

THIRD SPECIAL SESSION
of the 78th GENERAL ASSEMBLY
December 1, 1973

1. PRESIDENT:

2. The Third Special Session will come to order.

3. Reading of the Journal. Senator Soper.

4. SENATOR SOPER:

5. Mr. President, I move that we postpone the reading
6. and the approval of the Journals of November 27th,
7. November 28th, November 29th and November 30th pending
8. the arrival of the printed Journals.

9. PRESIDENT:

10. Senator Soper moves that we postpone reading of the
11. Journals of November 27, 28, 29 and 30 pending the arrival
12. of the printed Journal. Is there discussion? All in favor
13. of the motion signify by saying aye. Contrary no. The
14. motion carries. So ordered. Is there further business to
15. come before the Third Special Session? Senator Weaver moves
16. that the Third Special Session stand in recess until 1:50 p.m.
17. this afternoon. All in favor signify by saying aye. Contrary
18. no. The motion carries and the Third Special Session stands
19. in recess until 1:50 p.m. this afternoon.

20. AFTER THE RECESS

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Third Special Session of the 78th General Assembly will
23. come to order. Resolution.

24. SECRETARY:

25. Senate Resolution No. 7 by Senator Graham.

26. (Secretary reads Resolution).

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Graham moves the adoption. All in favor signify
29. by saying aye. Opposed nay. Motion carries. Messages from
30. the House.

31. SECRETARY:

32. A Message from the House by Mr. Selcke, Clerk.

33. (Secretary reads Message from the House).

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Harris.

3. SENATOR HARRIS:

4. ...This is an amendment that provides for in addition
5. to the appropriation to the Department of Corrections for
6. the project at Pontiac which is essential to a bond issue
7. which funds the operations of the institution there as a
8. consumer. Additionally there is an amendment here that has
9. been adopted by the House which I have no objection to which
10. appropriates a million twenty-nine thousand dollars for the
11. Shawneetown Port District. I was contacted by local people
12. interested in this appropriation which when it originally
13. came through here was two million dollars. The Senate re-
14. jected the Governor's reduction veto to one million. I
15. would just say to the Body that this money is needed for
16. Shawneetown. The local people have contacted me about using
17. this bill of mine as a vehicle and I have no objection. I
18. intend to support the amendment. I would hope that we would
19. not have problems about mixing up this one item that I know
20. is vitally essential and would hope that the Senate would
21. concur in this amendment.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there any discussion? Senator Sours.

24. SENATOR SOURS:

25. Seemed to me Mr. President and Senators that we defeated
26. this bill on the Shawneetown earlier this year. I think it
27. was Senator Johns who had the bill. Now merely because it's
28. hooked onto the bill our beloved Senator Harris in no way
29. adds any virtue to it. It just spends another million two
30. hundred thousand dollars or it puts it down the rathole. Now
31. we're...we're right here at the tailend of this and I think it's
32. time that somebody on this side of the aisle put his cleats in
33. the ground and say we've had it. Choate put this amendment on

1. and it...it revivifies what we defeated this year in
2. extensive debate. Now we all know that, so does Johns.
3. Now we beat this appropriation once and there's been no
4. change of circumstances since. I wonder how many on this
5. side have ever dealt into what the function and what is
6. the work of a port authority. A port authority was the
7. inventor of the word pork. They also ran a cooper shop
8. where they made barrels. And that's what we're talking
9. about and I think it's time somebody on this side said
10. no instead of attempting to help our leader whom I want
11. to help but not on these terms. This is disgraceful.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Mr. President, I'd like to ask Senator Johns a question.
16. Senator Johns, is it true what Senator Sours says that this
17. bill was up previously and it was defeated and if so, or if
18. not would you please give me the history of this legislation
19. in 1973?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Johns.

22. SENATOR JOHNS:

23. Senator Mitchler, the million dollars that we're speaking
24. of was asked for as a loan to make facilities available to
25. small coal operators in the surrounding region of the Shawnee-
26. town area so that they'll have dock loading facilities. These
27. are not available to the small operators and producers down
28. there. This is loan through the Department of Business. It
29. was defeated prior to this. We did not receive one Republican
30. vote on that side.

31. SENATOR MITCHLER:

32. All right Senator...

33. SENATOR JOHNS:

1. Fifty percent of the proceeds will be... 'nough said
2. I think.

3. SENATOR MITCHLER:

4. Now...now Senator Johns I want to ask you this question.
5. Is the sum of one million two hundred twenty-nine thousand
6. dollars...one million two hundred twenty-nine thousand dollars
7. included in the budget for 1972...1974? Excuse me.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Johns.

10. SENATOR JOHNS:

11. It is not.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator...

14. SENATOR MITCHLER:

15. You're asking for a million two hundred twenty-nine
16. thousand dollars above the budget of the Governor of this
17. State? Is that true?

18. SENATOR JOHNS:

19. That's correct. It's a loan though Senator Mitchler,
20. be repaid back to the budget.

21. SENATOR MITCHLER:

22. Well I hear about a lot of loans. I hear of loans up
23. to the Chicago Board of Education. I hear of loans to the
24. CTA and loans down to the Shawnee Regional Port District but
25. I never hear too many times about them being repaid. Now if
26. this bill went through Committee and it was defeated on the
27. Floor of the Senate, it didn't receive one vote on this of
28. the aisle, I don't know how...what is it now? Twenty minutes
29. after four on December 1st we can amend a bill and have it
30. come over here when we don't have a full complement of the
31. Senate to try shove something for a million two hundred
32. twenty-nine thousand dollars down our throat. And let's beat
33. this bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Dougherty.

3. SENATOR DOUGHERTY:

4. Mr. President, members of the Senate. I'm fairly
5. familiar with this bill in the prior action. What Senator
6. Johns says is true. With the acquisition of these facilities
7. fifty percent of the revenues generated by the use of these
8. will be used to repay the loan. This is part and parcel
9. of it.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? Senator Sommer.

12. SENATOR SOMMER:

13. Mr. President and Members of the Body...back in the
14. Spring I had a bill in that would have appropriated six
15. thousand dollars...six thousand dollars to my home town for
16. a local capitol improvement that the State owed them that was
17. lost in the conference committee. I wonder if Senator Johns
18. would accept tacking my bill onto this thing? Senator Johns,
19. would you?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Johns.

22. SENATOR JOHNS:

23. It's a little...Senator Sommers, it's a little late
24. for that now sir.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Sommer.

27. SENATOR SOMMER:

28. Thank you Senator.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Harris may close debate.

31. SENATOR HARRIS:

32. Well, Mr. President, I want to point out what Senator
33. Mitchler said is not accurate. This bill passed the Senate,
passed the House, went through appropriation committees

1. of both Bodies. The Governor by reduction veto reduced
2. it from two million to a million dollars. That question
3. was considered during our veto session in the Regular
4. Session. I was contacted by representatives of the
5. Republican Party in southeastern Illinois notable among whom are
6. former Representative and former judge Joe Hale who contacted
7. me about his desire to add by amendment this appropriation.
8. Now this appropriation has been considered by both committees,
9. that is the appropriation committees of both Houses. And
10. each House approved a two million dollar appropriation.
11. That bill went to the Governor. It was reduced by the
12. Governor to a million. This amendment provides for a million
13. two hundred twenty-nine thousand. As has been pointed out
14. here it is a loan from the State to that port district.
15. I'm one of those people who tries to help people solve
16. problems. I have a problem in my district. The original
17. intent of SB 21, two hundred and twenty thousand dollars for
18. the Department of Corrections for a sewage treatment capitol
19. improvement project that the citizens of Pontiac have bonded
20. themselves for. That project has been delayed since July be-
21. cause it was line item vetoed by the Governor. This Body
22. over rode that veto with 36 votes. Senator Bruce verified
23. the roll call and we were one vote short and that veto override
24. failed. We are now faced with the decision to proceed favorably
25. on a million two hundred twenty-nine thousand dollars for a
26. project that we have acted favorably in an amount of two million
27. dollars. I make these remarks by way of explanation and not
28. persuasion. Let each member determine for himself whether
29. these two projects which this Body has approved in the past.
30. One for the same amount - two hundred twenty thousand. The
31. other for an amount of two million which now has been reduced
32. to two...one million two hundred twenty-nine thousand. I stand
33. corrected. Senator Bruce has called attention to the fact

1. that the verification was on and...I...I thank you for
2. correcting me. Senator Bruce has corrected me. The vote
3. that was overridden with 36 votes was the appropriation for
4. the county fairs. That's correct and not on the override
5. for the two hundred and twenty thousand. I had two override
6. motions. I...I'm glad that the record is straight. I'm
7. glad I made the reference by direction here so that those
8. listening could correct the record. And I...I thank you
9. for calling it to my attention. We are at this point and
10. unfortunately we are at a zero hour. We have spoken af-
11. firmatively on the two hundred twenty thousand. We have
12. spoken affirmatively for two million. We are now being asked
13. to affirm a million two hundred twenty-nine thousand. The
14. judgment is up to each individual Senator and I ask for a
15. roll call.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. The question is shall the Senate concur in House Amend-
18. ment No. 1 to SB 21. This motion takes 36 votes to be effective
19. immediately. For what purpose does Senator Mitchler arise?

20. SENATOR MITCHLER:

21. Mr. President.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President, Members of the Senate, I say this in all
26. sincerity. When I first looked at this amendment that was
27. put before us I did not understand it as the questions were
28. answered to me. But the President of the Senate has just now
29. explained it in detail and I know what the entire bill involves.
30. Well you get shoved an amendment here at a certain hour and I
31. read my amendments. Not quite as thoroughly as Senator Berning
32. but occasionally I do. After the explanation of the President
33. of the Senate, my thinking was erroneous. I see that this is

1. not what I thought it was a new injection into the budget
2. but something that we had already approved and I'm going
3. to reverse and I'm going to vote in the affirmative.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. 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 WEAVER):
18. Keegan, aye. Request for the call of the absentees.
19. The absentees will be called.
20. SECRETARY:
21. Bartulis, Carroll,...
22. PRESIDING OFFICER (SENATOR WEAVER):
23. Shapiro, aye. Bartulis, aye. On that question the
24. ayes are 38 and the nays are 1. The Senate concurs in
25. Amendment No. 1 to SB 21. Message from the House.
26. SECRETARY:
27. A Message from the House by Mr. Selcke, Clerk.
28. (Secretary reads Message from the House).
29. PRESIDING OFFICER (SENATOR WEAVER):
30. Senator Graham moves the adoption of House Joint
31. Resolution No. 4. All in favor signify by saying aye.
32. Opposed nay. Motion carries. Senator Partee.
33. SENATOR PARTEE:

1. I just have a question of Senator Harris. ...The
2. Resolution indicates that there is an adjournment sine die.
3. Now my question is what is our posture in case there are
4. bills within the orbit of that Session which are amendatory
5. vetoed or otherwise...having a sine die resolution it occurs
6. to me forecloses...

7. SENATOR HARRIS:

8. Well,...they...they...the posture is this, Senator.
9. That amendatory vetoes would have no body to which to be re-
10. turned...the option would be to the Governor as he always has
11. the option to veto or approve. The House has adopted these
12. resolutions.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Is there anything to bring before the Third Special
15. Session? Senator Graham. Senator Graham moves that the
16. Third Special Session of the 78th General Assembly adjourn.
17. All in favor signify by saying aye. Opposed nay. We are
18. adjourned.

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