. We presently elect all of our township
28. officials at one time at a specific election. So if there
29. was any thought on some of you Members over there that
30. this bill applied to the township officials in Cook County
31. and that their supervisors were going to be extended for
32. a term of two years that is not the case. It only applies
33. downstate.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. ...I just want to...Mr. President, I just want
5. to call their attention to the fact that we're going
6. to have to address ourselves to the subject sometime.
7. ...You can not have this constant waste of money
8. exist and I think what we're doing by not supporting
9. this is just spending eleven, twelve million dollars
10. for no reason at all and I just want to call it to our
11. attention.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Yes, Mr. President, I rise in opposition to SB 380.
16. I think that if we establish the precedent where people
17. elect a person to office and then we can by legislation
18. extend that term of office that is a very, very tenuous
19. and dangerous precedent. In addition I would echo the
20. words of Senator Nimrod, we...we...those who have to
21. change the township boundary lines have to face this
22. sooner or later. There is no reason why they can't
23. face it now. I would urge opposition to SB 380.

24. PRESIDENT:

25. Is there further discussion? Senator Berning.

26. SENATOR BERNING:

27. It seems curious to me, Mr. President, that we can sit
28. here and complain about legislative action that will
29. undertake to save money for our taxpayers when I...remind
30. the members here who may not have been here at the time
31. that the Supreme Court told many of us who were elected for
32. four years that we couldn't serve four years, they cut us
33. off with two, more than once I might remind you. I submit

1. that the Legislature does have the authority. It was
2. done not long ago for another set of township officials.
3. This would represent good, defensible, forward thinking
4. action on the part of this Body which of course unfortunately
5. does not take such action too frequently. I submit this
6. is a desirable bit of legislation that will benefit all
7. townships downstate. We'll save money for many of...for
8. all of our taxpayers who must vote in these elections and
9. it will benefit both Republican and Democrat officeholders.
10. This ought to be a bi-partisan bill if we have ever had
11. one in this Body.

12. PRESIDENT:

13. Is there further discussion? Question is shall SB
14. 380 pass the veto of the Governor to the contrary not-
15. withstanding. On that question the Secretary will call
16. the roll.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
24. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
25. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
26. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
27. Weaver, Welsh Wooten, Mr. President.

28. PRESIDENT:

29. Senator McBroom.

30. SENATOR MCBROOM:

31. Poll the absentees please.

32. PRESIDENT:

33. Request for the call of the absentees. They will be
called. Proceed.

1. SECRETARY:

2. Buzbee, Carroll, Chew, Course, Daley, Donnewald,
3. Hynes, Keegan, Kosinski, McCarthy, Newhouse, Nudelman,
4. Palmer, Partee, Romano, Saperstein, Savickas, Smith,
5. Swinarski, Welsh, Wooten.

6. PRESIDENT:

7. On that question the yeas are 34. The nays are 4.
8. SB 380 having failed to receive the required three-fifth's
9. majority is declared lost. SB 418, Senator Ozinga.
10. Take it out of the record. SB 421. SB 448, Senator
11. Bartulis.

12. SENATOR BARTULIS:

13. Thank you, Mr. President, and Members of the Senate. On
14. May 21st, SB 448, that passed this House with...with a 45 to 0
15. call and...just to help you along with, this is the bill
16. is...amends the School Code and would help in the area
17. where bank...bankruptcies in a school district is a detriment
18. to the...the State Aid Formula which they receive. And this
19. one bill in particular would help one school district
20. in my area and I know of no other ones but just one that...
21. in northern Illinois which they had a House Bill which
22. had been passed. And, as far as I...I've checked on this
23. and OSPI has amended it to its wants and I could not find
24. any other school district that it would help but this one
25. school district in Madison County. It would help them
26. to the tune of \$12,000 only. So I would like to have a
27. favorable roll call.

28. PRESIDENT:

29. ...There discussion? The question is shall SB 448
30. pass the veto of the Governor to the contrary notwithstanding.
31. On that question the Secretary will call the roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

1. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
2. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
3. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
6. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
9. Weaver, Welsh Wooten, Mr. President.

10. PRESIDENT:

11. On that question the yeas are 30. The nays are 6.
12. ...Senator Bartulis.

13. SENATOR BARTULIS:

14. Thank you, Mr. President. First of all I want to
15. thank you people for the vote and second I want to tell
16. you the apples were on me today. I wanted to tell you
17. after the bill came up. Thank you...the worm.

18. PRESIDENT:

19. The yeas are 30. The nays are 6. SB 448 having
20. failed to receive the required three-fifth's majority
21. is declared lost. ...Bill 462, Senator Hall.

22. SENATOR HARBER HALL:

23. Mr. President, fellow Senators, SB 462 is \$19,000,000
24. back to each and everyone of the counties in our great
25. State. This is not a provision that will provide something
26. for Cook County and nothing for downstate. It's not...
27. it's not a bill that will give something to the downstate
28. counties and nothing to Cook County everyone of the counties
29. will receive from now on - from 1975 on - twenty-five per-
30. cent of the inheritance tax they collect. Now if you
31. recall the 1970 Constitution eliminated collector's fees
32. in all the counties. As an example of what this does to
33. the counties - in my primary County of McLean, the collector's

1. fees amount to about \$800,000 a year. With the passage
2. of this bill about two hundred or, between two hundred and two
3. hundred and fifty thousand dollars would be gained back by
4. retaining twenty-five percent of the inheritance tax that's
5. normally collected in the county. Your county is in the same
6. situation. I might tell you that because of the elimination
7. of personal property tax and the elimination of the collector's
8. fees that for the first time in my memory and it is the
9. first time that I have been informed the County of McLean
10. normally thought of as a rich, well-to-do, prosperous,
11. high assessed valuation county is in deep financial stress.
12. They have presently budgeted showing a deficit in the
13. current year's budget of \$500,000. This bill would go
14. a long way to reduce the size of that deficit. They have
15. never budgeted a deficit before. Now I have one other
16. thing to say in favor of this bill that you may not have
17. considered and that is in my opinion this is a question of
18. a bill that is morally right. When I say morally right, I
19. say to you that each and every one of us will have an
20. estate - mine and others will be very small, yours, some
21. of you will have sizeable estates subject to the provisions
22. of an inheritance tax - when that happens, I think you would
23. appreciate the fact that when the State comes in and properly
24. taxes your estate that a portion of that would retain in
25. the county where you accumulated these funds and these
26. properties for the good of that county where you were
27. fortunate enough to assimilate an estate of this kind.
28. And I think for that reason I can justly say this is a
29. morally right bill. Now for those of you who join the
30. Governor and say well we can't afford it now, it's all
31. right but we can't afford it. I say to you this bill
32. will not take effect until...fiscal 1975 and at the rate
33. the States are increasing at the present rate in three

1. years, the State would never know they missed the twenty-
2. five percent, and from then on the take to the State would
3. be continuously increased every year. So, I humbly suggest
4. that this is the right bill at the time. We have the
5. funds and every county will be very grateful for your
6. support and the...veto of the Governor to the contrary
7. notwithstanding, I solicit your support.

8. PRESIDENT:

9. Senator Sours.

10. SENATOR SOURS:

11. This is a bill that I can't possibly imagine would
12. not receive the support of every single Member of this
13. Chamber. I think...I think the principle is good. I
14. just wish the Senator - call me Chuck - and the...the
15. other Senator from Illinois would take a liking to this
16. kind of bill so that the counties would get some of
17. the benefits of the Federal Estate Return that many
18. people have to file for decedent's estates. This is a
19. step in the right direction. The money has been going
20. to Springfield and the money has been going to Washington
21. but not in equal quantities. Washington has been the
22. big - and I say this kindly - thief...and Springfield
23. has been next in line. Now I hope Senator Percy and Senator
24. Stevenson will take a bill like this to heart and maybe
25. permit some of the property that is being sent to
26. Washington in the Form 706, Federal Estate Return and
27. also sent to Springfield under the Illinois Inheritance
28. Tax Return so the counties may have a little something.
29. When this was first posed I was opposed to it until I
30. learned the...the problem of the counties since the...
31. since the abolition or the ultimate abolition of the
32. personal property tax which will cease to exist in another
33. three or four years. Now this does not need extensive

1. debate believe me and I...and I do hope...I do hope that
2. our Congressmen and our two United States Senators
3. will heed to a bill like this which lets some of the
4. property which goes willy-nilly to Washington and
5. which goes willy-nilly to Springfield where some of
6. it should actually stay where it was earned or ac-
7. cumulated or where the testator or the decedent had
8. his legal residence. I can't imagine anyone even
9. those from the City of Chicago in the County of Cook
10. who would oppose this. I can't imagine anybody from
11. southern Illinois, middle Illinois, northern Illinois
12. opposing this for their counties which need the money.
13. This is a bill that everyone should support, everyone.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. Well, Mr. President, I think in candor it could be
18. said that this bill does have in fact some rather attractive
19. features for those of us who are concerned about our counties.
20. Of that \$19,000,000 our calculations are that approximately
21. \$10,200,000 would go to the county from which I hail,
22. Senator, hence it is attractive from a conceptual point
23. of view. I think certainly that this is an idea which
24. will in the near future become the law in this State.
25. There is something to be said however for the veto message
26. in terms of the fact that this money was not in the budget
27. and hence is not available for this kind of loss. Now let
28. me point out to you that as Senator Hall says that it only takes
29. effect in 1975. That we have time to pass based on ex-
30. periences next year, a bill of this or similar nature which
31. will help to accommodate the counties. All of the talk
32. that I have heard here today about the need in the counties
33. has been accurate except it has left out one vital difference

1. between what the counties now receive and what they
2. received just a little bit ago before Federal Revenue
3. Sharing and there are examples and instances that I could
4. cite to you if I took the time of some counties that have
5. revenue sharing money that they don't know what to do
6. with. This of course does not erase the fact that there
7. are many counties that do in fact need these funds but
8. revenue sharing has made a great deal of difference in
9. terms of need from the counties and as I say, Senator,
10. this is an idea whose time is rapidly approaching. But in
11. light of the present budget situation, I must vote present
12. on this bill.

13. PRESIDENT:

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President and Members of the Senate, I'd like to
17. recall to the many veterans of this Senate the facts as
18. we have learned them. I have been acquainted with them
19. for fifteen years but many times in our sense of being
20. cooperative with county government so it could...it could
21. be a viable part of our republic that we did in fact im-
22. pose upon them our judgments indicating to them that we in
23. our wisdom or lack of it suggested that they perform
24. certain task and/or duties that we felt was incumbent upon
25. them as a part of the government of the State of Illinois.
26. And I have been a party to that and most of you gentlemen
27. who have any time in here have been a party to it also
28. but I would challenge your recollection to indicate when
29. if ever we have done anything about funding some of our
30. mandates. Yes, we have revenue sharing - in many cases
31. tied up so tight that they can't do the things with it
32. that they should do. Townships, for instance, are restricted
33. to the point that they can't spend the revenue sharing

1. in the best interest of their...interest of their
2. constituencies. So we believe in one or two or
3. three things. I would like the Senator of rein-
4. carnation and Senator Percy as Sours has said to
5. do something also - they're the great dreamers -
6. we either believe in preserving our form of govern-
7. ment or we believe in destroying it. And some of
8. the same gentlemen on this Floor who are going to
9. vote against this bill are going to go back to
10. their constituencies next year and say oh yes we
11. do believe in keeping government closest to the
12. people, while at the same time they vote against
13. providing some of the funds. The time has come,
14. Senator Partee, this is an idea this time is not
15. coming, the time has arrived. I think it's incum-
16. bent upon us to either stand up and be counted, fish
17. or cut bait with regard to the preservation of the
18. county form of government or we say to them you
19. people be damn. We'll take over your responsibilities
20. in Springfield and ultimately Washington will serve
21. the same notice on us. They'll take us over and I
22. don't believe all the wisdom in this country rest
23. either in the capitol in Springfield or on the
24. Potomac River.

25. PRESIDENT:

26. ...Scholl.

27. SENATOR SCHOLL:

28. Mr. President, Members of the Senate, it was very
29. interesting to realize that Cook County would receive
30. \$10,000,000. Knowing the feelings of the people of,
31. Cook County, knowing that they want tax relief, knowing
32. the feelings of being a Member of Chicago City Council
33. for 10 years and knowing how those people want tax
relief. I'm going to vote for this bill.

1. PRESIDENT:

2. Senator Dougherty and then Senator McBroom.

3. SENATOR DOUGHERTY:

4. I just want to be consistent. I believe you
5. were a Member of this Body same as I was a number
6. of years ago when Senator Berning offered a bill
7. that would deprive the State of...I think it was
8. 50%, then he later...subsequently reduced it 25% and
9. I did not want to disturb the then present ad-
10. ministration of Governor Ogilvie by depriving him
11. of the same amount of money that would be in as is
12. indeed in this bill. I'm going to be consistent.
13. I believe I was the only Senator who voted against
14. it at the time of its passage and I'm going to vote
15. no again. I have a list here of the surpluses that
16. are in existence in the various counties of the
17. State of Illinois and you would be surprised at the
18. tremendous amount of money that the counties have.
19. They don't need this.

20. PRESIDENT:

21. Senator McBroom.

22. SENATOR MCBROOM:

23. Well, Mr. President and Members of the Senate, I'm
24. speaking very briefly not because that I am persuaded
25. that what I have to say will change any votes on this
26. Floor but to underscore what I think is one of the most
27. important bills of this Session, the one that Senator
28. Harber Hall is handling...I don't know where you get
29. your information Senator Dougherty and you know I have
30. infinite respect for you, but you're certainly not talking
31. about the counties in the districts which I represent.
32. I would like to tell the Members of this Senate, when a
33. State's Attorney of your county comes to you and advises

1. you that the services are going to have to be cut
2. down because he can not hire attorneys and a good
3. many of you Gentlemen are lawyers who serve in this
4. Senate. You know it's absolutely ludicrous to expect
5. the...an attorney, the State's Attorney to hire
6. Assistant State's Attorneys for 15 - 16,000 dollars a
7. year. That's the situation we faced in our county
8. not very long ago and I'm happy that I was one of the
9. ones that opposed it. Not very long ago we mandated that
10. a good many of the counties buy voting machines and
11. didn't give them any means by which to purchase these
12. voting machines. Constitutional Convention saw
13. fit to eliminate a 3% collection fee...I...I want to
14. congratulate you Senator Hall on your foresight and
15. on one of the finest bills of this Session and one of
16. the most necessary ones. I certainly intend to vote
17. aye.

18. PRESIDENT:

19. Senator Donnewald.

20. SENATOR DONNEWALD:

21. I heard Senator McBroom mention something about
22. voting machines downstate. I wonder...how he changed
23. his position. I think a Session or so ago that I
24. sponsored a bill to put voting machines downstate, and
25. Senator, I think you opposed that violently.

26. PRESIDENT:

27. Senator McBroom.

28. SENATOR MCBROOM:

29. Well, Senator Donnewald, I...perhaps you didn't hear
30. what I said that was part of my argument. I said that I
31. did oppose voting machines, that we imposed an additional
32. expense on the counties without giving them any means to pay
33. for them and I'm...just used that as an argument in support

1. of Senator Hall's bill. You are corect, I opposed
2. them. Yes.

3. PRESIDENT:

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. In the next few weeks I suspect those of us from
7. downstate are going to have to sit in this Chamber
8. and listen to the problems of the Chicago Metropolitan
9. Area and the CTA. I hope that you Gentlemen get...
10. from Chicago and Cook County get better treatment
11. from the Republicans on your problems than you are
12. obviously prepared to give those of us from downstate
13. on ours.

14. PRESIDENT:

15. Senator Merritt.

16. SENATOR MERRITT:

17. ...Yes...Mr. President, Members of the Senate, those
18. of you who know me the best know that I'm going to be
19. brief. Been much discussion on this subject. I know that
20. what Senator Dougherty was alluding to was the figures
21. out of Comptroller's Office in my own county but we must
22. consider also that those were '72 balance figures and
23. certainly in my County of Vermilion which is a fairly
24. good sized downstate county is 72,000 surplus at the
25. end of '72 was no comfortable balance. It's all been
26. eroded away since that time. In my own county they're
27. having budget hearing meetings every week right now.
28. They've gone so far as to cut twice and now calling
29. each officeholder back and saying they're going to just
30. arbitrarily cut people out of there because they can't
31. finance it and I know this is going on in all downstate
32. counties. If I have an opportunity here as one Senator
33. to help alleviate those financial burdens back home, I

1. want to go home and said I faced my fiscal responsibility
2. in doing so. And, I think those of us in those type of counties
3. downstate should do likewise.

4. PRESIDENT:

5. Is there further discussion? Senator Hall may close
6. the debate.

7. SENATOR HARBER HALL:

8. Well, Mr. President, I want to thank each and every
9. Member who has listened to the discussion, who has thought
10. about this bill. I know however your vote will be from
11. your heart and which you think is best for the people of
12. Illinois. I would point out to some of the newer Members
13. of the Senate, newer people to State government and county
14. government that the maximum tax levy in any county is 15
15. mills, that's 15 cents on a hundred dollars of assessed
16. valuation. That's not very much. There's hardly any
17. taxing body who can't tax at a higher rate than that. And
18. with that 15¢, the people want a county executive; they want
19. better management, they want data processing, occasionally
20. they want a new court house to supplant one that's a hundred
21. and twenty years old and falling down. They want to be
22. able to attract good employees. They want to do all that
23. with 15¢. The County Board of McLean County came to me
24. and other Members of the Legislature and they said either
25. increase the tax levying so that we can operate this
26. county or get something done for county government. We can
27. not continue on when you keep taking away and give us
28. nothing in return. So I think, Ladies and Gentlemen,
29. particularly those who feel they may have to vote against
30. this good measure that you have an opportunity here that
31. will not hurt the Governor's budget. I've heard Hal Hovey
32. say we're going to have a 162 excess million dollars, plus
33. thirty million dollars for parochial aid which we can't adopt,

1. plus this and plus that. When I get through adding
2. up these figures it would seem to me we have somewhere
3. in the neighborhood of \$300,000,000 of potential excess
4. in the budget. So if you can't afford to help county
5. government when you have deprived them of their previously
6. accessible resources I would say you have to face your
7. constituency and you have to face those people who are
8. elected to a lower branch of government than you and
9. still get the job done...however you vote I will respect
10. it but I would solicit your vote at this time.

11. PRESIDENT:

12. Question is shall SB 462 pass the veto of the Governor
13. to the contrary notwithstanding. On that question the
14. Secretary will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
19. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
20. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
21. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
22. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
23. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
24. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
25. Weaver, Welsh. Wooten, Mr. President.

26. PRESIDENT:

27. Been a request for a call of the absentees. The
28. absentees will be called. Proceed.

29. SECRETARY:

30. Buzbee, Carroll, Chew, Clarke, Course, Daley, Donnewald,
31. Dougherty, Kenneth Hall, Hynes, Keegan, Knuppel, Kosinski
32. McCarthy, Newhouse, Nudelman, Palmer, Partee, Rock,
33. Romano, Saperstein, Savickas, Smith, Swinarski, Welsh.

1. PRESIDENT:

2. On that question the yeas are 32. The nays are 4.
3. SB 462 having failed to receive the required three-fifth's
4. vote majority is declared lost. SB 599, Senator Course.

5. SENATOR COURSE:

6. Yes, Mr. Chairman, I'm not going to call 599 and 600.
7. Prior to filing this with the Secretary I tried to get
8. in touch with the...the Secretary of the Commerce Com-
9. mission and I was...Well, I didn't get in touch with him period.
10. So I filed the motion, and after I had filed the motion I got
11. a call from the Secretary and I discussed this with the
12. Secretary and members of his staff and he told me that
13. if this...these two bills were passed and 333 is like-
14. wise that it would make administrating the Motor
15. Carriers of Property Law more difficult and for that
16. reason I'm not going to call the bills and I thought that in
17. fairness to the people who did support this legislation
18. at the Reglular Session, I owed them an explanation.
19. Thank you.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. The next bill will be SB 621, Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President. I'm going to move at this
24. time that the veto of the Governor of SB 621 to the contrary
25. notwithstanding that this bill be passed. Now just to
26. give the Membership a little bit of background, 521 and
27. SB 620 were companion bills. As a package they increased
28. the support of the State for Vocational Education and
29. provided that the State will pay the so-called cost over-
30. ride, that is the difference in cost between the ordinary
31. academic student and the Vocational Education student.
32. ...I don't think I mentioned when I discussed this bill
33. last week a few important factors that I will bring to

1. your attention now. We have not increased the cost
2. override factor in about 6 years. Now it's true that
3. the State has increased support for Vocational Education
4. slightly but it...it hasn't increased at all in the last
5. three years...it has...in the cost override support
6. hasn't increased in the last six years. This, I think,
7. is a deplorable situation. We have in fact had enormous
8. increases in enrollment far greater than those that I
9. had earlier...provided for you. The increase in enroll-
10. ment in the last three years in Elementary Vocational
11. Programs has been almost sevenfold, that is from 103,000
12. up to 783,000. At the secondary level during that period
13. we have increased approximately 60,000 in enrollment and
14. during that period the State support for Vocational Ed
15. has actually declined from 14,700,000 down to 14,200,000.
16. Now these figures I think are shocking at a time when
17. we're encouraging our young people to get into Vocational
18. Education Programs. The State is actually promoting in-
19. creases in enrollment. I know that many of you have re-
20. ceived letters from vocational people throughout the State
21. and I think you should take a good look at these letters
22. because this is something that is felt in every area of the
23. State, particularly in the metropolitan areas. Quoting from
24. a letter that Senator Sours provided me from the Peoria area:
25. Employers and students of Peoria County and our entire State
26. have been receptive and supportive of the renewed educational
27. emphasis on education for careers and vocations. Legislators
28. overwhelmingly supported SB 620 and 621 only to have these
29. bills vetoed by our Governor. I have a similar letter
30. from the Chicago Teacher's union urging support of the
31. override on these bills and so it goes throughout the State.
32. Now, I'm aware that the Governor said that this 7.2 million
33. dollars was not in his budget but out of a 7 million dollar State

1. budget and with all the other attempts to override
2. that have failed I am certain that this amount of
3. money is involved and I think more importantly I
4. should bring out this point in closing. When we
5. talk about providing the differential in costs, we're...
6. we are really talking about only 20% of that
7. differential. If we pass this bill we will only
8. be at the 20% level and really only holding the
9. line. I...I would submit to you that having already
10. supported in past SB 620 the companion bill with 36
11. votes this bill came within two votes of achieving
12. an override. I would earnestly urge all of you to
13. ...to give us these votes and let this bill pass
14. notwithstanding the veto of the Governor.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Partee.

17. SENATOR PARTEE:

18. Mr. President and Members of the Senate, particularly
19. Senator Glass, let me say to you that Vocational Education
20. as a subject and as a concept is something that I have
21. long supported. I want you to know that very recently
22. I have been very disturbed about what I call the college
23. syndrome in America today. I think that an awful lot of
24. people are going to college today not because they really
25. want to go or not because their parents are particularly
26. interested in them as individuals going but because I think
27. it has some social aspect involved in whether or not
28. your kid's going to college and where he's going. I think
29. a lot of people would be much happier if their students who
30. were not college material particularly or who didn't want
31. to go even if they were might be better off in some type of
32. Vocational Guidance. There has growing up in this country
33. a group of people that I refer to as elitists who are more

1. than concerned about college preparation and schooling
2. ...to the distress it seems to me of a large number of
3. young people who would be in much better shape in a
4. Vocational school. I want very much to support this
5. bill. It however is not in the Governor's budget. We
6. will survive if this bill does not become legislation
7. and I say to you and I give you this word that in the
8. next Session of the Legislature we will do something
9. which does not stretch the amount of money from what
10. appears to be a plateau 7 million dollars into a 21
11. million dollar obligation within the next year or so.
12. I think there are...needs to be a great deal more in-
13. depth study made in terms of determining how best we can
14. accomplish this job at a price or at an amount which
15. can be accommodated by the next State budget. I com-
16. pliment you for the idea. You will have my support
17. next time but we're going to be doing something else
18. with the bill in terms of having it accommodate a
19. budget. This is a good idea and I agree that Vocational
20. Education is a subject which needs a great deal more
21. funding in our State. I'm going to have to in light
22. of what I said to you however, vote present.

23. PRESIDENT:

24. Any further discussion? Senator Berning.

25. SENATOR BERNING:

26. Just occurs to me, Mr. President and members of the
27. Body that we can be acting responsibly here by attacking
28. a dual problem. Obviously, as even the Minority Leader
29. indicates, we need more Vocational Education and I submit that
30. it does us no good and it doesn't do us proud to pro-
31. crastinate and put off enhancing the Vocational Education
32. Program. But, let me point out to you that we do have a
33. golden opportunity to further reduce the ever, apparently

1. ever increasing demand for welfare every time we make
2. it more nearly possible for someone to support himself
3. and his family. I submit that this is a bill we ought to
4. pass. There is no justification for delay. We have
5. certainly more than seven million dollars surplus in
6. the General Account right now. This bill deserves your
7. aye vote.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Any further discussion? Senator Glass may close
10. the debate.

11. SENATOR GLASS:

12. Thank you, Mr. President. I want to thank Senator
13. Berning who is a member of the Commission on Urban
14. Education from whence this bill came and particularly
15. Senator Partee for very eloquent remarks in support
16. of Vocational Education. He said many things that I
17. had intended to say and I think said them far better
18. than I could have. But I...I would just point this
19. out to you Ladies and Gentlemen who do not intend to
20. vote for this bill...It's all very well and good to
21. say that next year and at the next Session we will
22. address this problem and provide some more funding but
23. it is the thousands, and hundreds of thousands of new
24. students in these Vocational Education Programs now
25. that will suffer because we're waiting until next year.
26. It's their programs that are going to be inferior and
27. they only have one chance to go through school and take
28. them. The money is available. I urge your support.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. The question before the Senate is shall SB 621 pass
31. the veto of the Governor to the contrary notwithstanding.
32. Secretary will call the roll.

33. SECRETARY:

1. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
2. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
3. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
4. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
5. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
6. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
7. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
8. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
9. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
10. Weaver, Welsh Wooten, Mr. President.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. ...were you voting aye? ...question the yeas
13. are 30. The nays are none, eight voting present.
14. SB 621 having failed to receive the constitutional
15. three-fifth's vote required is declared lost. The
16. next one we have marked up here is SB 663, Senator
17. McBroom.

18. SENATOR MCBROOM:

19. Well, Mr...President, I'd like to make an inquiry
20. of you. You think this would be a judicious time
21. Mr. President in view of the fact that Senator Mohr
22. and I are about the only two on the Floor. Could you
23. respond to that Mr. President?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. If I am using the record of the last roll calls
26. I don't know when there would be a propitious time.

27. SENATOR MCBROOM:

28. Well...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Or judicious either.

31. SENATOR MCBROOM:

32. Mr. President, Members of the Senate, this bill
33. passed the previous Session. I believe that Governor

1. Ogilvie was ill-advised when he vetoed it. I would
2. submit to you the same thing holds true this time
3. when Governor Walker saw fit to veto the bill. I
4. am advised Mr. President, that the members of his staff
5. contacted no responsible travel agents in the State
6. of Illinois to get their views on this particular
7. piece of legislation. I'd like to read here, Mr.
8. President, a couple comments if I may. Governor
9. Walker's staff made three points against this bill
10. all of which in my opinion were invalid as I will
11. try to point out. First it was said the adoption of
12. this bill would unfairly burdened some agents to the ad-
13. vantage of others and created administrative hard-
14. ship on agents operating in...in this as well as
15. other States. ...Many of the travel agents submit
16. that this is entirely false Mr. President and I...I
17. submit it is too. The second point in the veto message
18. stated that the licensed travel agents and salesmen
19. would not protect the consumer from fraudulent agencies
20. in the State. This is not the case this is the exact
21. purpose of the bill. Thirdly, Governor Walker states
22. that we are the most restrictive and legislative in-
23. dividuals in the United States. I...I question that
24. that is true. The bill...the bill in question would
25. I think help to circumvent some of the problems that we
26. read about not very long ago when hundreds and hundreds
27. of individuals were...stranded in Europe. ...I'd
28. be happy to try to answer any questions. I'd appreciate
29. a favorable roll call, Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Any discussion? Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Mr. President I had the pleasure of serving on the

1. Travel Agency Study Commission and the Chairman,
2. Senator McBroom, convened that Commission several days
3. and late in the evening and this bill had the support
4. of travel agents throughout the State. The reason for
5. my interest in this area was that literally hundreds of
6. college students who had been sold trips to Europe found
7. themselves stranded over in Europe. They were my con-
8. stituents and I presume everyone had constituents in
9. this category because unscrupulous travel agents had
10. come in and sold them a bucket of worms. I think this
11. bill was designed to alleviate this situation and I
12. would support this bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Any further discussion before the main question is
15. put? The question before the Senate is, then shall SB
16. 663 pass the veto of the Governor to the contrary not-
17. withstanding. Secretary will call the roll.

18. SECRETARY:

19. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
20. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
21. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
22. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
23. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
24. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
25. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
26. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
27. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
28. Weaver, Welsh Wooten, Mr. President.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. There has been a request for a call of the absentees.
31. Absentees will be called.

32. SECRETARY:

33. Bruce, Buzbee, Carroll, Chew, Clarke, Course, Donnewald,

1. Dougherty, Fawell, Kenneth Hall, Hynes, Johns, Keegan,
2. Knuepfer, Knuppel, McCarthy, Netsch, Newhouse, Nudelman,
3. Ozinga, Palmer, Partee, Rock, Saperstein, Smith, Swinarski,
4. Vadalabene, Welsh, Wooten.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Fawell, aye. Were you voting aye, Senator Carroll?

7. On this question the yeas were 32. The nays were 1. One
8. member voting present. SB 663 failing to receive the
9. constitutional three-fifth's majority required is there-
10. fore declared lost. SB 664, Senator McBroom? The question
11. before the Senate is shall SB 664 pass and on that question
12. the Secretary will call the roll.

13. SECRETARY:

14. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
15. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
16. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
17. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
18. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
19. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
20. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
21. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
22. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
23. Weaver, Welsh Wooten, Mr. President.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. On this question the yeas are 28. The nays were 2.
26. SB 664 failing to receive the required three-fifth's
27. majority is therefore declared lost. SB 692, Senator...
28. take it out of the record. The next bill then would be
29. SB 731, Senator Don Moore.

30. SENATOR MOORE:

31. ...Thank you Mr. President, Members of the Senate.
32. Mr. President, Members of the Senate I'd like...unanimous
33. consent to hear...or have one roll call on 731 and 732.

1. They are companion bills, 732 is the appropriation bill
2. connected with 731. I would ask for unanimous consent to
3. hear both these bills at the same time.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. We have to I think according to our constitutional
6. requirements have to require separate roll calls on
7. each bill Senator.

8. SENATOR MOORE:

9. All right, thank you Mr. President. SB 731...
10. President, Members of the Senate, is a bill which authorizes
11. the Department of Agriculture to participate in the funding
12. for preparation of the Chicago Metropolitan Area River
13. Basin Plan by the United States Department of Agriculture,
14. Soil Conservation Service. This plan covers all or parts
15. of the Counties of Cook, DuPage, Kane, Lake and Will Counties
16. lying within the watersheds of the Des Plaines River and
17. Poplar Creek. A cooperative agreement was entered into
18. on March 1, 1971 between the Soil Conservation Service
19. and the Metropolitan Sanitary District in Greater Chicago
20. to provide for the preparation of this Plan. During the
21. fiscal year of '71 and '72 the Metropolitan Sanitary Dis-
22. trict of Greater Chicago has financed this Plan. In '73
23. the Federal Government began to contribute to this funding.
24. Up to June 30th of '73, \$752,000 will have been committed
25. by the Metropolitan Sanitary District in the preparation
26. of this Plan. I think that this is a good bill...there
27. has been a very substantial amount of money invested in
28. this particularly by the Metropolitan Sanitary District.
29. The bill was introduced at their request and I would request
30. a favorable roll call on this worthwhile piece of legislation
31. that would help us out up in the Northeastern section of
32. the County of Cook.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Discussion? Senator Howard Mohr.

2. SENATOR MOHR:

3. Yes, Mr...Mr. President, Members of the Body,
4. Senator Savickas you might want to hear this...Senator
5. Moore is this the same bill that Senator Savickas handled
6. during the Regular Session?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Don Moore.

9. SENATOR MOORE:

10. ...Yes it was. Senator Savickas was the chief
11. sponsor. I was the first co-sponsor under the bill.

12. SENATOR MOHR:

13. Well, until Senator Savickas explained it on the Floor
14. of the Senate I personally wasn't in favor of the bill
15. but after his explanation, some months back, I was per-
16. suaded to vote for it, I see he's leaving, I just
17. want to make sure that he's on his own bill.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. He'll be back. Senator Partee.

20. SENATOR PARTEE:

21. I suppose this could be called love they neighbor
22. hour. It's very nice of Senator Mohr to attempt to move
23. with the bill of Senator Savickas', that's very kind and
24. thoughtful and I'm sure you have his gratitude but I
25. think perhaps he did not tell you that his opinion has changed
26. since he passed the bill based on a recognition of certain rather
27. basic facts. And, if you read the veto message you would
28. have come to know and understand that this bill is no
29. longer necessary. The fact of the matter is as the Governor
30. says in his veto message that both the EPA and the
31. Division of Waterways are now involved in similar planning
32. operations and the District can meet its commitment to
33. the Federal Government without this appropriation of the
State. So nothing will be lost to the taxpayers in that

1. area and to pass this bill would be straddling another
2. \$172,000 on taxpayers who eventually are the people who
3. fund all of these propositions. So the matter that
4. Senator Savickas sought to accomplish will in fact be
5. accomplished without this money because of a planning
6. in other areas. This would be duplicative and I'm sure
7. you would not want to have a duplicative effort particularly
8. when it cost \$172,000. For that reason I am going to vote
9. present.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. See, Senator Savickas is back and he's going on fur-
12. lough. You can tell by looking. Senator Don Moore.

13. SENATOR MOORE:

14. To very briefly close I can appreciate the very kind
15. remarks of the distinguished Minority Leader. I sure
16. don't want duplication either and I'm happy to hear that
17. the EPA and another branch of State Government is getting
18. involved in this particular plan. However the fact that
19. the Metropolitan Sanitary District for the last two or
20. three years has expended over \$750,000 on this plan, I
21. think if there's any duplication it's the new areas that
22. the administration has seen fit to go into. I don't think
23. that we up there and within the confines of the MSD should
24. be - you might say fined or deprived of the \$752,000 that's
25. been invested. I think that once we have embarked on a
26. program like we have for the last several years and this
27. particular program I think we should continue on it. I
28. don't think we should abandon it and say okay EPA or Water
29. Management Resources you go ahead and start another plan.
30. I think this is a good bill Mr. President. I think that
31. the veto of the Governor should be overridden and I would
32. respectfully request a favorable roll call.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any further discussion? Question before the
2. Senate is shall SB 731 pass the veto of the Governor
3. to the contrary notwithstanding. Secretary will
4. call the roll.

5. ACTING SECRETARY (MR. WRIGHT):

6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
8. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
10. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard.
11. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
13. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
14. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
15. Weaver, Welsh, Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. McBroom, aye. Senator Partee, present. Senator
18. Welsh, present. Senator Daley, present. Senator
19. Kosinski, present. Senator Carroll, present. Welcome
20. back, Gentlemen. On that question the yeas are 24.
21. The nays are 2, five voting present. SB 731 having
22. failed to receive the required three-fifth's vote is
23. declared lost. Senator Don Moore on SB 732.

24. SENATOR MOORE:

25. Well, Mr. President, I was just amazed at that
26. last roll call. I thought sure such worthwhile piece
27. of legislation such as this that would assist the
28. Metropolitan Sanitary District in the northeastern
29. part of the State of Illinois would have overwhelmingly
30. been...been carried by the three-fifth's vote necessary.
31. ...SB 732 and I'll give it a whirl for what it's worth.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator, that is the appropriation for that bill. I...

1. SENATOR MOORE:
2. That is the appropriation bill for...
3. PRESIDING OFFICER (SENATOR MOHR):
4. You want to try...
5. SENATOR MOORE:
6. \$172,500...and I would give it a whirl and see
7. what happens Mr. President.
8. PRESIDING OFFICER (SENATOR MOHR):
9. The question is shall SB 732 pass the veto of the
10. Governor to the contrary notwithstanding. On that
11. the Secretary will call the roll.
12. ACTING SECRETARY (MR. WRIGHT):
13. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
14. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
15. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
16. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
17. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
18. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
19. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
20. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
21. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
22. Weaver, Welsh Wooten, Mr. President.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. PRESIDING OFFICER (SENATOR MOHR):

2. On that question the yeas were 23, the nays are 4 and
3. three voting present. SB 732 having failed to receive the
4. required 3/5's vote is declared lost. Want to try again Senator?
5. Senator Moore on SB 733. SB 733.

6. SENATOR DON MOORE:

7. Well, Mr. President, it's apparent that the remaining
8. four bills that were introduced at the request of the
9. Metropolitan Sanitary District of Greater Chicago are not
10. going to receive enough votes from the other side of the
11. aisle, even though they do involve the west branch of the
12. DuPage River, the construction of retention reservoirs,
13. the Willow-Higgins watershed in Cook County, etc. So
14. I would ask that SB 733, 4, 5, and 6 be stricken from
15. the Calendar.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Well, Senator we'll leave that on the Calendar.
18. The clock is running out so there's no point in striking
19. them. Senate...SB 833, Senator Harris. Senator Harris.

20. SENATOR HARRIS:

21. Mr. President, SB 833 is a bill that we dealt with
22. one day last week, and upon the request of a verification
23. one of those members who was here in the building but could
24. not reach the Floor in time to sustain the 36 votes for
25. an override. The bill had to be put on postponed con-
26. sideration. Now this bill deals with an increased appropriation,
27. 20% increase to the county fairs and the 4-H student program
28. in Illinois. It involves a total of \$360,000. The present
29. budget anticipated back in March when it was locked up,
30. anticipates that there will be a balance of a million an
31. a half in the General ... in the Agricultural Premium Fund.
32. This would reduce that...I'm sorry. It anticipates a million
33. six-fifty. This would reduce that amount by ...

1. this \$360,000. The fact that is that the handle at the
2. race track so far this year indicates that there will
3. probably be some four million dollars more than was
4. anticipated back in March at the time the budget was locked
5. up. Clearly there is no great budgetary burden involved
6. in providing this \$360,000 out of the Agricultural Premium
7. Fund for the 102 county fairs and the 4-H student program.
8. We had the 36 votes the other day. I invite that same
9. group to join me again in passing SB 833 the veto of the
10. Governor to the contrary notwithstanding.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Further discussion? Senator Sours.

13. SENATOR SOURS:

14. Just very briefly Mr. President, Senators. This is
15. something all the county fairs want. I can't imagine
16. anyone even Cook County not supporting this...this bill
17. with enthusiasm.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Further discussion? The question is shall SB 833 pass,
20. the veto of the Governor to the contrary notwithstanding.
21. On that the Secretary will call the roll.

22. ACTING SECRETARY (MR. WRIGHT):

23. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
24. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
25. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
26. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
27. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
28. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
29. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
30. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
31. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
32. Weaver, Welsh, Wooten, Mr. President.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Weaver, aye. Howard Mohr, aye. Nimrod, aye.
2. Request to call the absentees. On that question the
3. yeas are thirty-three, the nays are none. Senator Sours.
4. SENATOR SOURS:

5. Could we have verification of that roll call?

6. PRESIDING OFFICER (SENATOR MOHR):

7. You may if you ask for it Senator. Request for
8. verification. Will the Members please be in their seats?
9. The Secretary will call the roll.

10. ACTING SECRETARY (MR. WRIGHT):

11. Those voting in the affirmative: Bartulis, Bell,
12. Berning, Buzbee, Clarke, Conolly, Davidson, Fawell,
13. Glass, Graham, Harber Hall, Keegan, Knuepfer, Knuppel,
14. Latherow, McBroom, Merritt, Mitchler, Howard Mohr,
15. Don Moore, Nimrod, Ozinga, Regner, Roe, Schaffer, Scholl,
16. Shapiro, Sommer, Soper, Sours, Walker, Weaver, Mr. President.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Roll call has been verified. The yeas are thirty-
19. three, the nays are none. SB 833 having failed to receive
20. the required 3/5's vote is declared lost. ...at ease for
21. a couple of minutes. There's a motion on the Secretary's
22. desk.

23. (The following pages typed previously)
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SECRETARY:

2. Motion. I move to take from the Table the
3. motion to reconsider the vote on the passage of SB 866,
4. the veto of the Governor to the contrary notwithstanding.
5. Signed, William C. Harris.

6. PRESIDING OFFICER (SENATOR MOHR):

7. That motion is not debatable. The motion is not
8. debatable. Senator Partee.

9. SENATOR PARTEE:

10. Would the Secretary tell me what was the motion after
11. the announcement of the passage of the bill? There was a
12. motion made by Senator Palmer, seconded by Senator Kosinski.
13. There's been a motion made to reconsider and the motion was
14. Tabled. We cannot, reconsider it under those circumstances.

15. PRESIDING OFFICER (SENATOR MOHR):

16. That motion was Tabled and this motion reads to
17. take from the Table. So the motion is in order, the Chair
18. will rule it's not debatable. Senator Partee.

19. SENATOR PARTEE:

20. That was several hours ago, may I inquire if the bill
21. is still in the possession of the Senate and if so why.

22. PRESIDING OFFICER (SENATOR MOHR):

23. It still is in the possession and I can only assume
24. that the Secretary has been busy out here and that's why
25. it hasn't left the Chamber, I...don't know that they run
26. them right over to the House after they pass, Senator.

27. All...all... There's been a request for a roll call, the
28. Secretary will call the roll. Senator Partee.

29. SENATOR PARTEE:

30. These are your rules. I certainly will abide by
31. them. But I think the parliamentary inquiry that I now
32. make is, if a bill has been Tabled you make a motion now
33. to take it from the Table, your rules require that there

1. must be a suspension of the rules to perform that act,
2. which requires as you know 36 votes.

3. PRESIDING OFFICER (SENATOR MOHR):

4. It still takes 30 votes Senator to suspend the rules
5. and it takes 30 votes also to take from the Table. There's
6. ...the motion to take from the Table is in order. There's
7. been a request for the roll call and the Secretary will
8. call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning...

11. PRESIDING OFFICER (SENATOR MOHR):

12. We are on roll call Gentlemen, we'll ask that you be
13. in your seats so we...get through with this motion.

14. SECRETARY:

15. Bruce, Buzbee, Carroll, Chew, Clarke, Conolly, Course,
16. Daley, Davidson, Donnewald, Dougherty, Fawell, Glass,
17. Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
18. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
19. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
20. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
21. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
22. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
23. Walker, Weaver, Welsh, Wooten, Mr. President.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Conolly. For what purpose does Senator Conolly
26. rise? On that question the yeas are 30 the nays are 18.
27. The motion to take from the Table prevails. Request to
28. call for verification. Members please be in their seats,
29. Clerk will call the roll.

30. SECRETARY:

31. The following voted in the affirmative: Bartulis,
32. Bell, Berning, Clarke, Conolly, Davidson, Fawell, Glass,

33.

1. Graham, Harber Hall, Knuepfer, Latherow, McBroom, Merritt,
2. Mitchler, Howard Mohr, Don Moore, Nimrod Ozinga, Regner,
3. Roe, Schaffer, Scholl, Shapiro, Sommer, Soper, Sours,
4. Walker, Weaver, Mr. President.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Roll call has been verified. Senator Conolly.

7. SENATOR CONOLLY:

8. Having voted on the prevailing side I move that we
9. reconsider the vote by which 833 was...8...866. Which
10. was removed from the Table be reconsidered. And I request
11. roll call.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Rock, hold your motion a minute, Senator
14. Conolly. Senator Rock.

15. SENATOR ROCK:

16. Parliamentary inquiry, Mr. President. If it took
17. 36 votes in the first instance would it not then take 36
18. to reconsider that vote?

19. PRESIDING OFFICER (SENATOR MOHR):

20. The...the motion was to take from the Table, Senator
21. and we...we... Senator Rock.

22. SENATOR ROCK:

23. No, I'm addressing myself sir to Senator Conolly's
24. motion to reconsider. If this Body acts in the required
25. amount which is 36, it seems to me to undo that the same
26. amount would be required.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Soper.

29. SENATOR SOPER:

30. Now, Gentlemen, Mr. President, Gentlemen, Ladies of
31. the Senate, you'll remember on the Constitutional question
32. where it took 36 votes to put that on the ballot, all it
33. took was 30 votes to take it off the ballot. This is the

1. same situation. This takes 30 votes to consider the vote by
2. which that was passed, and that's what we're going to do.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Partee.

5. SENATOR PARTEE:

6. Now, the question which was raised by Senator Rock
7. was not just a figment of his imagination, it is a con-
8. stitutional... No, Soper's position. The bill was taken
9. by vote a moment ago from the Table. That required 30 votes.
10. The bill as passed being an override required 36 votes.
11. The motion which has now been made by Senator Conolly
12. will require constitutionally 36 votes. Now, just take a
13. look if you want to at your Constitution. I'm looking at,
14. on page 53, Section 2 of Article XIV. It has to take
15. the same number of votes to undo any action as it took to
16. do it.

17. PRESIDING OFFICER (SENATOR MOHR):

18. The Chair will rule that it takes a simple majority
19. on that motion. Senator...Rock.

20. SENATOR ROCK:

21. Well, I think...in all seriousness we had best really
22. stop and consider what we are doing here. What we are
23. saying is that this Body can act constitutionally and then
24. a lesser number can undo that act. And I would on
25. that basis Mr. President appeal the rule of the Chair,
26. because anything we pass with 36 votes, to meet the
27. requirements of the Constitution, I submit to you cannot
28. be undone by a mere 30 votes.

29. PRESIDING OFFICER (SENATOR MOHR):

30. President Harris.

31. SENATOR HARRIS:

32. Mr. President, I just point out that what we are
33. doing here is reconsidering. There's an appropriate guide-

1. line and a perfectly valid constitutional directive that
2. to reconsider a constitutional amendment requires a majority
3. of the members elected. To place a constitutional amend-
4. ment on the ballot requires 3/5's, when the Senate reconsiders
5. a simple majority is all that's necessary. We are moving on
6. that question and that question alone at this point. And I
7. think the Chair's ruling that it requires a majority of the
8. members elected to reconsider is valid, supported by precedents
9. and language of the Constitution.

10. SENATOR ROCK:

11. ...I would renew my...motion to appeal from the ruling
12. of the Chair and point out that under Article XIV, Section 2
13. there is a specific provision which allows a majority to
14. withdraw from a constitutional...proposed constitutional
15. referendum, that is specifically provided for. Here we are
16. talking about final passage of a piece of legislation which
17. in order to pass requires a 3/5's vote. And, to set a pre-
18. cedent where we can undo that by a simple majority, I
19. suggest is in error and I would appeal the ruling of the
20. Chair.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Rock's motion is to appeal the ruling of the
23. Chair, and...the Secretary will call the roll. The...this
24. ruling to...to overrule the Chair would take 3/5's of the
25. Senators elected to vote. Senator Rock.

26. SENATOR ROCK:

27. Just so the record is perfectly clear, as has been
28. many times said, I understand that under those...the rule
29. that allows a Member of this Senate to appeal from the
30. ruling of the Chair, it should also...the record should
31. also reflect that that moving Senator was joined by two
32. other Senators. So, let the record reflect that there are
33. at least two if not more members wishing to join in that

1. motion, Senator Partee, Senator Netsch, Senator Buzbee...

2. PRESIDING OFFICER (SENATOR MOHR):

3. You have...sufficient number looks like, Senator.

4. 29 from where I sit. Secretary will call the roll. The...

5. the question is shall the rule...ruling of the Chair be

6. sustained. Those voting with the Chair vote aye, those voting

7. with Senator Rock, Senator Partee, vote no. Secretary will

8. call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

11. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

12. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

13. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

14. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

15. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

16. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

17. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

18. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

19. Weaver, Welsh, Wooten, Mr. President.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Mitchler, aye. On that question the yeas are 30,

22. the nays are 28, the ruling of the Chair is sustained.

23. ...Carroll.

24. SENATOR CARROLL:

25. Mr. President, I believe that our rules are silent

26. on whether or not a motion to reconsider once having been

27. Tabled can once again be reconsidered. I don't believe

28. there's any specific reference in our rules to that

29. subject in which case our rules give us the directive

30. that we must use Robert's Rules of Order, and Robert's

31. Rules of Order on page 270 of the newly revised edition

32. under which we operate indicates that a motion to

33. reconsider, cannot be reconsidered twice unless it was

materially amended during its first reconsideration. That

1. not being the instance under our rules and therefore under
2. Robert's Rules you cannot reconsider the vote on a...on
3. any particular measure twice.

4. PRESIDING OFFICER (SENATOR MOHR):

5. ...Carroll's...Senator Carroll's statement with
6. regard to the Robert's Rules of Order in this instance
7. is, is correct. Senator Conolly's motion is out of order.
8. The...question before the Body now is Senator Palmer's
9. motion to reconsider. ...Harris.

10. SENATOR HARRIS:

11. Mr. President, if the Members will just be a little
12. patient here. We are operating under the rules, and I
13. would point out that the motion that is before us now following
14. the ruling of the Chair being sustained is this - I do not
15. recall who made the Tabling motion of Senator Palmer's
16. motion to reconsider, but that Tabling motion was taken
17. from the Table and the point in procedure that we are under
18. now is Senator Palmer's motion to reconsider. That is
19. before the Body. It's perfectly clear under our rules that
20. the Tabling motion that did carry by voice vote was taken
21. from the Table by record vote, and Senator Palmer's motion
22. to reconsider is in fact before us. In the light of that,
23. Senator Carroll's inquiry does not operate. It would operate
24. in relation to a consideration of Senator Conolly's motion,
25. to reconsider but that's not the point of legislative con-
26. sideration that is before us. And I would point out that
27. the motion before us is a motion that has not been con-
28. sidered but has been Tabled at one point in our activities
29. here today. And that motion has been taken from the Table
30. and is in fact now before us, and on that motion, Senator
31. Palmer's motion to reconsider I request a roll call.

32. PRESIDING OFFICER (SENATOR MOHR):

33. That is the question before the Body. Senator Carroll

1. on a point of order.

2. SENATOR CARROLL:

3. Once again, Mr. President, in all...due respect to
4. the elected President of this Body, I refer you to Rule 36
5. on page 270 of Robert's which specifically says that
6. first of all it takes unanimous consent to take this kind of
7. action and secondly even then cannot be done unless it...there
8. has been a material amendment since the first reconsideration
9. of the same bill. Senator Palmer himself could not make the
10. motion again unless there has been some material amendment
11. since the first reconsideration of that bill. That is not
12. the case. I refer you again to Robert's Number 36 on page
13. 270, specifically referred to and specifically applicable to
14. this situation.

15. PRESIDING OFFICER (SENATOR MOHR):

16. The Chair will rule that Robert's Rules do not apply.
17. Senator Conolly's motion was also out of order. The
18. question before the Body is Senator Palmer's motion to
19. reconsider and on that question the Secretary will call
20. the roll.

21. SECRETARY:

22. ...Bartulis, Bell, Berning, Bruce...

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator, we are on roll call.

25. SECRETARY:

26. Buzbee, Carroll, Chew, Clarke, Conolly, Course,
27. Daley, Davidson, Donnewald, Dougherty, Fawell, Glass, Graham,
28. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
29. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
30. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
31. Nudelman, Ozinga, Palmer...

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Palmer.

1. SENATOR PALMER:
2. This is during roll call...
3. PRESIDING OFFICER (SENATOR MOHR):
4. We are on...we are on roll call.
5. SENATOR PALMER:
6. This is during roll call, and this is my motion and
7. I move that this motion be put on postponed consideration.
8. PRESIDING OFFICER (SENATOR MOHR):
9. That...that motion is... It's out of order, we are on
10. roll call and I... We are on roll call.
11. SECRETARY:
12. Palmer, Partee, ...
13. PRESIDING OFFICER (SENATOR MOHR):
14. We are on roll call, Gentlemen. Senator Partee.
15. SENATOR PARTEE:
16. I recognize we're on roll call but I have a parliamentary
17. inquiry in order to know how to intelligently vote. And
18. the parliamentary...the parliamentary inquiry is, can a
19. member postpone his own motion. It's his motion.
20. PRESIDING OFFICER (SENATOR MOHR):
21. Yes, Senator he can. However, once a motion has been
22. stated by the President or read by the Secretary...
23. SENATOR PARTEE:
24. Well, Mr. President, the reason I asked the question, I'm
25. looking at page 16 of the rules that says during a roll call
26. no motion, except a motion to postpone, shall be in order.
27. That's Rule 42.
28. PRESIDING OFFICER (SENATOR MOHR):
29. We are...we'll continue with the roll call, and I'll
30. explain the ruling when we finish.
31. SECRETARY:
32. Regner, Rock, Roe, Romano, Saperstein, Savickas,
33. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,

1. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
2. Mr. President.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Knuppel, no. Senate... Question the yeas are 30,
5. the nays are 11. The motion...to reconsider prevails.
6. Now, Senator Palmer, I will read you the rule. Once a
7. motion is stated by the President or read by the Secretary
8. it shall be deemed in the possession of the Senate, but may
9. be withdrawn at any time by unanimous consent of the Senate
10. before the decision. ...Unanimous consent. Now the motion
11. before the Senate,...Partee.

12. SENATOR PARTEE:

13. It does not escape my notice that you have the gavel.
14. It does not escape my notice that you have a course of
15. action on which you are hell-bent. That does not bother
16. me. What does bother me is the...rough-shod, running over
17. the rules of this Senate. This is a country of laws and not
18. of men. And I respect the rules of this Senate, and I expected
19. the rules to be followed here. Senator Palmer is a Member
20. of this Senate like everyone and he's trying to get
21. attention and when he's called upon or listened to, he
22. didn't even have the courtesy of having the amplification
23. of his microphone. I think it's a terrible kind of thing
24. that you're doing. It's tyrannical. Power, I suppose
25. breeds power. I've heard that expression around here, too,
26. and I think it's unfortunate.

27. PRESIDING OFFICER (SENATOR MOHR):

28. We've all seen that from time to time, Senator. I
29. would agree. The question before the Senate now is the
30. motion to override the Governor's veto on SB 866. Further
31. discussion. Secretary... The question is shall SB 866
32. pass. The veto of the Governor to the contrary notwith-
33. standing. On that the Secretary will call the roll.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
3. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
4. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
5. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
6. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
7. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
8. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
10. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
11. Weaver, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR MOHR):

13. On that question the yeas are 27, the nays are 3,
14. 6 voting present. SB 866 having failed to receive the
15. required 3/5's vote is declared lost. Senator Don Moore.

16. SENATOR DON MOORE:

17. Just on a point of personal privilege Mr. President,
18. I for one want to compliment the Chair for handling the
19. discussions that went on here for the last 20 or 25
20. minutes relative to this bill. I have followed his rulings
21. in detail. I think that he has followed the rules as
22. they have been adopted by this Senate. I think that the
23. rules of this Senate apply to all of us. It's just
24. unfortunate that the shoe is on the other foot in this
25. particular case. But I think the President did an
26. excellent job in making his decisions. He did follow
27. the rules and I for one want to compliment him.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Well, Senator I want to thank you. But I...I've
30. always tried to be fair. And I learned after sitting in
31. this Body under Senator, or our former Governor Sam Shapiro
32. and especially under Lieutenant Governor Paul Simon that's
33. the only way to rule. So I did have good teaching.

Any other Senators have a bill that they'd like to

1. present before the Body? ...item or the business of item vetoes.
2. ...The item or the business of, Item Vetoes. ...Reductions,
3. Senator Walker. Did you have one that you wanted to call Senator?

4. SENATOR WALKER:

5. Yes, I think the Clerk has the motion on the desk.

6. PRESIDING OFFICER (SENATOR MOHR):

7. The Secretary will read the motion, please.

8. SECRETARY:

9. I move...

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Palmer, you'll be asking questions in a few
12. minutes. Now, may we have your attention?

13. SECRETARY:

14. I move that Items on page 1, lines 14, 15 and 17;
15. page 2, lines 5, 18, 19, 21, 31, 32 and 34 of SB 443 be
16. restored. The Item Reductions of the Governor to the
17. contrary notwithstanding, signed Senator Walker.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Walker.

20. SENATOR WALKER:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. You have these Item Reductions on your desks. They
23. restore certain items cut on pages 1 and 2 at Chicago State Univer-
24. sity, Governor's State University, Northeastern Illinois, the
25. other side that's in your district, not mine, and Western
26. Illinois University. These only restore services or personal
27. services, contractual services and commodities at these four
28. universities. The total is only a little over 2 million dollars.
29. The Governor in his State of the State Address and also in his
30. Budget Address stated that he was going to do more for
31. higher ed and these are very small restorations. I would
32. appreciate a favorable vote.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Any further discussion? The question is shall the
2. Items on page 1, line 14, 15 and on...17. And on page 2,
3. lines 5, 18, 19, 21, 31, 23, and 34 of SB 443 be restored.
4. The Item Reduction of the Governor to the contrary not-
5. withstanding. The Secretary will call the roll.

6. SECRETARY:

7. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
8. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
9. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
10. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
11. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
12. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
13. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
14. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
15. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
16. Weaver, Welsh Wooten, Mr. President.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Request to call the absentees.

19. SECRETARY:

20. Buzbee, Carroll, Chew, Course, Daley, Donnewald, Dougherty,
21. Glass, Kenneth Hall, Hynes, Johns, Keegan, Knuppel, Kosinski,
22. McCarthy, Netsch, Newhouse, Nudelman, Palmer, Regner, Rock,
23. Romano, Saperstein, Savickas, Smith, Swinarski, Vadalabene,
24. Welsh, Wooten.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Glass, votes aye. On that question the
27. yeas are twenty-eight, the nays are two, two...two voting
28. present. ...are reduced according to the Governor's Reduction
29. Veto. ...

30. SENATOR NEWHOUSE:

31. Thank you, Mr. President, Senators, you're asking for
32. any other motions on Item Vetoes?

33. PRESIDING OFFICER (SENATOR MOHR):

1. That would be in order, Senator.

2. SENATOR NEWHOUSE:

3. In that case Senator I. have a motion on SB 899,

4. which is to, a motion that the...Governor's veto on

5. SB 899 be overridden, the Governor's decision to the

6. contrary notwithstanding. Now, Senators that bill is

7. a...represents the veto of...

8. PRESIDING OFFICER (SENATOR MOHR):

9. ...Senator Newhouse, has that been filed with the

10. Secretary?

11. SENATOR NEWHOUSE:

12. Yes, it has Senator. 899.

13. PRESIDING OFFICER (SENATOR MOHR):

14. You're asking for an Item Reduction?

15. SENATOR NEWHOUSE:

16. The restoration of an Item Reduction.

17. PRESIDING OFFICER (SENATOR MOHR):

18. The restoration of an Item Reduction.

19. SENATOR NEWHOUSE:

20. That's correct.

21. PRESIDING OFFICER (SENATOR MOHR):

22. On SB 899. Would you hold that for just a minute and

23. they...they haven't been able to find it, and maybe you

24. can give them another one. We'll go to Senator Glass you

25. have a motion that the Secretary has?

26. SENATOR GLASS:

27. Yes, Mr. President, I have a motion on the Secretary's

28. Desk on SB 1157. And it's a motion to override an Item

29. Veto of the Governor.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Would you read the page and line on that please?

32. Any other Senators wishing to make a motion, I...if you'll

33. be kind enough to come up and see that the Secretary has

1. it, if not provide him with a copy.

2. SENATOR NEWHOUSE:

3. 1157.

4. PRESIDING OFFICER (SENATOR MOHR):

5. The Secretary has 1157.

6. SECRETARY:

7. I move that the Item on page 4, lines 21 through 25

8. inclusive of SB 1157 Do Pass, the Item Veto of the Governor

9. to the contrary notwithstanding. Signed, Senator Glass.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Glass.

12. SENATOR GLASS:

13. Thank you, Mr. President. This motion seeks to

14. restore 1.75 million dollars to the Superintendent of

15. Public Instruction's appropriation bill. The entire

16. bill was under the sponsorship of Senator Hynes. To

17. give you the background of this motion, the funds are

18. for the purpose of funding experiments and decentralized

19. school government. At the last Session of the Legislature...

20. the Session before last, two Sessions ago under the

21. Chairmanship of then Representative Jim Peterson, the Urban

22. Education Commission was created. And it passed

23. legislation for experiments and decentralized school

24. governance. That is, an opportunity for the urban

25. school districts and there's some eight of them by

26. definition in the bill, to give autonomy to local

27. communities, local boards of education which would be

28. elected and allow them to govern the schools under

29. specific rules and guidelines. At the last Session

30. of the Legislature, Representative Jerry Bradley and

31. I were the co-chairman of that commission. A number

32. of the Members of the Senate also were on the Commission.

33. We spent a good deal of time with the Director of...Urban

1. Education in the Office of OSPI, laying the groundwork
2. for these experiments. There are four school districts
3. in the State that are now prepared to go ahead with the
4. experiment. The funding was cut in the Senate and the
5. House from some 7 million down to 1.75 million dollars.
6. So, this is grant money to enable these districts to
7. create these experiments. And I would urge your
8. support of this override and point out to you the reason
9. I went through the background of this motion was simply
10. to show you that there's been a great deal of groundwork,
11. time of Legislators, money expended in the preparation
12. for these experiments. Why the Governor saw fit to veto
13. this one item out of his budget, I don't know but it
14. does mean in effect that there will have been a good deal of
15. money and work that will have gone for naught, unless
16. this veto can be overridden. As I say, there are a number
17. of members that are of the Senate that are on the
18. Commission. This is a 1.75 million dollar override
19. and I would urge your support.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Any further discussion? The question is shall the
22. item on page 4, lines 21 through 25 of SB 1157 pass.
23. The Item Veto of the Governor to the contrary notwith-
24. standing. On that question the Secretary will call the
25. roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh Wooten, Mr. President.

4. PRESIDING OFFICER (SENATOR MOHR):

5. On that question the yeas are twenty-five, the nays
6. are none. The Item on page 4, lines 21 through 25 of
7. SB 1157 having failed to receive the required 3/5's vote
8. is declared lost. Senator Newhouse, SB 899.

9. SENATOR NEWHOUSE:

10. Parliamentary inquiry, Mr. Chairman, did I understand
11. you to say that a line item veto requires 36 votes for
12. restoration?

13. PRESIDING OFFICER (SENATOR MOHR):

14. That is correct, 3/5's vote. Your's is a reduction...

15. SENATOR NEWHOUSE:

16. That's right.

17. PRESIDING OFFICER (SENATOR MOHR):

18. ...Restoration.

19. SENATOR NEWHOUSE:

20. Thank you, Mr. President.

21. PRESIDING OFFICER (SENATOR MOHR):

22. 30 votes to restore.

23. SENATOR NEWHOUSE:

24. Thank you. Mr. President, Senators, my motion is
25. that 15 million dollars be restored as a Line Item Re-
26. duction Veto in SB 899, the Governor's veto to the
27. contrary notwithstanding, and this is the background
28. of the bill briefly. This is a bill that was proposed
29. by Senator Mohr in this Body. In the course of its
30. passage it was deemed that in view of the inflation that
31. had hit upon every level and in the light of the fact
32. that there were other cost of living increases in other
33. areas including State employees, that we would add to the

1. appropriation for public aid a 3.9 increase for cost of
2. living. This bill passed out...this Body out of the
3. House and was reduced by the Governor's pen. Now just
4. a couple of words about this bill because what I'm proposing
5. be done is not simply a humane action and I would purpose
6. it if it were only that, but it has a very practical
7. application. As many of you know, if anybody's listening,
8. that at about the time that this bill was passed we saw
9. a tremendous increase in the inflationary spiral. For example,
10. the price of chicken which is the least most expensive
11. meat in my district, went from about 39 cents to \$1.19. It has
12. since stabilized at a little over 70 cents which means that
13. the price of that inexpensive item has doubled. As a
14. consequence of that, some very elderly people in my district
15. and I understand elsewhere, have turned to theft as a way
16. of life as a matter of keeping themselves together from
17. the standpoint of nourishment. Now, I think all of us
18. know that the cold weather is about to descend upon us
19. and when that happens some elderly people and some people
20. with families are going to have to make a decision, and
21. that decision is going to be whether they pay the rent or
22. whether they eat. In most cases, they will opt to eat at
23. the risk of being placed upon the street. I regret that
24. the bill, that the motion has to be presented in an
25. atmosphere that I think is simply not conducive to the
26. passage of any legislation but I would urge you to consider
27. very carefully this motion and would solicit your support.

28. PRESIDING OFFICER (SENATOR MORH):

29. Senator Bartulis.

30. SENATOR BARTULIS:

31. Thank you, Mr. President and Members of the Senate.
32. Not very often do I arise and support the Governor. I
33. think this is the first time. But some time ago I received

1. a note from the Department which all of you know that the
2. Department of Public Aid went on flat grant, October 1.
3. And to do this the Department met the requirements and
4. received permission from the Governor to spend at the
5. rate of 3.1 million dollars per month more, than had
6. been appropriated for AFDC, effective with implementation
7. of the consolidation of the standard plan on...on the
8. first of October. Now, this permission was granted so
9. the increases in monthly grants could be given to most...most
10. AFDC families. And the smallest possible number of families
11. would have their grants cut in averaging process. Now
12. again it also was determined that the 3.9% cost of living
13. increase granted in September would not have the positive
14. impact for recipients over a period of time. That could
15. be achieved by careful implementation of a consolidated
16. standard. Now the 3.9% increase under the old system,
17. would have given each AFCD only \$1.40 a month more. Now,
18. most families received a substantial higher increase with
19. adoption of the consolidated plan. Now, cost of living
20. increases granted after the consolidation has been fully
21. implemented and that is, it will be up to six an nine months
22. and therefore I would have to uphold the Governor's veto.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Netsch.

25. SENATOR NETSCH:

26. Mr. President, but the point is Senator Bartulis that
27. some of those who went under the flat grant program will indeed
28. be cut. It seems to me that with the cost of living as
29. high as it is and the fact that public aid involves a
30. very small amount of money for any family to live on
31. under the best of circumstances, that anything that we
32. can do to alleviate that hardship is worth doing. If
33. we were to sustain the...or to put this money back into

1. the budget it would enable us to prevent about 50%
2. of those who are going to be cut under the shift to
3. the flat grant program to be restored to at least what
4. they were receiving before. It seems to me that that is
5. a valid and a humane thing to do.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Don Moore.

8. SENATOR DON MOORE:

9. I...I don't want to really get into a discussion of
10. the flat grant program, Mr. President, but I believe that
11. after October 1st when the flat grant program did go into
12. effect, approximately 80% of our AFDC recipients received
13. more, 20% received the same or less. That 20% was usually
14. in the small family of a mother and one child, someone
15. who through day care and so forth would be able to get a
16. job and employment and survive a lot easier than a...a
17. larger family. I originally did not oppose this amendment
18. when it came over from the House, in fact, I voted for it.
19. But, in view of the fact that the Governor has released to
20. the Department 3.1 million dollars a month for the balance
21. of this fiscal year in order to, let's say not hurt those
22. that get less welfare than they were getting before; in
23. view of the further fact that it is anticipated as of this
24. point that we will be faced with a deficit in the Department
25. of Public Aid, of a minimum of 60 million dollars, I don't
26. think it's fair to saddle the Governor with another 15
27. million at this particular time. So, it's for these reasons
28. that I regretfully have to oppose the Senator's motion and
29. I hope everyone will sustain the Governor's veto on this
30. matter.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Further...further discussion? Senator Newhouse may
33. close.

1. SENATOR NEWHOUSE:

2. Yes, thank you, Mr. President. I'd just like to go back
3. to paragraph 2 of the dissertation that was read in which
4. it was stated that a 3.9% increase would amount to \$1.50
5. a month, and if my arithmetic is correct that would
6. mean that the grants are too low for people to even pay
7. the rent. 3.9% of about \$50.00 is about a dollar and a
8. half, I do believe. So that, I'm a little...startled by
9. that...that bit of arithmetic and I just don't know as to
10. what extent the remainder of the conversation that we
11. received makes a great deal of sense. Now, if we're
12. talking about 20% of the people receiving the same or less,
13. then it seems to me that what the Senator said is we're
14. simply trying to hold the line. The bill...the restoration
15. that we're attempting to make here isn't intended to hold
16. the line at all, it's meant to give those people who are
17. presently trying to live in these inflated circumstances
18. enough money to attempt to hold their line against the
19. inflationary spiral, not against the dollars that they
20. received yesterday. Now, I don't want to be repetitious
21. and...I think that, you know we've reached the stage now
22. where everything is going to be pretty political but the
23. facts of life are that...if I can be permitted to just wind
24. up...that we're talking...We're talking about some pretty
25. restricted options. My furnace happened to go out on
26. Saturday, the boiler broke. It was out all day Sunday.
27. It's not happened to me before that my house was cold
28. when there was nothing that I could do about it. I'll
29. tell you that all day Sunday all I thought about was
30. heat. There will be an awful lot of people in that circumstance
31. in this fall and winter. I think we have the opportunity
32. to help them now. I would suggest that this Body is about
33. the business of, I would assume of helping people who cannot

1. themselves. And that's what this...this...that is what
2. this motion is all about. I would urge your support.

3. PRESIDING OFFICER (SENATOR MOHR):

4. I... The Chair has a question Senator. Do you have
5. oil or gas heat?

6. SENATOR NEWHOUSE:

7. I had oil heat.

8. PRESIDING OFFICER (SENATOR MOHR):

9. You had oil heat. The reason that I asked...

10. SENATOR NEWHOUSE:

11. No offense Senator.

12. PRESIDING OFFICER (SENATOR MOHR):

13. The reason I asked I'd like to take just a moment to
14. introduce to the Body the fellow that runs my business while
15. I'm down here and I think he'll be real happy to go back
16. home. I'd like to introduce up in the gallery, Mr. Don
17. Stang and his wife Irene and their two children. Stand
18. and be recognized. He's the fellow...Senator, he's the
19. fellow that makes sure our customers are warm on Saturdays
20. and Sundays. Ok. This will take 30 votes. The question
21. is shall the item on page 3, line 5...7, 9 and 12 of SB
22. 899 be restored, Item Reduction of the Governor to
23. the contrary notwithstanding. On that the Secretary will
24. call the roll.

25. SECRETARY:

26. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
27. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
28. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
29. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
30. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
31. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
32. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
33. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

ACTING SECRETARY:

1. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
2. Weaver, Welsh, Wooten, Mr. President.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Newhouse. Request to call the absentees.
5. ACTING SECRETARY (MR. WRIGHT):
6. Berning, Clarke, Conolly, Course, Davidson,
7. Fawell, Glass, Graham, Knuppel, Latherow, McBroom, McCarthy,
8. Merritt, Howard Mohr, Nimrod, Ozinga, Regner, Savickas,
9. Schaffer, Scholl, Shapiro, Swinarski, Walker, Mr. President.
10. PRESIDING OFFICER (SENATOR MOHR):
11. Merritt, present. Soper is also present. On
12. that question the yeas are 25. The nays are 12, three
13. voting present. The items on page 3, lines 7, 9 and
14. 12 of SB 899 having failed to receive the required majority
15. vote of the Senators elected is declared lost...is declared
16. reduced. ...Shapiro, SB 494.
17. SECRETARY:
18. I move that the items on page 2, lines 24 through
19. 31; page 5, lines 16 through 24 of SB 494 be restored,
20. the Item Reductions of the Governor to the contrary not-
21. withstanding.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Senator Shapiro.
24. SENATOR SHAPIRO:
25. Mr. President, Ladies and Gentlemen of the Senate,
26. these are appropriations that have to do with capital
27. development on the S...ISU campus and...concern them-
28. selves with some roof repairs for Horton Field House
29. and Milner Library, and demolition of the Central School
30. and general landscaping both at Illinois State University.
31. And I would like to move now that the motion receive a
32. favorable vote, the Item Veto of the Governor to the
33. contrary notwithstanding.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Further discussion? Shall the items on page 2,
3. lines 24 through 31; page 5, lines 16 through 24 of
4. SB 494 be restored, the Item Reductions of the Governor
5. to the contrary notwithstanding. The Secretary will
6. call the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
11. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
12. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
13. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
14. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
15. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
16. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
17. Weaver, Welsh, Wooten, Mr. President.

18. PRESIDING OFFICER (SENATOR MOHR): .

19. Merritt, aye. Graham, aye. Ozinga, aye. Fawell,
20. aye. Bell, aye. Latherow, aye. On that question the
21. yeas are 26, the nays are three. The items on page 2,
22. lines 24 through 31; and page 5, lines 16 through 24
23. of SB 494 having failed to receive the required majority
24. vote of Senators elected is declared reduced. Any other
25. Senators on...reductions? I'd like to call the
26. attention of the Senate that we have a distinguished
27. Member of the Executive branch with us, our Attorney General
28. Bill Scott on the Floor. General. ...697, Senator
29. Shapiro. 69...699. Senator Shapiro. We'll stay on
30. SB 494 for consideration of an Item Veto. ...Secretary
31. will read the motion.

32. SECRETARY:

33. I move that the items on page 1, lines 13 through 22

1. of SB 494 Do Pass, the Item Veto of the Governor to
2. the contrary notwithstanding.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Mr. President, Ladies and Gentlemen of the Senate.

7. This Item Veto concerns itself with the deletion of
8. a project at ISU which would involve the establishment
9. of a fire alarm monitoring cable and then also a major
10. remodeling job at Northern Illinois University of Davis
11. Hall. It would be the second phase of a three phase project
12. and I would now like to move that the...Item Veto of
13. the Governor's be overridden, on this particular Item Veto.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Any further discussion? The question is shall the items
16. on page 1, lines 13 through 22 of SB 494 pass,
17. the Item Veto of the Governor to the contrary not-
18. withstanding. The Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
25. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
26. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
27. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
28. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
29. Weaver, Welsh Wooten, Mr. President.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Walker, aye. Weaver, aye. Scholl, aye. Netsch, no.
32. Sommer, aye. On that question the yeas are 28, ... On
33. that question the yeas are 28, the nays are 4, the items

1. on page 1, lines 13 through 22 of SB 494 having failed
2. to receive the required 3/5's vote are declared lost.
3. Senator Weaver.

4. SENATOR WEAVER:

5. Mr. President, and Members. I have filed a motion
6. on SB 697. I would move that the item veto by the
7. Governor in SB 697 on page 15, lines 32 through 35 and
8. on page 16, line 5 and on page 17, line 20 Do Pass, the
9. veto of the Governor to the contrary notwithstanding.
10. This is the addition to Turner Hall and the addition
11. to the Law School, along with a utility run to service
12. the Law Building Addition. These buildings have been
13. in the Capital Program for the State of Illinois for
14. several years. It's badly needed. There's certainly
15. money in the construction funds to make these additions,
16. and I would move that we override the Governor's veto.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Further discussion? Shall the items vetoed by the
19. Governor...Senator Harris.

20. SENATOR HARRIS:

21. Well, I just want to briefly make this observation.
22. If there is one thing that needs to be encouraged in
23. this day of increasing needs for foodstuffs, the world is
24. rapidly becoming short of food and this Agronomy
25. Building contained in this veto just doesn't make sense. And
26. This Legislature has got an opportunity to address itself
27. to what is one of the greatest challenges to man's skill
28. to react to man's needs. This...this building is one of
29. the top priority requirements, if you please, that we have
30. an opportunity to address ourselves to. I would hope
31. that we would act responsibly and provide the funds for
32. this important building that the world so desperately
33. needs.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Further discussion? The question is shall the item
3. on page 15, lines 32 to 35; page 16, line 5; and on page
4. 17, line 20 of SB 697 pass, the Item Veto of the Governor
5. to the contrary notwithstanding. On that question the
6. Secretary will call the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
11. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
12. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
13. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
14. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
15. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
16. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
17. Weaver, Welsh Wooten, Mr. President.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Weaver, aye. Schaffer, aye. On that question the yeas
20. are twenty-eight, the nays are four, the items on page 15,
21. lines 32 through 35; page 16, line 5 and on page 17, line 20, of
22. SB 697 having failed to receive the required 3/5's vote are
23. declared lost. Senator Weaver.

24. SENATOR WEAVER:

25. Mr. President, Members of the Senate on Consideration
26. Postponed is SB 449. This is a restoration of 4.1 million
27. dollars to the University of Illinois. Basic need for this
28. money is to maintain approximately 200 jobs at the Chicago
29. Circle Campus and I'd appreciate a favorable roll call.

30. PRESIDING OFFICER (SENATOR MOHR):

31. We're on the order of Consideration Postponed. SB 449.
32. ...stand at ease for one minute. The question is shall the
33. items on page 1, line 11 and page 2, lines 5, 6 and 7 of SB 449

1. be restored, the Item Reduction of the Governor to the
2. contrary notwithstanding. On that question the Secretary
3. will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
8. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
9. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
10. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
11. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
12. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
13. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
14. Weaver, Welsh Wooten, Mr. President.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Johns, no. Request to call the absentees.

17. SECRETARY:

18. Buzbee, Carroll, Chew, Course, Daley, Donnewald,
19. Dougherty, Kenneth Hall, Hynes, Keegan, Knuepfer, Knuppel,
20. Kosinski, McCarthy, Newhouse, Nudelman, Palmer, Rock,
21. Romano, Savickas, Smith, Swinarski, Vadalabene, Welsh.

22. PRESIDING OFFICER (SENATOR MOHR):

23. On that question the yeas are twenty-nine, the
24. nays are four. The item on page 1, line 11; page 2,
25. lines 5, 6 and 7 of SB 449 having failed to receive
26. the required majority vote of Senators elected are
27. declared reduced. Two voting present on SB 449. Senator
28. Shapiro on SB 699. Senator Shapiro. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. President and Ladies and Gentlemen of the Senate.
31. SB 699 is a substantive bill which amends the
32. Junior College Act and raises the flat grant rate
33. from not less than 16.50 to read not less than \$18.00.

1. The Governor in his Amendatory Veto reduced that \$18.00
2. figure to \$17.61. Now I think it behooves this General
3. Assembly to go along with these...recommendations of the
4. Board of Higher Education, which recommended that the flat
5. rate grant for junior colleges for this next fiscal year
6. of '74 at \$18.00, And I do want to read you a few
7. quotes which substantiates the fact that it is the Board
8. of Higher Education that in this particular matter should
9. set the policy. Dr. Cameron West who is the new Executive
10. Secretary of the Board stated the following on September
11. 16th of this year. West says that the Higher Board should
12. be the independent authority for recommending budgets to
13. the Governor and the Legislature. He also hopes that by
14. getting all the cuts in a row before the Legislature begins
15. that, he can avoid having individual legislative committees
16. making their own pinches for more money. Well, Ladies
17. and Gentlemen of the Senate, this Senate did follow the
18. recommendations of the Board of Higher Education and approve
19. an \$18.00 flat grant rate in SB 699. Furthermore, on June
20. 2nd of this year Governor Daniel Walker when he spoke to
21. the Illinois Community College Trustees Association basically
22. said the same thing. He was discussing the matter with the
23. Trustees and said that I have been discussing with Donald
24. Prince, Chairman of the Board of Higher Education with
25. Cameron West and with others how this money is to be
26. allocated. It is not by my provenance, I believe, for me
27. to make that decision. I believe basically those decisions
28. of allocation should be made by the Board of Higher
29. Education. That's why we have the Board. They have more
30. knowledge than I do and I have to agree with that state-
31. ment. He states that I do have the right, the prerogative
32. and I believe the responsibility to make the priority
33. recommendations. And these are his priority recommendations -

1. Health, education, the community college system in this
2. State and the scholarship needs of the students in this
3. State. Furthermore, Ladies and Gentlemen of this Senate,
4. I think that \$18.00 comes closest to doing what everyone
5. in this General Assembly knows has to be done for our
6. junior colleges and that is to move to 50% funding.
7. \$19.00 would be much better, and there's another bill
8. that we will be calling later on this evening that
9. achieves that goal. But for this particular bill,
10. which says less...not less than \$18.00, and which comes
11. close to the \$18.50 in the appropriation bill. I would
12. now like to move that SB 699 Do Pass, the specific
13. recommendations of the Governor to the contrary not-
14. withstanding.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Bruce.

17. SENATOR BRUCE:

18. Yes, Mr. President, Members of the Body, I am the
19. sponsor of SB 697 and was...699 and curious having filed
20. a motion that we accept the specific recommendations of
21. the Governor why that was not called prior to Senator
22. Shapiro's motion.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Shapiro made the request...to call SB 699
25. and that's what we acted on.

26. SENATOR BRUCE:

27. Well, my understanding under the rules that when a
28. motion was filed the sponsor would have the primary res-
29. ponsibility. That motion was filed, and I understand that
30. the sponsor's motion would be called first, after which time
31. any other motions would then be considered.

32. PRESIDING OFFICER (SENATOR MOHR):

33. That was true until...

1. SENATOR BRUCE:

2. Until 6:00 o'clock this evening when...all bets are off.

3. PRESIDING OFFICER (SENATOR MOHR):

4. What...what...what day is it?

5. SENATOR BRUCE:

6. Today is the 29th of October, Central Daylight Time,
7. as Senator Harris would point out. ...Central Standard Time.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Last Monday was the...last day that...Last Monday
10. the Chair will point out, that last Monday was the eighth
11. day and if the sponsor does not call a bill within eight...
12. eight days after the Governor's objections, any person there-
13. after may file such a motion. And...and may call such a
14. bill and that's what Senator Shapiro's doing now. Is
15. there further discussion on Senator Shapiro's motion?
16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, I...I have not had my question answered. Under
19. the rules the motion was filed. This is the first time
20. that I know of that we have gotten to 699. It has not
21. been called when I was on the Floor to have it called and
22. if it was, I will apologize. But I do not recall that bill
23. being...called by the Chair at any time when this Senator
24. was in attendance.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Last...last Monday was the eighth day and every day
27. the Chair asked if a sponsor wants to call a bill and you
28. did not call the bill, Senator.

29. SENATOR BRUCE:

30. Is the Chair saying that every bill that was called
31. this evening was called once prior to this...to the eighth
32. day cut off? If that is the contention of the Chair I would
33. say that is not...not what has occurred in this Body today.

1. PRESIDING OFFICER (SENATOR MOHR):

2. What...what the Chair is saying that last Monday was
3. the eighth day and that thereafter any member has the right to
4. call a bill, if he has filed a motion.

5. SENATOR BRUCE:

6. Even though the sponsor has likewise filed a motion,
7. is writing?

8. PRESIDING OFFICER (SENATOR MOHR):

9. If the sponsor filed a motion and didn't act on it
10. the...the Senator Shapiro would have a right to act on his
11. motion.

12. SENATOR BRUCE:

13. Well, what...just so this will not occur with me again,
14. what does one do when we do not get to this order of business,
15. not being in leadership you see I do not have the prerogative
16. of calling the bill when...when I wish. And, so, I stand here and
17. wait for 699 to be called and that's when it came up, the
18. motion has been on file until...since the 24th.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Well, Senator, we've been here several weeks and
21. every day...the question is always asked is there any
22. further business to come before the Senate? You have
23. been in attendance every day and you have not asked for
24. that bill to be acted upon. Senator Rock.

25. SENATOR ROCK:

26. Well, I...I think with all deference to the
27. Chair, the point made is a valid one. You will recall
28. in the meeting where when we were concerning ourselves
29. with possible amendments to Rule 71, this hypothesis was
30. in fact brought up. And the Rule was amended to read
31. that if more than one motion is filed on any such...any
32. bill, that they will all be called together. And the
33. understanding was, that the sponsor's motion would have

1. priority. And I think to deviate from that we are now
2. going to get into another fifteen-day period with regard
3. to House Bills.

4. PRESIDING OFFICER (SENATOR MOHR):

5. You are correct Senator up to the point where you
6. failed to mention that that had to be done within eight
7. days.

8. SENATOR ROCK:

9. Now, wait a minute, where's...where's...Terry, let
10. me have that sheet. No. All...all it's...all I recall, Mr.
11. President... If the sponsor does not call a bill within
12. eight calendar days, thereafter any person filing such a
13. motion may call such a bill. I don't question the right
14. of Senator Shapiro or any Senator for that matter to...to
15. make a motion on this or any other bill at this time. What
16. I'm suggesting is that if more than one motion is filed with
17. respect to any bill, all such motions shall be heard at
18. the time the bill is called. And the understanding was
19. at that time that if in fact the sponsor of the bill
20. had a motion, that motion would be called first and then
21. all the others in the event that they wish them to be called.

22. PRESIDING OFFICER (SENATOR MOHR):

23. The point Senator is that Senator Bruce as the sponsor
24. did not call the bill within the eight days. That...that
25. is spelled out in Senate Rule 71. Senator Rock.

26. SENATOR ROCK:

27. We...we needn't kick this dead horse too much longer,
28. but, I think the point was that the point of that Rule, Mr.
29. President was that the sponsor has eight days within which
30. to file a motion in writing, and if in fact he does so,
31. that motion would have priority at the time the bill is
32. called. And in the event that more than one motion is
33. filed, they'll all be called together with the sponsor's

1. motion being called first.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Well, Senator I'm reading Rule...from Rule 71 and it
4. states: if the sponsor does not call a bill within eight
5. calendar days after the Governor's objections to such
6. bill are entered in the Journal, thereafter any person
7. filing such a motion may call such a bill. The Chair
8. will point out again that Senator Bruce did not ask to
9. have this bill called or heard. Senator Shapiro has asked
10. for that. He's filed a motion and his motion is in order.
11. Senator Carroll.

12. SENATOR CARROLL:

13. Point of parliamentary inquiry, Mr. Chairman. I read
14. the message of your Senate Rule 71 and it's also if more
15. than one motion is filed with respect to any bill, all such
16. motions shall be heard at the time the bill is called. Does
17. this Senate operate under a fifo or lifo method? Is it the
18. first in, the first out or are you going by the last in, the
19. first out. I think that the Senate in the prior has always
20. acted under a fifo method, and that the first one to file
21. any amendment or any other type of motion was heard first.

22. PRESIDING OFFICER (SENATOR MOHR):

23. ...you're a learned lawyer. If you'll continue to
24. read the Rule that will give you the answer. I don't want
25. to belabor it, don't want to read this Rule one more time.
26. I think it's understood by all. Senator Carroll.

27. SENATOR CARROLL:

28. No, even reading the rest of it, Mr. President, you
29. still have both motions on file and the question is, is the
30. first one in the first one out? Is first in time first in
31. rights?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Well, after we hear Senator Shapiro's motion, take action

1. on that the, Senator Bruce could call his motion. Senator
2. Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President, I renew my motion to call the roll.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Question shall the Senate override the specific
7. recommendations in the Amendatory Veto. The question is
8. shall SB 699 pass and the specific recommendations of the Governor
9. to the contrary notwithstanding. The Secretary will call
10. the roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
13. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
14. Dougherty, Fawell, Glass, Graham...Graham, Harber Hall,
15. Kenneth Hall...

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Ladies and Gentlemen the Secretary just cannot hear
18. the roll call, will you please be a little quieter, please.

19. SECRETARY:

20. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel,
21. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
22. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
23. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
24. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
25. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
26. Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Graham, aye. Walker, Aye. ...question the ayes are
29. thirty and the nays are six. The motion to override the
30. specific recommendations of the Governor, fails. Senator
31. Bruce.

32. SENATOR BRUCE:

33. Yes, Mr. President, Members of the Body, I now move to

1. accept the Governor's specific recommendations for change
2. with respect to SB 699. That is where the Governor has
3. taken the action of reducing the amount of \$18.00 to \$17.61
4. per hour for junior college's full-time equivalent students.
5. I would point out to the membership at this point having
6. failed on Senator Shapiro's motion, we do need to accept
7. the specific recommendations or there is no legislation.
8. This will...as I understand it require 30 votes.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Mr. President, Ladies and Gentlemen of the Senate, I
13. just want to clarify my position on this. Senator Bruce
14. knows well that \$17.61 will not fund the junior colleges
15. properly this year due to the ineptness of the Governor in
16. his Amendatory Veto of 698 which we are going to be con-
17. sidering a few moments from now. However, since I want
18. that flat grant figure as close as we can get it to \$18.50
19. I'm going to recommend that this side of the aisle do vote
20. in the affirmative in order that this bill stands at
21. 17.61 instead of 16.50. I'll save my big guns for 698.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Any further discussion? Senator Bruce do you care to
24. close debate? The question is shall the Senate accept the
25. specific recommendations of the Governor as to SB 699 in
26. the manner and form just indicated by Senator Bruce. And
27. on that question the Secretary will call the roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
2. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
3. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
5. Weaver, Welsh Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Howard MOhr, aye. Scholl, aye. Schaffer, aye.
8. Berning, aye. Bartulis, aye. On that question the ayes
9. are forty-seven, the nays are none. The specific recommen-
10. dations of the Governor as to SB 699 having received the
11. required majority vote of Senators elected are declared
12. accepted. Senator Shapiro. Senator Shapiro.

13. SECRETARY:

14. I move that the item on page 2, lines 1 through 7
15. of SB 698 be restored, the Item Reduction of the Governor
16. to the contrary notwithstanding.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President, Ladies and Gentlemen of the Senate,
21. this motion that I am making concerns itself with restoring
22. the reduced amount of the appropriation for the flat grant
23. as it concerns the junior colleges. In my opinion, it is
24. absolutely incredible what has happened to this Senate
25. Bill, 698. I don't know whether it's due to ineptness,
26. poor legal advice or ignorance. I'm going to let you
27. be the judges as to which is the proper adjective. However,
28. in amending this bill the Governor very properly reduced
29. the dollar amount from 59.6...from 63.8 million to
30. 59.6 million in a Reduction Veto and cited Article 4,
31. Section 9-D of the Constitution. Citing the same Article
32. and that same Section, he also reduced the flat grant
33. rate from 18.50 to 17.61. What has happened, is that the

1. Comptroller in noticing the error in this Reduction Veto
2. asked the Attorney General for an opinion. And the Attorney
3. General's opinion reads something like this, and sums up
4. the problem with 698. Since for the reasons stated, the
5. Governor's attempted reductions on the flat grant rate of
6. 18.50 is neither an effective Reduction Veto under Section
7. 9-D, not an Amendatory Veto under 9-E, that provision
8. stands as originally enacted and the balance of SB 698 as
9. modified by the Governor has become law. Now in order that
10. this bill not be litigated, and in order that the junior
11. colleges know how much money they are getting, and in order
12. that the junior colleges get the proper amount of money
13. that this General Assembly voted them last spring, I am
14. making a motion to restore the reduced funds the
15. law of this State as it now stands, states that the flat
16. grant shall be not less than \$18.50. If we do not restore
17. this amount, the Governor can apportion this money at \$17.61,
18. but the way he has handled the bill there won't even be
19. that amount of money for our junior colleges because he
20. reduced in arriving at the 59.6 figure, reduced the full-
21. time equivalency from a projected figure of a 115,000 to
22. approximately 113,000. So what would be necessary if the
23. Governor were willing next spring, we'd have to come in
24. for a supplemental appropriation for the junior colleges.
25. I would rather not take that chance and we can clarify
26. the entire situation by just merely restoring the amount
27. of funds necessary to 63.8 million dollars. I would now
28. like to move, Mr. President and Ladies and Gentlemen of the
29. Senate, that on page 2, line 1 through 7 of SB 698, that
30. that be restored. The Item Reduction of the Governor to
31. the contrary notwithstanding. In suming up this motion,
32. I think everybody here is in agreement that \$19.00 would
33. be a more appropriate figure. There are printed statements to

1. the effect by the Governor, by the Democratic task force
2. in 1971, by Senators Partee and Representative Choate in
3. 1971 that \$19.00 more appropriately comes to the 50% funding
4. figure. With that statement I will close. I would urge an
5. affirmative vote and it requires 30 votes to override this
6. Item Reduction of the Governor. And...

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Ladies and Gentlemen, we're honored with the presence
9. of the Speaker of the House, Speaker Blair. Any discussion?
10. Senator Bruce.

11. SENATOR BRUCE:

12. Yes, Mr. President, Members of the Body. I have been
13. told from behind me that we are to hurry up, the hour is
14. getting late, but I would like to review very quickly SB
15. 698. I was intrigued by Senator Shapiro's comments about
16. the amount of money needed to fund properly junior colleges
17. in Illinois and particularly his...his reference to the
18. \$19.00 figure, ringing a bell, coming back from 1971 and
19. HB 1676. At that time I believe the Governor was Governor
20. Ogilvie who had a like bill in front of him. And like
21. Senator Shapiro, I do not wish to judge the ineptitude or
22. the ability of any of the Governors, let those who come
23. behind us do that. But in reference to that particular
24. piece of legislation, Governor Ogilvie at that time stated
25. that he was going to reduce the amount of \$19.00 to
26. \$15.50. I would point out that Governor Ogilvie who
27. did not go as Governor Walker has done and given an
28. increase but went from the \$19.00 all the way back to
29. the present rate in effect at that time of \$15.50 per
30. semester hour. The exact language in that amendment
31. and veto dated July 16, 1971 was to insure a consistency
32. of action and gubernatorial intent, I hereby reduce the
33. amount of \$19.00 on page 1, line 30 of HB 1676 to \$15.50

1. the present statutory rate. I don't know how Senator
2. Shapiro voted on that, being a House Member. It came
3. to the House and was ratified. It came to the Senate
4. and was ratified. I would dare say that he supported
5. that action of the Governor reducing that amount from
6. \$19.00, what he claims to be required in 1973 back to
7. the present, the rate then of \$15.50. Both Governors
8. then under the new Constitution have taken action to
9. reduce within the appropriation bill the amounts to be
10. given as flat grants. Now the first question is why
11. would any Governor want to do that, and why would we
12. include it in any appropriation bill? Because the
13. statute under Section 102-16 requires that the flat grant
14. rate quote "shall be specified for each year in the act
15. making the appropriation for this purpose." I had no
16. choice. Governor Ogilvie had no choice. Governor Walker,
17. had no choice. The question is, what rate, at what rate are
18. we going to fund junior colleges. The statute requires and
19. I think improperly that we put the rate in the appropriation
20. bill, and perhaps that's an issue we should face next
21. year. But we have just passed 699, which sets the rate
22. now at 17.61. I concur with Senator Shapiro and the
23. Attorney General, the Board of Higher Education, the
24. Junior College Board that the reduction in the amount
25. from 63 million, to 59 million is absolutely constitutional.
26. That leaves us with the problem...of this, at what rate
27. are we going to pay? In 699, we've said we're going to
28. pay at 17.61. In the bill that's passed by the Governor,
29. it says 17.61. Now the Attorney General stands on the
30. Floor with us. He has rendered an opinion. The Governor's
31. Office has rendered an opinion. I am sure it will be
32. litigated. But I think the appropriate step now is, is to
33. send it to the courts as it is, as prior Governor's have

1. handled it, as a straight reduction and let them decide
2. whether either of the Governors or the Governor in this
3. instance was correct.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Any further discussion? Senator Shapiro may close
6. debate.

7. SENATOR SHAPIRO:

8. Mr. President and Ladies and Gentlemen of the Senate,
9. I do want to point out that this is two years later and
10. circumstances have changed. As you'll recall in 1971, the funds
11. were not available and at that time the various junior
12. college interest groups went on record opposing an override.
13. This year the situation is different in that the Illinois
14. Community College Trustees Association is soliciting the
15. support of the General Assembly in an override of 691 mainly
16. due to the fact that the Reduction Veto of the flat grant was
17. erroneous and that the flat grant by law and by the
18. Attorney General's opinion now stands at 18.50. And
19. the Comptroller under the law that governs his office
20. can only approve the voucher at the \$18.50 figure if the
21. monies are appropriated. And I think it behooves us here
22. to approve that appropriation so that the junior colleges
23. do...do not have to wait for litigation. And in closing I
24. renew my motion and remind the Senate that it requires
25. 30 votes to override this Item Reduction of the Governor's.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. The question is shall the item on page 2,...Senator
28. Shapiro was closing debate, Senator Bruce. Senator Bruce,
29. what is your inquiry?

30. SENATOR BRUCE:

31. Well, since under the Attorney General's opinion
32. he has stated that the action of the Governor relative
33. to the rate is quote "neither an attempt...Amendatory Veto

1. nor a Reduction Veto, on what are we now voting and what
2. is the motion that Senator Shapiro has filed? Specifically.
3. PRESIDING OFFICER (SENATOR WEAVER):

4. The motion is, shall the item on page 2, lines 1
5. through 7 of SB 698 be restored. The Item Reduction
6. of the Governor to the contrary notwithstanding. ...motion.
7. Senator Bruce, this is a Reduced Item, it will take 30
8. votes. Senator Bruce.

9. SENATOR BRUCE:

10. I...I just want to make this clear because it will be
11. litigated, it is a ruling of the Chair that we are voting
12. on a Reduction Veto of Governor Walker relative to SB 698.
13. We're talking about a Reduction Veto, not an Amendatory Veto.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. We are voting on the motion and I will read the motion.

16. SENATOR BRUCE:

17. Well, now...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. The question is shall the item on page 2, line 1
20. through 7 of SB 698 be restored, the Item Reduction of
21. the Governor to the contrary notwithstanding. And the
22. Secretary will call the roll.

23. SECRETARY:

24. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
25. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
26. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
27. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
28. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
29. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
30. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
31. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
32. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
33. Weaver, Welsh Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. On that question the ayes are thirty and the nays are
3. eight. The item on page 2, lines 1 through 7 of SB 698
4. having received the required majority vote of the Senators
5. elected is declared restored, the item reduction of the
6. Governor to the contrary notwithstanding. Senator Bruce.

7. SENATOR BRUCE:

8. Yes, I would move that that roll call be verified
9. Mr. President.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Verification has been asked for. The Secretary will
12. call the affirmative votes.

13. SECRETARY:

14. The following voted in the affirmative: Bartulis,
15. Bell, Berning, Clarke, Conolly, Davidson, Fawell, Glass,
16. Graham, Harber Hall, Knuepfer, Latherow, McBroom, Merritt,
17. Mitchler, Howard Mohr, Don Moore, Nimrod, Ozinga, Regner,
18. Roe, Schaffer, Scholl, Shapiro, Sommer, Soper, Sours,
19. Walker, Weaver, Mr. President.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. He got lost. Senator Bruce.

22. SENATOR BRUCE:

23. Is Senator Latherow on the Floor? I'm sorry.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Latherow is on the Floor. The roll has been
26. verified. 692. Senator Walker is in his seat, the roll
27. has been verified. 692.

28. SECRETARY:

29. Motion. I move that SB 692 pass notwithstanding
30. the veto of the Governor. Signed Senator Shapiro.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Shapiro.

33. SENATOR SHAPIRO:

1. Mr. President; Ladies and Gentlemen of the Senate,
2. the Governor's veto of SB 692 was a total veto and the
3. bill did this, the main impact of the bill was to provide
4. the junior colleges with a funding on their tenth day head
5. count instead of mid-term. Incidental to the main thrust
6. of this bill, it also amended the flat grant rate to \$19.00
7. and this was not changed during the course of the legislative
8. action and went to the Governor's desk in this particular
9. form. I think that this is a bill that everyone in this
10. Assembly can vote for. It has no fiscal implications
11. for F.Y.'74 because it does not take effect until July 1st
12. of next year. At that particular time the fiscal implications
13. are approximately 8 million dollars. I think that there is
14. a lot of support for this type of bill and I would like
15. to read from you a quote of Governor Walker's from the
16. Illinois Academe when he was a candidate for Governor of
17. this State. And in answer to the question do you believe
18. that the State has an obligation to fund public community
19. college operations at the 50% level, Governor Walker answered
20. such - as I understand it the State did make assurances to
21. many local districts that it would fund 50% of the operating
22. costs of junior colleges in the State, although we have not
23. done so today. I think we should move in the direction of
24. 50% funding not only to help the junior colleges but also
25. to relieve pressure on the local property tax. Governor
26. Ogilvie apparently does not feel the same obligation, although
27. the State had appropriated \$19.00 per semester hour, for
28. junior college support in 71-72 school year, Ogilvie used
29. his line item veto power to cut back to 15.50 per semester
30. hour for that year. I think that statement bears out that
31. the Governor as a candidate did support \$19.00. Back in
32. October of 1971, October 13th to be exact, we have a press
33. statement by Senator Cecil Partee who at that time was

1. President Pro-Tem and Representative Clyde Choate who is
2. House Democratic Leader and I'm just going to read part
3. of the statement. We...we propose action to help the
4. State make good on two promises to local taxpayers by
5. increasing the State aid grant from 15.50 to \$19.00 the
6. State will move closer to the 50% funding commitment. The
7. increased funds will relieve the local tax dollar bringing a
8. measure of relief to the hard pressed property tax rolls.
9. Significant as the initiative will be however, it still
10. will not provide full 50% funding. Average semester hour costs
11. are 40 to \$45. Now, the junior colleges have pretty well
12. maintained that average semester hour cost and it still ranges
13. in that particular field. \$19.00 is not quite 50% funding
14. but it comes real close. This bill would make the junior
15. colleges put them in a good financial condition for at
16. least two years. I want to repeat to you that it has no
17. fiscal implications for this year. It does not take
18. effect until the following year. And in closing this
19. statement Mr. President, I would allow...now like to move
20. that SB 692 pass, notwithstanding the veto of the Governor.
21. PRESIDING OFFICER (SENATOR WEAVER):

22. Is there any discussion? The question is shall
23. SB 692 pass, the veto of the Governor to the contrary not-
24. withstanding and on that question the Secretary will call
25. the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh Wooten, Mr. President.

4. PRESIDENT:

5. For what purpose does Senator Walker seek recognition?

6. SENATOR WALKER:

7. Mr. President and Members of the Senate, a Monday
8. night report, the Bills are leading the Chiefs 23 to 14
9. and O.J. is 20 yards short of a thousand yards for the
10. season at the end of 3rd quarter. I just thought some
11. of you other unfortunates would like to know what's going on.

12. PRESIDENT:

13. On that question the yeas are twenty-five, the nays
14. are three, those voting present one. SB 692 having failed
15. to receive the required 3/5's vote is declared lost.

16. Senator Mohr.

17. SENATOR HOWARD MOHR:

18. Mr. President I move we adjourn.

19. PRESIDENT:

20. Senator Mohr moves that the Senate adjourn until
21. 10:30 tomorrow morning. All in favor signify by saying
22. aye. Contrary no. The motion carries, the Senate stands
23. adjourned until 10:30 tomorrow morning.

24.
25.
26.
27.
28.
29.
30.
31.
32.
33.