

78TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 22, 1974

1. PRESIDENT:

2. The Senate will come to order. The prayer...the prayer will
3. be offered by Senator Davidson. The Senate and our guests please
4. rise.

5. SENATOR DAVIDSON:

6. (Prayer by Senator Davidson)

7. PRESIDENT:

8. Reading of the Journal. Senator Soper.

9. SENATOR SOPER:

10. Mr. President, I now move that we postpone the reading and
11. the approval of the Journals of Wednesday, November 20th and
12. Thursday, November 21st pending the arrival of the printed
13. Journal.

14. PRESIDENT:

15. Senator Soper has moved that we postpone the reading of the
16. Journals of Wednesday and Thursday, the 20th and 21st, pending
17. the arrival of the printed Journal. All in favor signify by
18. saying Aye. Contrary No. Motion carries. So ordered.
19. Resolutions.

20. SECRETARY:

21. Senate Resolution No. 561 offered by Senator Savickas...
22. Senator Savickas and Daley. Congratulatory.

23. PRESIDENT:

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. These are congratulatory resolutions. I would move that...

27. PRESIDENT:

28. Senator Savickas moves to suspend the rules for the immediate
29. consideration of the congratulatory resolution. All in favor
30. signify by saying Aye. Contrary No. The motion carries. On the
31. motion to adopt. All in favor signify by saying Aye. Contrary No.
32. The motion carries. The resolution is adopted.

33. SECRETARY:

1. Senate Resolution 562 offered by Senators Savickas and
2. Daley. And it's congratulatory.
3. PRESIDENT:
4. Senator Savickas moves to suspend for immediate consideration.
5. All in favor signify by saying Aye. Contrary No. The motion
6. carries. On the motion to adopt. All in favor signify by saying
7. Aye. Contrary No. The motion carries. The resolution is adopted.
8. SECRETARY:
9. Senate Joint Resolution 85 offered by Senator Graham.
10. (Secretary reads Senate Joint Resolution 85)
11. PRESIDENT:
12. Senator Graham moves to suspend for the immediate consid...
13. I'm sorry. This is the adjournment resolution. All right. My
14. attention was diverted. We will then proceed to consider the
15. adjournment resolution which convenes us on Thursday, the 5th of
16. December at twelve o'clock noon. Senator Graham moves the adoption.
17. All in favor signify by saying Aye. Contrary No. The motion
18. carries and the resolution is adopted.
19. SECRETARY:
20. Senate Joint Resolution No. 86 offered by Senators Sommer,
21. Weaver, Graham, and Walker.
22. PRESIDENT:
23. Senator Sommer.
24. SENATOR SOMMER:
25. Mr. President and Members of the Body, this is a commemorative
26. resolution commemorating the name of J. Norman Shade. It'll be
27. attached to a bridge up there that goes across the Illinois River,
28. a new bridge. It also commemorates the name of Martin B. Lohman
29. who was a State...Democratic State Senator here about twenty years
30. ago. Marty's ninety-four years old now, very active, and Norm is
31. getting up in years and we thought this would be an opportunity to
32. ...to remember them.
33. PRESIDENT:

1. Is there further discussion? Senator Sommer, might there be
2. leave requested for all Senators to join as co-sponsors of the
3. resolution? Yes. Leave is granted for all Senators to join as
4. co-sponsors of the joint resolution. Senator Sommer moves to
5. suspend for immediate consideration. All in favor signify by
6. saying Aye. Contrary No. The motion carries. On the motion to
7. adopt. All in favor signify by saying Aye. Contrary No. The
8. motion carries and the joint resolution is adopted.

9. SECRETARY:

10. Senate Joint Resolution No. 87 offered by Senators Howard
11. Mohr and Harris.

12. (Secretary reads Senate Joint Resolution No. 87)

13. PRESIDENT:

14. Senator Mohr.

15. SENATOR MOHR:

16. Yes, Mr. President, I'm not speaking too well this morning
17. that's why I had the Secretary read the entire resolution. This
18. is a resolution that the Space Needs Commission felt is needed
19. authorizing the Commission to negotiate with persons, organizations
20. dealing in the purchase of property for the expansion of the
21. Capitol Complex. They are closed meetings. The final determina-
22. tion would be made at...at an open meeting of the Commission. I
23. move the suspension of the rules and the immediate adoption.

24. PRESIDENT:

25. Is there further discussion? Senator move...Senator Mohr
26. moves to suspend the rules for the immediate consideration of
27. the adoption of the joint resolution. All in fav...favor of the
28. motion to suspend signify by saying Aye. Contrary No. The motion
29. carries and the rules are suspended. It's the opinion of the Chair
30. that we probably should have a roll call on this so that there
31. will be a record established. This does require a...yes, this
32. requires a two-thirds vote. The adoption of this joint resolution
33. which would permit the Space Needs Commission to hold closed meetings

1. for the purpose set forth in the joint resolution limited just to
2. negotiations for the purchase of land within the Capitol Complex
3. and the involvement of expenditures for improvements within the
4. Capitol Complex. The question is...Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. May I just pose a question to the
7. sponsor? Can a final determination and commitment be made for the
8. purchase of land without coming back to the Body?

9. PRESIDENT:

10. No, the...the resolution provides that final decision making
11. would take place in an open meeting. The resolution ex...clearly
12. expresses that. The question is shall the Senate adopt Senate
13. Joint Resolution 87. Those in favor will vote Aye. Those opposed
14. No. The voting is open. Have all voted who wish? Have all voted
15. who wish? Take the record. On that question, the Yeas are forty-
16. eight, the Nays are none, three Voting Present. And the joint
17. resolution is adopted. The Secretary will inform the House and
18. request its concurrence therein. Senator Weaver.

19. SENATOR WEAVER:

20. Mr. President, on a point of personal privilage, I would like
21. to introduce to the Senate two fine constituents of mine from
22. Bonneville, Illinois. Mary Shaw and Cheryl Watson in the President's
23. Gallery. .

24. PRESIDENT:

25. Resolutions.

26. SECRETARY:

27. Senate Resolution No. 563 offered by President Harris and
28. Mitchler.

29. PRESIDENT:

30. Senator Mitchler is going to handle this resolution. I might
31. inform the Members of the Senate that I delayed action on this
32. yesterday because Senator Bruce was not on the Floor. Subsequently,
33. I discussed the resolution in its present form with him...oh, he's

1. on the Floor now, fine. I didn't realize. All right. Senator
2. Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and Members of the Senate, Senator Harris has
5. explained in detail the content of this resolution in the previous
6. Session, so I'll just be very brief. This resolution memorializes
7. the Department of Conservation not to close the Kendall County
8. Outdoor Education Center located at Silver Springs State Park in
9. Kendall County and not to close the Children's Zoo located at the
10. Glen D. Palmer State Game Farm in Kendall County, Yorkville. Both
11. of these facilities are facilities that are primarily designed for
12. students although many, many, many adults participate. The Outdoor
13. Education Center was personally visited by Senator Harris and myself.
14. We had a complete tour and are very personally acquainted with the
15. good that this center does for children of, I believe it is, five
16. school districts in the area in three counties. And there are
17. many letters that have been written to the Director of the Depart-
18. ment of Conservation about the intent of the Department to close
19. this. I, personally, talked to Director Dean and I believe it is
20. his intention that he will not close the Outdoor Educational Facility.
21. A meeting is scheduled on December 9th at the Center in...in Kendall
22. County at Silver Springs State Park to talk to the people and
23. clarify matters. As far as the Game Farm in Yorkville, this is
24. something that we have enjoyed in the State of Illinois for many,
25. many years. It not only raises thousands and thousands of pheasants
26. and other birds but the zoo is something that is very creative. It
27. has many, many rare types of animals and birds that are acquainted
28. with the areas of Illinois and surrounding States and it presents
29. a...an excellent children's facility. And the schools come out
30. there by the hundreds to see this. And certainly to close down
31. this when we're trying to teach ecology and talk about endangered
32. species would be the wrong thing to do. And the minimal cost of
33. ten thousand dollars to provide this for the children, I...we don't

1. understand why the Department would even think about closing this.
2. This memorializes the Department of Conservation to keep open these
3. two facilities. I...Mr. President, I would move for suspension of
4. the rules, immediate consideration of this resolution, and then I
5. would move for adoption of the resolution.

6. PRESIDENT:

7. Is there further discussion? Senator Bruce.

8. SENATOR BRUCE:

9. Well, first of all, let me apologize for even speaking on
10. this particular resolution because two things come to mind. First
11. of all, it should have gone to committee that the resolution deals
12. with such really unimportant matters that we shouldn't take up
13. committee time with it. So, then we're pressed with the fact that
14. it is on the Floor for full consideration. Money is not what is
15. involved. It's a question of the Department of Conservation have
16. an opportunity to express to this Body why they want to close the
17. zoo. Now, we can resolve and resolve and resolve and ten thousand
18. and seventeen thousand dollars isn't what is involved. I have the
19. Mt. gam...Mt. Vernon Game Farm in my district. We had a zoo.
20. The zoo was absolutely miserable. I've heard it said here that
21. Senator Harris and Senator Mitchler have gone there and they are
22. overwhelmed and impressed by the quality of the zoo. I would point
23. out to the Members of this Body, it is not the operation and function
24. of the Department of Conservation to operate zoos in this State.
25. If it is, I personally would like to see a ten thousand dollar zoo in
26. every county for children. There is not a zoo in my home town and
27. if we want to spend ten thousand dollars on a Department of Con-
28. servation zoo, let's do it for everybody. They don't want a zoo.
29. They are not equipped. Jack Golden, the area game biologist in
30. my area, some fifteen counties, says that he, as a game biologist,
31. is not equipped to care for zoos. They do not have a staff to
32. maintain the animals. If they get sick, it's a question of veter-
33. inarian's fees. All of these things are not covered by Department

1. of Conservation. I would like to know why they don't want the
2. zoo there, but I again say that we're talking about a piddling
3. amount of money. It should have gone to committee, maybe. It
4. didn't. The resolution is now going to be adopted. It has the
5. full effect of the...this Body. It has no effect in law. The
6. Conservation Department can still close it if they wish. I...I
7. just think we're spending a lot of time. I...I would personally
8. think that it been more appropriate for the two Members to talk
9. with the Department and bring to this Body their feelings on what
10. they feel the...why this zoo should be closed and it should have
11. some hearing.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. President Harris.

14. SENATOR HARRIS:

15. Well, I thought I made the point the other day about this
16. children's zoo. The thing that is unique is that there are two
17. rare State employees that are involved that make this thing work,
18. that make this thing work. This has been a produce of their extra
19. contribution. They are professional biologists at the State Game
20. Farm. They've been there, I think, for thirty or forty years. I'm
21. not quite sure just how long. But in addition to the performance
22. of their professional responsibilities, they have developed this
23. unique exhibit and display which is visited on a daily basis by
24. the schools from within the convenient travel area. The Department
25. has made a determination to phase it out. We have communicated with
26. the Department about this. The community is deeply disturbed by
27. the insensitivity of the Department and there is a purpose served
28. by the Senate resolving and communicating the sense of its reaction
29. to administrative and bureaucratic determination. This is an
30. appropriate action for us to take and I would hope that there
31. would be a significant majority join in the adoption of this
32. resolution.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Bruce.

2. SENATOR BRUCE:

3. Senator Harris, you have persuaded me as author of the
4. endangered species bill in the State of Illinois. And I know
5. Senator Mitchler was also on that bill, that since we are here
6. talking about rare employees and I don't...you did not give their
7. species but I suppose one of my staff members told me it was a
8. grandioses oldest partyosis, the GOP in most people's language,
9. and we're talking about rare employees. I now switch my opposition
10. and if we're talking about two rare employees as an author of the
11. endangered species bill in this State, I would just have to change
12. my vote and support this resolution so that the GOP and the...these
13. people remain on. We would not want to endanger the kit fox or
14. any other person the GOP needs to be maintained.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. I'm going to press for my two motions, but I might say that
19. the intent of this resolution is not to have the nonvictors try to
20. participate in the spoils. I fully understand politics as do
21. Members on the other side of the aisle and I can take it on the
22. chin just like others. But if you were personally acquainted with
23. this State Game Farm, and yes, the State Game Farm is named after
24. a former Director of the Department of Conservation, Glen D. Palmer
25. who served under William G. Stratton, the Governor of the State of
26. Illinois, and I might say did an honorable job recognized by every-
27. one associated in Conservation. Conservation really should not be
28. brought into politics, but what I sense from the snickering would
29. be that we are trying to protect patronage employees. That's not
30. the case. These employees have been at that Game Farm for more
31. years than the Republicans or the Democrats even thought of political
32. patronage. They're career employees and they perform their work
33. above and beyond or they wouldn't have been retained when adminis-

1. trations in this State change. And if anyone is accusing anyone
2. of violating career employment with the State of Illinois, I think
3. it should be this side of the aisle and not have snickering from
4. that side of the aisle. These are good employees and that's the
5. intent of this. I move the question.

6. PRESIDENT:

7. Is there further discussion? The question is to suspend for
8. immediate consideration. All in favor signify by saying Aye.
9. Contrary No. The motion to suspend carries. On the motion to
10. adopt. All in favor signify by saying Aye. Contrary No. The
11. motion carries and the resolution is adopted.

12. SECRETARY:

13. Senate Resolution No. 564 offered by Senators Schaffer,
14. Sommer, Glass, and Harris.

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President, I suspect that this particular resolution
19. should be read and read fairly quickly as the principle part of
20. the witness or the resolution appears to be leaving the Chamber.

21. SECRETARY:

22. Senate Resolution No. 564.

23. PRESIDENT:

24. Senator Roe.

25. SECRETARY:

26. ...Whereas...

27. PRESIDENT:

28. Proceed, Mr. Secretary.

29. SECRETARY:

30. (Secretary reads Senate Resolution No. 564)

31. SENATOR SCHAFFER:

32. Mr. President, I...

33. PRESIDENT:

1. Is...is...Senator Schaffer.
2. SENATOR SCHAFFER:
3. ...even though we're a day late, I make the appropriate motion
4. for immediate consideration of this resolution.
5. PRESIDENT:
6. An objection has been heard and we must then revert to the
7. formal motion of suspension; unanimous consent was not obtained.
8. On the motion to suspend the rules for the immediate consideration
9. of the resolution, the question is to immediately take up the time
10. of this Body in connection with the consideration of the congratu-
11. latory resolution for Senator Roe. The question is shall the rules
12. be suspended. Those in favor will vote Aye. Those opposed will
13. vote No. The voting is open. Have...have all voted who wish?
14. Take the record. On that question, the Yeas are forty-five, the
15. Nays are six, one Voting Present and seven Absent. The motion
16. having received a sufficient majority, the rules are suspended. On
17. the motion to adopt. All in favor signify by saying Aye. Contrary
18. No. The motion carries, twenty-nine to twenty-eight and I know
19. we all join in expressing our sincere good wishes and felicitations
20. to Senator Roe on his birthday milestone. Resolutions.
21. SECRETARY:
22. Senate Resolution No. 565 offered by Senator Mitchler,
23. Bartulis, Bell, Berning, Buzbee, Chew, Clarke, Conolly, Course,
24. Davidson, Fawell, Glass, Graham, Harber Hall, Knuepfer, Kosinski,
25. Latherow, McBroom, Merritt, Mitchler, Howard Mohr, Don Moore,
26. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Regner, Romano, Saper-
27. stein, Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
28. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh, and Mr.
29. President.
30. PRESIDENT:
31. Senator Mitchler.
32. SENATOR MITCHLER:
33. Mr. President and Members of the Senate, this Senate resolution

1. has been explained to a number of you as I circulate among you
2. and ask you to co-sponsor the resolution. The resolution was
3. introduced, a similar resolution was introduced in the House by
4. Representative DiPrima and has passed the House. This resolution
5. memorializes the House Committee on Ways and Means of the United
6. States Congress, not to adopt a recommendation by a staff report
7. to have Veteran's Adminis...Veteran's Administration Compensation
8. and Military Retirement Disability Pay included in the Federal Income
9. Tax requirement. Now, this is not done now and there has been a
10. suggestion that the Disability Pensions of Veterans, the Widow's
11. Pensions that they receive, pensions to children, the...under the
12. Federal Income Tax Act. Now, there's a concerted effort on the
13. part of all of the veteran's organizations in communicating with
14. Congress on this. I have personally done this. I am aware of the
15. fact that they have received the message loud and clear and that
16. it is very, very doubtful that this recommendation that has been
17. placed in the House Committee on Ways and Means of the U...United
18. States Congress will be adopted. But I believe it would be in
19. order that the resolving clause by the Senate that we express our
20. strong opposition to any legislation that would make any payments
21. or benefits to veterans or their widows or their survivors taxable
22. under the Federal Income Tax Act. I would ask that the rules be
23. suspended for immediate consideration of this resolution and that
24. the resolution be adopted.

25. PRESIDENT:

26. Is there further discussion? Senator Mitchler moves to
27. suspend for immediate consideration. All in favor signify by saying
28. Aye. Contrary No. The motion carries. On the motion to adopt.
29. All in favor signify by saying Aye. Contrary No. The motion
30. carries and the resolution is adopted. Messages from the House.

31. SECRETARY:

32. A Message from the House by Mr. Selcke, Clerk. Mr. President,
33. I am directed to inform the Senate that the House of Representatives

1. has adopted an amendment to conform to the Governor's specific
2. recommendations for change to a bill of the following title, in
3. the adoption of which I am instructed to ask concurrence of the
4. Senate, to-wit: House Bill 2673.

5. (Secretary reads title of bill)

6. House Bill...Mr. President, I'm directed to inform the Senate
7. that the House of Representatives has passed a bill over the veto
8. of the Governor, of the following title, in the passage of which
9. I am instructed to ask concurrence of the Senate, to-wit: House
10. Bill 2778.

11. (Secretary reads title of bill)

12. Mr. President, I am directed to inform the Senate that the House
13. of Representatives has passed a bill over the veto of the Governor
14. of the following title, and the passage of which I am instructed to
15. ask concurrence of the Senate, to-wit: House Bill 2792.

16. (Secretary reads title of bill)

17. House Bill...Mr. President, I am directed to inform the Senate
18. that the House of Representatives has adopted an amendment offered
19. by the Governor to a bill of the following title, in the adoption of
20. which I am instructed to ask concurrence of the Senate, to-wit:
21. House Bill 2861.

22. (Secretary reads title of bill)

23. Mr. President, I am directed to inform the Senate that the House
24. of Representatives has refused to concur with the Senate in the
25. adoption of their amendments to a bill of the following title:
26. House Bill 2897 with Senate Amendments No. 1 and 2.

27. PRESIDENT:

28. Those messages, the bills involved therein will be then
29. ordered, placed on the Calendar. Senate Bills on second reading.

30. SECRETARY:

31. SB 1683.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Are there amendments from the Floor? Third reading.

3. SECRETARY:

4. SB 1684.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No committee amendments.

7. PRESIDENT:

8. Are there amendments from the Floor? Third reading.

9. Senate Bills on third reading. Senator Hall.

10. SECRETARY:

11. SB 211.

12. (Secretary reads title of bill)

13. 2nd reading of the bill...3rd reading of the bill.

14. PRESIDENT:

15. Senator Hall.

16. SENATOR HALL:

17. Thank you, Mr. President, fellow Senators. This bill was
18. discussed at some length yesterday. The Homestead Exemption that
19. I had anticipated six years ago was dest...was desired to eventually
20. reach five thousand dollars on an assessed valuation of single
21. family homes occupied and owned by senior citizens sixty-five years
22. of age and older. We had anticipated that over a period of six
23. or eight years it would reach that level, starting out at fifteen
24. hundred dollars. In the ensuing years, we have not until today
25. attempted to raise at all the Homestead Exemption. Early in the
26. first part of this General Assembly, I did introduce a bill with
27. five thousand dollars as the amount. This bill has been amended
28. to three thousand dollars of assessed valuation. It has reduced the
29. eligibility age from sixty-five to sixty-four years of age and
30. rather than continuing to attack the local property taxpayer for
31. these benefits that we are offering the senior citizens, we are
32. taking the first fifteen hundred dollars of exemption and a...absorb-
33. ing these costs at the State level. This bill is in that form and

1. I believe it becomes an important long plan four-step in the State
2. of Illinois to achieving a reasonable amount of property tax break
3. for the senior home owner and dweller. I commend it for your
4. consideration and I remind you that many States such as Florida,
5. California, Texas, have Homestead Exemptions that exceed what we
6. offer our senior citizens in Illinois. If there are any questions,
7. I'd be glad to address myself to them.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Is there any discussion? President Harris. President Harris.
10. SENATOR HARRIS:

11. Well, Mr. President, I just want to point out that I think
12. this is really sound senior citizen tax relief. It involves minis-
13. cule increase in administrative expense and provides directly to
14. the elder citizen home owner person with direct tax relief and
15. imposes no additional burden on the local governments who did, of
16. course, have to go through some very serious adjustments when the
17. Home Owners Exemption was first enacted. We just elevate the
18. existing exemption and take on the burden at the State level for
19. the addition that we are putting in. This is sound and I would
20. hope that a significant majority of this Body would support real
21. and genuine senior citizen tax relief by granting a doubled home
22. owner exemption.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Any further discussion? Senator Clarke.

25. SENATOR CLARKE:

26. Mr. President, Members of the Senate, I'd just like to have
27. one word. We have had hearings over the last year all over this
28. State, not only with Economic Fiscal Commission in a one day hearing,
29. but this joint committee; and one of the questions that most often
30. is heard, not only from tax officials but from the citizens of this
31. State, is when are we going to get property tax relief? And they
32. feel very unhappy at the fact that they felt rightly or wrongly
33. that when we pass an income tax that was going to give them property

1. tax relief. I think for that reason that this part of this two
2. prong program is of vital importance in terms of re-establishing
3. our credibility with the citizens, of this State and at least
4. giving those people who are most hard pressed, the senior citizens,
5. those over sixty-five, that kind of tax relief and I think you
6. ought to consider it on that basis.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and Members of this Body, I attended a meeting
11. the other evening of a small school district downstate and what
12. has happened to their eroded tax base. Now, we had a tax freeze
13. bill that didn't get out of the General Assembly here a year or
14. so ago. I'm as much for tax relief as anybody else, but we are at
15. the present time not in a position to continue erode those tax
16. bases which are the source of tax funds for local units of govern-
17. ment. And you're going to hear more about this today from me and
18. from now on. We're confronted with a two prong proposition. One
19. of which is on the one end, a deepening and broadening recession,
20. on the other, runaway inflation. If this were again an increase to
21. the Circuit Breaker where it did relieve those people who were hard
22. pressed, but I submit to you that this also benefits that man who's
23. a millionaire and owns a hundred thousand dollar home and when you're
24. voting him tax relief at the...at the expense of the local unit of
25. government and you're not discriminating where that you are feeding
26. the fires of inflation so far as that man is concerned. True, you're
27. not so far as a man who is poor and is truly hard pressed as concerned.
28. This bill doesn't take into consideration where we stand today and
29. what we have to do and it's time. We got a message on November the
30. 5th. Some people may not be reading it and we must fix priorities.
31. We must establish priorities as to where we're going to spend
32. money, where we're going to give tax relief, or we will feed the
33. fires of inflation while still broadening the depths of the ever

1. increasing recession. This bill doesn't address itself. It's
2. not discriminating in who it benefits and it therefore should be
3. defeated.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Romano. Senator Romano.

6. SENATOR ROMANO:

7. Mr. President, Members of the Senate, I'd like to ask the
8. sponsor one question.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. He indicates he'll yield.

11. SENATOR ROMANO:

12. Would I have a conflict of interest if I voted for this bill?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Hall.

15. SENATOR HALL:

16. Well, I not only don't know your age Senator, but I also don't
17. know your economic position so I wouldn't be able to answer you.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Any further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. Mr. President and fellow Senators, I think the time has come
22. for us to evaluate our positions and what we're about to do. I
23. think that we've just heard about the messes from the election. I
24. can recall in the elections that everywhere I went, the only thing
25. I heard about and the major concern was inflation and taxation and
26. this was ninety-five percent of the concern of the people every
27. place we went. The other issues including tax relief including
28. the concerns of whether it be on one party or Watergate or anything
29. else didn't amount to more than one or two or three percent of the
30. concern of the people involved. I think what we have to do here is
31. look at our present position and we've got to look at our present
32. financial position. We've been made aware of these positions over
33. and over again. Only the other day, we only had to look at a

1. seminar that was held by our Comptroller and we were told about
2. what the present financial situation the State is. I think that
3. when we look at those particular charts and we've seen it repeated
4. in the newspapers, we find out that it carries a message and says
5. that we are the custodians, the people's custodian of the funds
6. that they pay in taxes. It's up to us to distribute those taxes
7. properly and to make sure that those expenditures are in the best
8. interests of the people. I think that we've come to the point in
9. saying that we've heard not only from them but from the Bureau of
10. the Budget. We read in the newspapers and the editorials whether
11. it be here in Springfield or the one the other day in the Chicago
12. Tribune or whether it be in the Sun Times or anywhere else, they
13. all call for issues but they also remind us of our responsibility.
14. I think what we've been told here today is that there is and there
15. can be only, and this is from our Comptroller's office, the expen-
16. diture of a hundred million dollars. And that hundred million
17. dollars if we increase the present budget including all of the
18. overrides that this State will be in a position of having to have
19. new taxes within sixteen months. That's what we're faced with.
20. No one wants a tax grant. No one wants a give away program when
21. in fact by the time they get the money of thirty or forty or sixty
22. dollars that they will then have to be taxed a hundred dollars to
23. make up for it. There is no reason for us to be talking about tax
24. relief when we are being faced with a problem of sheer disaster and
25. being faced with tax increases. As much as I would like to support
26. this program and I think it should be supported, there is no place
27. for this time for this...consideration. What have we done up to
28. now? We have taken and added twenty-two million six hundred and
29. sixty-eight thousand dollars to the already existing budget since
30. we adjourned. We have added another twenty-two million dollars
31. and...and NFT funds for the other-areas. We've added a total of
32. forty-five million dollars already. We are going to be adding in
33. order to be responsible fifteen million dollars more on the

1. responsive...responsible pension program. You take the forty-five
2. and the fifteen and you're now at sixty million dollars. You're
3. almost two-thirds of the way to the brink of being able to go
4. ahead and say that we are the cause for a tax increase. Yes, we
5. have been responsible and we have been responsive. On both sides
6. of the aisles, we have joined hands and we have come up with effective
7. programs. We have said that we were going to fund the schools to
8. the full extent. We've taken care of the children. We've taken
9. care of the poor. We've given pay raises. We've taken care of the
10. people that are involved in these things. If we keep going the
11. way we are, we're being faced with another hundred million dollars
12. in salary increases that are going on. This is not being responsible.
13. This is being irresponsible. We have been placed as the custodians
14. for this money and we have an accountability to make. We cannot
15. spend money in our homes, in our family, or on this job that we
16. don't have. If we don't have that money in the Treasury, and
17. it's not available and we're told it's not going to be available,
18. then we cannot in any good conscience of mind spend money that is
19. not there. We are actually, if we pass a program that affords tax
20. relief of thirty million dollars or sixty million dollars, we can
21. afford a few million dollars more for normal expenses for the
22. programs that are necessary. But for any major program of thirty
23. million dollars, whether it be for this or whether it be for the
24. additional increase in the State employee's pay roll increases,
25. we are be doing and taking an irresponsible action. Our senior
26. citizens, our local taxpayers, whoever it might be, do not want to
27. be handed one thing on one hand and then one year from now or six
28. months from now when they get that money have to pay an increase,
29. either a sales tax or an income tax or a property tax. We have
30. been really responsible and return money to the local governments.
31. Not only are we taking care of the hundred million dollars for the
32. school funds, we've also taken care of the fourteen million dollars
33. in revenue sharing. We've given them back yesterday another six

1. million dollars on their cost and collection of real estate taxes.
2. We gave them back fifteen million dollars to take care of the MFT
3. funds. Why do we do this? We did this so they would not have to
4. increase their local taxes. So, that means that we have...we have
5. taken care of not increasing the property tax. We have taken State
6. money and referred it there. We have not been irresponsible at
7. this point but any movement on any major program of tax relief
8. would be surely an act of irresponsibility in the face of all the
9. evidence that is handed on Dan today. I would say let us join hands
10. today and let us reassess this whole program and say that no more
11. the Senate is responsible as has been and that we are accountable
12. to the people. That the purse strings of this State have stopped.
13. People are in a shock. Unemployment is increasing. We are going
14. to be burdened again with some relief for those who are going to be
15. in need as a result of this unemployment. Let us make sure that
16. this money is used properly, not irresponsibly. I do not believe
17. that we can undertake any of these programs at this time and I would
18. urge us all to reconsider our position and ja...join together as
19. we have in the past and vote No for any major expenditure from this
20. point on.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Glass.

23. SENATOR GLASS:

24. Well, thank you, Mr. President. I would just like to briefly
25. echo Senator Nimrod's sentiments. I think during the past campaign
26. all of us who were involved in campaigns could not help but hear
27. the message coming from the public and that was that the major
28. problem in this country and in this State is inflation. What we
29. can do at the government level to curve that is hold down spending.
30. Certainly, the most attractive form of tax relief to all of us at
31. this time would be for the senior citizens. I think there's no
32. question about that. It's politically desirable. The House has
33. already passed such measures and...and it's going to be very

1. difficult to oppose them; but I urge you to take heed of what
2. Senator Nimrod said and what our Comptroller has told us, that if
3. we continue to spend money the way we are and if we do not hold
4. the line on these tax relief programs, we will, in fact, be looking
5. at an income tax relief...an income tax increase next year or
6. early in 1976. I think the best and most responsible action we
7. can take at this time is to hold the line on any form of tax
8. relief and I would hope this would be shared on both sides of the
9. aisle and that we would say no, not only to this program, but to all
10. other forms of tax relief. Thank you.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Hynes.

13. SENATOR HYNES:

14. Mr. President, I wonder if the sponsor would yield to a
15. question?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. He indicates he will.

18. SENATOR HYNES:

19. Senator, this proposal involves an increase in the Homestead
20. Exemption, does it not?

21. SENATOR HALL:

22. Yes.

23. SENATOR HYNES:

24. Could you tell me what the impact will be if this bill were
25. to become law and it become effective? What the impact will be
26. on the existing Circuit Breaker Program?

27. SENATOR HALL:

28. Yes, it would tend to reduce the amount of monies claimable
29. under the Circuit Breaker Program.

30. SENATOR HYNES:

31. Do...do you know how by...by-how much?

32. SENATOR HALL:

33. Well, I contend that this program would already have the funds

1. that are unspent in the Circuit Breaker Program because senior
2. citizens have not applied for monies that they could have gotten.
3. Either through...not knowing that they were eligible or not desiring
4. to go through the red tape to apply for the money. We have unspent
5. considerable, I think, on the order of forty million dollars, as
6. I recall it, and this...any way, because so many have not claimed
7. under the Circuit Breaker Program, there are...there is a consider-
8. able appropriated but unobligated monies available. Now, this is
9. estimated to reduce by six million dollars the amount of money that
10. would be eligible under the Circuit Breaker Program by virtue of
11. the fact that they have their taxes reduced under this program
12. raising it from fifteen hundred to three thousand dollars.

13. SENATOR HYNES:

14. So, the point is then that this...this bill by itself would
15. result in the persons that get the benefit of the bill getting less
16. money under the existing Circuit Breaker Program? You pointed out
17. that many haven't applied, but even those that have applied would
18. then have their grants under the existing Circuit Breaker Program
19. reduced?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Hall.

22. SENATOR HALL:

23. Well, they would pay less taxes and that's the relief...that's
24. their relief and it would be increased, but it is true that had
25. they been receiving their Circuit Breaker relief and applied for
26. it, that much of it, there would be a reduction in the amount that
27. they would be eligible for...for under the Circuit Breaker.

28. SENATOR HYNES:

29. Well, does...

30. SENATOR HALL:

31. In that...in the total amount there is six million dollars.

32. SENATOR HYNES:

33. All right, fine. Thank you.

PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Hynes.

2. SENATOR HYNES:

3. Well, it seems to me that what we are doing here is...is
4. reducing the pay outs under the existing Circuit Breaker Program
5. and then increasing the Homestead Exemption at the local level
6. which, in my judgement, makes no sense in...in terms of a...an
7. effort to try and increase tax relief. Either increase the Circuit
8. Breaker or adopt the program of 2715 but in either event, I can't
9. see the justification for...for this approach. And finally, I
10. would point out again that this is an exercise in futility because
11. there is no chance that this bill can pass both Houses of the
12. General Assembly prior to the time we adjourn. So, what it amounts
13. to is a token effort to say we're trying to do something, but when
14. in fact we all know that we're going to come...have to come back in
15. January and start all over again and try to put together a program
16. from scratch. I think that this is an undesirable approach...
17. approach in the first place, but secondly, it is much too late and
18. has no chance whatever of success.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Hall may close debate.

21. SENATOR HALL:

22. Mr. President, I have several questions to answer that have
23. been raised by those speaking on this bill. And first of all, I
24. would like to speak in...in behalf of what this does locally. We
25. have about sixty-five percent of our senior citizens live in their
26. own homes. They are property owners who would benefit by this and
27. who do now benefit to a small extent from the present Homestead
28. Exemption. This is a high number of people who have earned through
29. their hard work sufficient money to buy their own house. That's
30. about, for the most part, that's about all they have remaining
31. and their income, of course, is small and fixed. For the most
32. part, this bill would offer relief immediately at the time of the
33. payment of their property tax. They would not have to do anything
further to get some money back from the State. It is built-in. It

1. is automatic and it is immediate. In addition, the administration
2. for it, of course and obvious, is presently operating and operating
3. very well, I might say. In respect, I believe Senator Knu...Knuppel
4. believes that this is another add on to the tax burden of the all
5. other property taxpayers in the local districts, tax paying districts.
6. This is not, Senator Knuppel, that type of an increase for them by
7. virtue of having to pick up additional responsibility. It's picked
8. up by the State. Now, on another point, we cannot assume that any
9. other tax relief proposition will pass. I believe, as I stated
10. initially this morning, that we in this State believed in the concept
11. when we passed the Homestead Exemption. I believe that we knew
12. then that fifteen hundred dollars was not really a significant
13. or major or necessary degree of relief for senior citizen property
14. owners. We intended as we got into the program to increase it. I
15. did. I...I worked on a house...I was chairman of a House Subcommittee
16. to study senior citizen property tax relief and all of us on that
17. committee agreed this was the first step, fifteen hundred dollars.
18. We are complying with the intent when we established the Homestead
19. to get it up to a significant degree of tax relief for property
20. owners. Now, I believe that if any other proposal that a majority of
21. both Houses feel is better, passes, fine. I would sug...I...I
22. for one do not intend to pass...vote for 2715 because it establishes
23. a new degree of bureaucracy, a new level of bureaucracy. It's
24. a direct raid on the Treasury. The Treasury of the State would pay
25. out checks in direct grants for a type of a relief that is only the
26. figment of the...those who develop in their imagination the type
27. of relief it is. It is not, in fact, sales tax relief as it is
28. espoused to be, but this is property tax relief at the time of pay-
29. ment of the tax. It is the kind that the senior citizens have
30. been talking about. It is the kind that they know immediately what
31. it is. And I commend it for the senior citizens program for the
32. year 1974. Late as it is, it does have time to pass this Body, go to
33. the House and be passed over there. I'd like a roll call vote on it,

1. Mr. President.
2. PRESIDING OFFICER (SENATOR WEAVER):
3. The question is shall SB 211 pass. Those in favor vote Aye.
4. Those opposed vote Nay. The voting is open. Have all voted who
5. wish? Senator Hall. Have all voted who wish?
6. SENATOR HALL:
7. Parliamentary inquiry, Mr. President.
8. PRESIDING OFFICER (SENATOR WEAVER):
9. What is the inquiry?
10. SENATOR HALL:
11. How many votes does this measure take to become effective
12. in 1975?
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Thirty-six. Thirty in '75. Thirty-six, immediately.
15. SENATOR HALL:
16. That is to say four more votes would make this effective in
17. '75?
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Have all voted who wish? Take the record. On that question...
20. Senator Hall.
21. SENATOR HALL:
22. Mr. President, I'd request this be placed on postponed
23. consideration.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. SB 211 is on postponed consideration. Senator Chew, do you
26. want to move 1546? SB 1546. Did you wish to recall this to
27. second reading, Senator Chew?
28. SENATOR CHEW:
29. Yes, I'm going...that's what I was about to ask until you
30. put the juice here. I do have objections on the amendment, but not
31. straining objections, so I would like to bring it back to second for
32. the purpose of an amendment. Senator Schaffer has an amendment to
33. offer because on yesterday when we discussed this, it was not brought

1. to our attention that this feasibility study and of course, I think
2. a feasibility study is what it is. It is to determine where some-
3. thing would go and where something would not go. But there's
4. objections on this side even having a portion of that county
5. included on the feasibility study. It is my desire to keep it
6. as it is, but I did talk with the Leader who on this side which
7. his man has not gotten back to me. I talked to Senator Harris
8. over here and he voiced his objections to it as it is. So, I'm
9. going to ask that it come back to second reading for the purpose
10. of amendment.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. SB 1546 will return to the order of second reading.

13. SECRETARY:

14. Amendment No. 2 offered by Senator Schaffer.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. The purpose of Amendment No. 2 is to end the feasibility
19. study for this particular tollway at the Northwest Tollway which
20. is on the border of McHenry County. Some of you will recall yes-
21. terday that I did not voice objections to this proposed tollway
22. and the study that it would lead to it, south of the Northwest
23. Tollway. There is considerable opposition to this idea, concept
24. in fact, there's considerable opposition to it as a freeway through
25. McHenry County. I would appreciate support on this amendment. It
26. simply ends this feasibility study at the Northwest Tollway which
27. would run, this proposed tollway, from Lockport to the Northwest
28. Tollway and would not...it would not enter into McHenry County.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Partee.

31. SENATOR PARTEE:

32. Well, maybe I ought to stay out of this one but I...I just
33.

1. don't understand how you're going to stop a feasibility study at
2. a county line. Now, this is the Department of Transportation that's
3. making a feasibility study and I'm very happy and grateful that
4. McHenry County is in Illinois, rather than in Wisconsin. But when
5. the transportation study...when the Transportation Department of
6. Transportation makes a study, how can you arbitrarily say you
7. should not even consider the transportational aspects and how they
8. are inter...interrelated to the rest of the area so long as they
9. are in the State of Illinois? Now, this does not mean, of course,
10. that a decision is going to be made, Senator Schaffer, which is going
11. to be unpalatable to you or to your constituents. It...it occurs
12. to me that they are going to be looking at the transportational
13. system in that area and that you too and your people could make
14. input including your cows even, make input into what you want and
15. what you do not want. But to cut off a study and to say to people
16. they can't study a...an area past a certain line of demarkation, I
17. won't say silly, but I think it's certainly less than studious.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Any further discussion? Senator Clarke.

20. SENATOR CLARKE:

21. Mr. President, I'd like to ask a question of the sponsor,
22. not the sponsor, but the sponsor of the bill, as we have another
23. opportunity to discuss this. For the Members who are familiar wi...
24. on the commission, how many other States in this country have studied
25. or built a toll...how many other States have built a tollroad in
26. the last five years?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Chew.

29. SENATOR CHEW:

30. Well, Senator, I'm not on the commission and if you don't
31. know, why would you expect me to know about how many States have
32. built tollways in the last five years. That's a silly question
33. and it's not pertinent to the...the...the topic in which we're

1. discussing.
2. PRESIDING OFFICER (SENATOR WEAVER):
3. Senator Clarke.
4. SENATOR CLARKE:
5. Well, I think that it's very pertinent and I assume that
6. you know, Members of the committee might know who else are
7. building tollways. Now, all I know is by recollection of news-
8. paper articles at the time we were building a tollway out through
9. the bogs and the marshes to northwestern Illinois. But, I would
10. like to say this that my recollection is that no other State of
11. the fifty States has built a tollroad in the last five years
12. for the obvious reason that the Federal government is paying ninety
13. percent of interstate freeways and if Illinois doesn't want to
14. participate in that ninety percent because a feasibility study
15. usually ends up with building whatever they say is feasible, then
16. we're going backwards in building tollroads when nobody else is
17. doing it.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator Chew.
20. SENATOR CHEW:
21. Mr. President, I'd like for the distinguished Senator to
22. know the difference in constructing a tollway and a study to
23. ascertain what the one is necessary.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Senator Chew, just a moment, Senator. Senator Buzbee, for
26. what purpose do you arise?
27. SENATOR BUZBEE:
28. Mr. President, are we discussing the bill or the amendment
29. to the bill?
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. We're discussing everything, including other States, Senator.
32. SENATOR BUZBEE:
33. That's what I...that was my point of order, Mr. President.

1. I believe that is...that is out of order at this point.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Let the gentlemen confine themselves to the amendment,
4. otherwise we'll be turning Christmas Eve. Senator Schaffer.

5. Yes, I'm trying to find out why these gentlemen are rushed.

6. Senator Schaffer. I recognize Senator Schaffer, Senator Chew.

7. Senator Schaffer, for what purpose do you arise?

8. SENATOR SCHAFFER:

9. Senator Partee, one thing. This amendment will not prohibit
10. the study of the transportation...aspects of transportation that
11. affect this tollway. It'll just say the study will not be based
12. on the assumption the tollway enters through or travels through
13. McHenry County. Certainly, the traffic patterns in McHenry County
14. which would flow towards this tollway have to be part of any feasi-
15. bility study for it to have any validity. What I'm saying is that if
16. the study was based on the assumption that it went through McHenry
17. County, then the only way it could be built would be to be built
18. in total. And that at this point, there's a tremendous amount of
19. opposition to the concept of a four lane, additional four lane high-
20. way through McHenry County. We, of course, are putting our faith
21. in the RTA and all the mass transportation we're going to get in
22. that area and we feel that additional highways will probably be
23. unnecessary although we are concerned about the additional air
24. pollution from all those buses.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Let's...Senator Harris, I'll get back to you, Senator Chew.
27. We're going to get this thing on the track now.

28. SENATOR HARRIS:

29. Well, I just wanted to affirm what Senator Schaffer has just
30. said. This amendment is perfectly responsible if it is the sense
31. of the General Assembly to restrict the feasibility study from a
32. point that begins at Interstate 90 instead of a point that begins
33. at US 12 in Henry...McHenry County. We certainly have that

1. authority and power and I certainly support Senator Schaffer in
2. this amendment. He knows the attitudes of the people within his
3. county and I think we ought to extend that courtesy to him. This
4. does not vitiate the feasibility study at all. It lessens its
5. total length, but it certainly does still provide for a very thorough
6. feasibility study of the possibility of whether tollroads are
7. feasible. And would hope that the Senate would support Senator
8. Schaffer in his amendment.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Chew.

11. SENATOR CHEW:

12. Mr. President, as I stated, I had objections to the amendment
13. because it should have been prepared yesterday. He was aware that
14. it was going to be taken from committee. However, it's the
15. Senate's prerogative as to whether they want to accept it or not
16. and I'd ask for a roll call.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Schaffer and Senator Mitchler were talking about
19. an amendment, I think is going to pass. So, if we want to talk
20. it to death, we should. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Well, very briefly, Senator, yesterday I think everybody over
23. on this side was under the impression that it did not en...enter
24. into McHenry County and one other pertinent point. The end up
25. point in McHenry County as it now stands is the intersection in
26. McHenry County with a proposed chunk of the supplemental freeway
27. system which I believe probably will never be built. So, we...
28. we're running it to nowhere. I...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. The only comment I wanted to make was the fact that in con-
33. structing tollways and I have them in my district, there is always

1. opposition. The...no matter where you put a road, a bridge, or
2. do anything of the type, you're going to have opposition. Now,
3. this is not saying that you're going to build it. The only
4. way that you're going to know that there's opposition or know
5. that there is not opposition, if you have a study. Now, it's
6. very important and I'm glad that we're moving ahead to get a
7. study made. Either go to a tollway or a freeway or some type
8. through this area, because let me tell you if it's not done quickly,
9. you're going to be in a position where you can't even afford to
10. think about buying the land yet alone buy the land in this fast
11. growing, densely populated area. Now, I...I am personally
12. acquainted with the problem and the bottleneck that would be made
13. up in the upper part, the northern part of the tollway extension
14. that is being considered but if you don't consider it, how are
15. you ever going to know whether it's good or bad. And if you're
16. prohibited from considering it and it may be a fact that it's
17. for the best interest of all the people. I don't know. That's
18. what the study will show. And I don't know why anybody should
19. object to a study being made to find out whether or not it's
20. good in their area, because no matter where you build a road or
21. where you build a bridge or anything, you're going to get
22. opposition. And mostly, like on the East-West Tollway extension,
23. the opposition came not from the people that own the land, but
24. people that rent it. The sharecroppers and these people that
25. were afraid that they would be moved and rightfully so they had
26. an objection. But I see nothing wrong in having a study made.
27. We're going to have to have a study made all through the area to
28. construct new roads. I would object if we tried to go ahead with
29. this without a study.

30.
31.
32.
33.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The question before the Senate is shall we adopt Amend-
3. ment No. 2 offered by Senator Schaffer to SB 1546. All in
4. favor of adoption signify by saying Aye. Opposed. The Ayes
5. have it and the amendment is adopted. The amendment is adopted.
6. Roll call has been requested. Call the roll. All those in
7. favor of the adoption of the amendment will vote Aye. Those
8. opposed will vote Nay. The voting is open and Senator Fawell,
9. will you vote me Aye please. Have...have all voted who wish?
10. Senator Chew says for me to wait. Take the record. On this
11. question, the Nays were twenty-nine, the Ayes were twenty-five.
12. The motion failed in receiving a majority vote and therefore
13. is declared lost. Any further amendments? Senator Chew.

14. SENATOR CHEW:

15. Mr. President, in intervening business, would you call
16. this bill please? It's back on third.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. That's automatic, Senator. I'm still in the Chair. Any
19. further amendments from the Floor? Third reading. House
20. Bills, third reading. Senator Regner. Anyone interested in
21. House Bills appearing on the Calendar on third reading?
22. Senator Soper, for what purpose do you arise?

23. SENATOR SOPER:

24. Well, Senator Rock...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. If you want to talk to Senator Rock, you don't have to
27. rise.

28. SENATOR SOPER:

29. House Bills on third reading.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Rock. Senator Soper. Who has the ball? Which
32. one? Senator Rock.

33. SENATOR SOPER:

1. ...Rock. Senator Rock has the ball on HB 2715 if he's
2. going to call it today. I don't know.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. ...thank you, Mr. President and Members of
7. the Senate. We are apparently on the order of House Bills on
8. third. 2715, I agreed yesterday to call it back. I would ask
9. leave at this time to take HB 2715 back to the order of second
10. reading for the purpose of Senator Soper's proffered amendment.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Then, at this point in time, you're asking leave to have
13. it returned to the order of second reading for the purpose
14. of considering amendment. All in favor of the motion signify
15. by saying Aye. Opposed. The Ayes have it. Leave is granted
16. and the bill will now be on the order of second reading for
17. the consideration of an amendment or amendments.

18. SECRETARY:

19. Amendment No. 3 offered by Senator Soper.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Soper will explain his amendment.

22. SENATOR SOPER:

23. Now, Mr. President and Members of the Senate, on your
24. desk you have Amendment No. 3 to HB 2715. Yesterday, we had
25. some objections to the formula that was...put into the...that's
26. in this bill at this time and we found that someone that made
27. three thousand dollars or...or it was thirty, I think it was
28. twenty-nine ninety-nine or thirty-nine ninety-nine, or reduced
29. from a hundred and thirty-two dollars down to sixty dollars.
30. And it seemed that people in that category should...should have
31. a more equitable distribution of this money if this money is
32. going to be subscribed for those people who really need the
33. relief. Now, what Senate Bill...what the...what this amendment

1. does to 2715, it puts in a new formula. And I think the formula
2. is more acceptable and it does what we want this bill to do. To
3. give the people who mostly need it more...more relief and more
4. equitable relief. The other things that this amendment does, it
5. raises the...the amount to the gro...gross rent paid in that
6. subject to this...the Circuit Breaker from twenty-five percent
7. to thirty percent. I think the people that pay rent need this
8. extra amount of money and I think we...they deserve...deserve
9. this relief. Also does another thing, this bill when it was
10. written before 2790 was passed was not corrected as to the...as
11. to the proposition where we...we reduced the trigger from six
12. percent on incomes less than three thousand and seven percent
13. for incomes between three thousand and ten and twenty-seven
14. ninety made the trigger four percent on all incomes under ten...
15. ten thousand. If we wouldn't correct that proposition, the
16. whole bill would be meaningless because we would lose that...
17. the difference that was granted in 2790. Now, I think this
18. amendment makes a...this a better bill. And I'll answer any
19. questions if there are any questions.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Rock.

22. SENATOR ROCK:

23. Thank you, Mr. President and Members of the Senate. I
24. rise in support of Amendment No. 3. I had originally said
25. and I still do state that I would have preferred had the bill
26. been totally unamended. Now, the fact is that there is an
27. amendment on it. It does, in fact, have to go back to the
28. House. By this amendment, we are incorporating the feature
29. that Senator Harris mentioned yesterday. We are incorporating
30. the feature that Senator Weaver mentioned and we are taking
31. care of one of the objections that Senator Hall said about House Bill
32. 2790. So, it is a technical, substantive change that we are
33. affecting. But the fact is as long as it has to go back to the

1. House, we might as well do it right in the first instance. And
2. I would urge everybody to support the adoption of this amend-
3. ment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. The question before the Senate is...Senator Sommer. I'm
6. sorry.

7. SENATOR SOMMER:

8. Mr. President, Senator Soper, does this cost any more
9. than the...the original proposal? I, frankly, I haven't
10. been able to follow the amendment.

11. SENATOR SOPER:

12. Yes, Sen...Senator Sommers. The only additional cost
13. that would be in this would be in the...the amount of the gross
14. rent would be raised from twenty-five to thirty percent. That
15. would cost in the neighborhood of four to five million dollars.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Any further discussion? Senator Glass.

18. SENATOR GLASS:

19. Senator Soper, that forty-five million, added on to what
20. the bill already cost would give a total of what? Maybe you
21. or Senator Rock could answer that. As amended, what would the
22. total bill, fiscal impact be on the State?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Soper.

25. SENATOR SOPER:

26. Senator...Senator, you misunderstood me. I said four to
27. five million. I didn't say forty-five million. I said between
28. five...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Before four and five.

31. SENATOR SOPER:

32. ...million...between four and five.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Glass.

2. SENATOR GLASS:

3. Well, I did misunderstand you but I...I still would like

4. an answer to the total cost with this addition to the bill.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Soper.

7. SENATOR SOPER:

8. I think Senator Rock can answer the...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Or Senator Rock.

11. SENATOR SOPER:

12. ...question as to the percentages. I got the percentage...

13. SENATOR ROCK:

14. Yes, I...I think, Senator Glass, in answer to your

15. question, the companion appropriation bill calls for thirty-

16. four million. That five percent increase as suggested by

17. Senator Harris will if everybody takes advantage of the

18. program, assuming a hundred percent participation will cost

19. an additional four million dollars. So, we're now at thirty-

20. eight million, assuming a hundred percent participation. The

21. fact is, unfortunately, that the program, the Circuit Breaker

22. Program for senior citizens presently, is running it at about

23. forty to forty-three percent participation. So, sixty percent

24. of the people aren't participating.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any further discussion? Senator Harris.

27. SENATOR HARRIS:

28. Well, I think it should be understood that the position

29. that we took in connection with our support for Senator

30. Hall's bill, SB 211, really has to be considered in terms of

31. the total cost of this program as it is proposed to be amended

32. under this amendment. If you continue to have a fifteen hundred

33. dollar exemption in the Homestead Exemption Act, then the

1. operation of this amendment is significantly more expensive.
2. Now, I know there is difference about what the total cost
3. of 2715 would be without amendment. There are calculations
4. that run from thirty-two million to as high as forty-four.
5. My personal belief is that it'll run somewhere around forty
6. million, unamended. If the Homestead Exemption is increased,
7. the impact on these amendments, proposed by 2715 whether it's
8. as introduced or whether as...I'm...I'm sorry. Not as intro-
9. duced, but as...but as it came to the Senate from the House
10. or as offered by this amendment, is significantly greater. And
11. that should be borne in mind. It would be my judgement that
12. this amendment would increase the cost for 2715 by somewhere
13. around twelve million dollars without the enactment of SB 211.
14. If SB 211 is also enacted, the impact on 2715 goes down
15. dramatically, the impact. And the cost would be probably some-
16. think like from four to six million for this amendment. Now,
17. my position just has to be without favorable action on 211, I
18. can't support 2715 in any fashion. This amendment, now, has
19. certainly improved the bill. No question about that. It provides
20. for the amendments that were adopted in the Circuit Breaker Act
21. through the action on 2790. Those have been incorporated and
22. I recognize that Senator Rock referred to the point that I
23. raised about it yesterday and it also provides for a...a much
24. more responsive and less separated so to speak schedule of
25. benefit. That's...those two points are certainly improvements
26. in it. It also provides for the rent allowance increase from
27. twenty-five to thirty percent. That's sound. I...I subscribe
28. to that. But it continues to add a third program, the Grant
29. Program, that will in fact involve significant administrative
30. expense. I think these points have all been relative...relevant
31. to our consideration of this important piece of legislation
32. and I just hope that the entire Membership does understand that
33. the impact of this amendment in the operation of the Circuit

1. Breaker Act without an increase in the Homestead Exemption, in
2. my judgement, will cost some additional twelve million dollars
3. plus the fact that the entire program will involve additional
4. administrative expense.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Any further discussion? The question before the Senate
7. is shall Amendment to No. 2 to HB 2715 be adopted. No. 3.
8. Amendment No. 3 to HB 2715. All in favor of the adoption will
9. signify by saying Aye. Opposed. Roll call has been requested.
10. Call the roll. All in favor of the adoption will vote Aye.
11. Those opposed will vote Nay and the voting is open. Have all
12. voted who wish? Have all voted who wish? Take the record.
13. On this question, the Yeas are forty-two, the Nays are eleven
14. and the amendment is adopted. Any further amendments?

15. SECRETARY:

16. Amendment No. 4 offered by President Harris.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Harris will explain his amendment.

19. SENATOR HARRIS:

20. That amendment is now moot because the corrections required
21. to continue the operation of 2790 were incorporated in the amend-
22. ment that was just adopted. All my amendment did was to insert
23. into the bill the requirement to up-date it so that we didn't
24. by reference amend out the effectiveness of 2790. So, I
25. withdraw the amendment.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Harris withdrew Amendment No. 4. Any further
28. amendments? Third reading. Senator Sommer.

29. SENATOR SOMMER:

30. Mr. President and Members...Members of the Body, I would
31. like to take this time to introduce to the Body the honorable
32. Judge Masian from LaSalle County. He's in the Gallery.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Nim...Senator Nimrod.
2. SENATOR NIMROD:
3. Mr. President, I rise on a point of priv...personal privilege
4. to introduce...
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. State your point.
7. SENATOR NIMROD:
8. ...Judge Harold Sullivan, the Presiding Judge of the Second
9. District of the cur...Circuit Court of Cook County. Judge
10. Sullivan. I guess he just walked out.
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1. PRESIDING OFFICER (SENATOR GRAHAM):

2. On the order of the veto messages, Senator Junie Bartulis has
3. been requesting for some time that the Chair recognizes him with
4. regard to a motion he has filed on Senate Bill 589.

5. SECRETARY:

6. I move that SB 589 Do Pass, the veto of the Governor to the
7. contrary notwithstanding. Signed, Senator A. C. Junie
8. Bartulis.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Bartulis.

11. SENATOR BARTULIS:

12. Thank you, Mr. President and Members of the Senate. Take
13. a few minutes of your time to tell you some more about 589.
14. SB 589 calls for the study of the economic impact of existing and
15. proposed pollution control regulations. The reason for this bill
16. is simply this: We in Illinois haven't taken a good look at how
17. much these regulations are costing us. And it's time we found
18. out. Every time we require a company to put in another piece
19. of pollution control equipment or a farmer is required to put
20. in equipment to neutralize cow manure or a city to install a
21. different kind of a sewage disposal system, it comes out of my
22. pocket and yours, prices, taxes, costs of services, cost of
23. materials and even loss of employment, and loss of new or ex-
24. panded business which would help provide jobs to the State's un-
25. employed are all affected. On the other hand, those costs may
26. be justified by environmental benefits, but at this time, we don't
27. know. Now, why don't we know? No comprehensive study has
28. ever been made. It's true, limited studies have been made,
29. primarily after my bill had been passed in June of this year.
30. Now, the Pollution Control Board has considered the economic
31. reasonableness of regulations, but they have done it on a piece
32. by piece basis without taking a look at the whole budget. Now,
33. there has been a lot of smoke screen charges based on inuendo

1. and speculation, but none of these can be backed up legally.
2. Jacob Dumelle, Chairman of the Pollution Control Board, Dr.
3. Briceland from the State EPA, Francis Mayo from the Federal
4. EPA, and Attorney General Scott have made a lot of scary claims,
5. but none of them have yet been backed by their contentions with fact,
6. or have they been willing to lay out legal reasons. The technical
7. reasons, they say their contentions are based on are to prove
8. their points. Now, I think the reason they have done so is be-
9. cause they can't. But they have mislead a lot of well meaning
10. people in thinking this bill is somehow put all the existing
11. regulations in some kind of legal limbo-land. It is apparent
12. that we are counting on ability to make these charges...to make
13. the charges and not to have to face Legislative Committee to
14. back them up in the light of cross examination. Now, during the
15. past two years, this bill was under consideration by the Legis-
16. lature. None of these allegations were ever made or considered
17. a problem by the Environmental Agency. It's rather strange all
18. of a sudden that these charges are brought without a proper form
19. to see if they can prove what they say. So, what does Senate
20. Bill 589 do? It simply asks the State to act as a catalyst
21. to bring together all segments of our society to determine what
22. is costing us to clean up the environment. It calls on the State
23. to look for total environmental budget, not just one account at
24. a time, and include the balance still due on existing accounts.
25. That is why the study of the existing regulations is important.
26. It calls on the State to look at the total environmental budget,
27. not just one account...as I said...at a time again. And it could
28. not, by any stretch of imagination, nullify or do away with any of
29. the regulations previously passed by the Pollution Control Board.
30. Senate Bill 589 leaves the final determination of what regulations
31. will or will not be passed solely to the Pollution Control Board.
32. Neither would it threaten any agreements made with Federal en-
33. vironmental authorities on federal grants. Only the Pollution

1. Control Board, through its decisions, could threaten such arguments
2. or agreements. Senate Bill 589 in no way requires the Pollution
3. Control Board to change anything. Now, what Senate Bill 589 does
4. require the Pollution Control Board that they listen to the re-
5. sults of the studies conducted by the institute environmental
6. quality and to hold public hearings on those studies. It is
7. true that if an adverse economic impact is proved that the
8. Pollution Control Board would be required to reconsider the re-
9. gulations under which adversed condition resulted. That's like
10. you and I is reassessing what we have purchased to find out we
11. can't pay for it. But even if the Pollution Control Board does
12. reopen hearings, they are not required to change anything; just
13. take another look to see if there is a better way of doing it.
14. The bill does not emphasize economic cost over health concerns.
15. The bill adds to the Environmental Protection Agency which now
16. emphasizes health. Senate Bill 589 is just asking to find out
17. what economic costs are, so we have a basis on which to seek a
18. balance to maintain our economic health and achieve our envi-
19. ronmental goal. Now, if we ruin our economic health, we won't
20. be able to pay for the doctor bills for environmental health.
21. The bill asks Pollution Control Board be required at its matter
22. of practice to consider the comprehensive economic impact of the
23. regulations; something the board has done only once since it
24. start making rulings four years ago. The first time the Pollution
25. Control Board decided to find out what the economic impact of a
26. proposed regulation was before considering the adoption of the
27. rules happened only after Senate Bill 589 was passed by this
28. Legislature last summer. Now, the Pollution Control Board has
29. interrupted a section of the Environmental Protection Act calling
30. for the board to determine economic reasonableness of Pollution
31. Regulations as to whether a particular piece of equipment can be
32. afforded by the business, farm, or city required to put it in,
33. but they've done it on a purchase by purchase basis without

1. looking at the whole account. I think it makes sense to find out
2. as much as we can about regulations that are going to affect all
3. of us before they are put into effect. I also think it makes sense
4. to find out that existing regulations are costing us so we know what
5. our balance due is. I'm not the only one who thinks it makes
6. sense. A lot of people think it makes sense; farmers, businessmen,
7. municipal officials, workers, and taxpayers have also thought
8. it made sense and said so through more than twenty-five States;
9. statewide organizations representing agriculture, the profession
10. organized labor and city and county officials. The Legislature
11. thought it made sense, too. In the Senate, fifty-four Senators
12. thought it made sense and none voted against it. One hundred and
13. nineteen State Representatives thought it made sense in the House,
14. but the Governor and his bureaucrats don't like it. So, the
15. Governor vetoed the bill using some of the reasons for passage
16. of the bill in the first place and juggling the fact to exemplify
17. fearsome results which are simply not true. In short, the veto
18. doesn't even make sense. What are they trying...really trying
19. to hide? Don't they want to let the people know how many dollars
20. these regulations are costing them out of their own pocket?
21. Aren't businessmen, farmers, workers, and taxpayers people? Are
22. they afraid to admit that they might have made some mistakes
23. elsewhere? Better yet, can the Governor or any of his bureaucrats
24. tell you how much it is costing you to clean up the environment in
25. Illinois? If they come up with a figure, can they...document
26. these figures and prove it to you, or will they ask you to take
27. it on faith? Now, can you tell me how much we are spending for
28. cleaning up the environment, or do you have any proof? If you
29. don't, vote to override the Governor's veto of Senate Bill 589,
30. that way you and your constituents can find out without stopping
31. any of the progress made in Illinois are threatening to hold it
32. up. And a final note or two, last summer after 589 passed the
33. Legislature, a task force on Midwest Energy Requirements and then

1. Environmental Protection prepared a report at the direction of
2. the Midwest Governor's Conference. Part of the report was the
3. following: Energy environmental economic resources and social
4. impact of proposed facilities and programs must be factors in
5. the planning and decision process. These elements of decision
6. must be viewed as co-equals; each State must develop rational
7. growth policies under the recommended specifications. The task
8. force recommended - one, consider requiring energy environmental
9. economic...

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Bartulis, are you about completed?

12. SENATOR BARTULIS:

13. ...one minute...and social impact statements for governmental
14. plans and actions. I go on and on about this, and then, this
15. report was presented to the Governors on July the 31st of this year
16. and was accepted. Governor Walker is recorded in the Official
17. Minutes of that conference as congratulating the Task Force
18. Chairman on an excellent report. A month later, Governor Walker
19. turned around and vetoes it, SB 589, which would help implement
20. the report accepted by the Governors that he had praised. Mr.
21. President, the administration's veto campaign on SB 589 has been
22. calculated on the fact they could make statements and know they
23. would not have to prove them. They have used the weight of their
24. office to ask the people to accept their word without fear of
25. cross examination. As a result, they have carried a campaign of
26. claims to confuse and cloud their real opposition to SB 589. That
27. reason is they don't want to review what they have done because
28. they might have to admit they made a few mistakes. But, Mr.
29. President, there is not time today, without a public hearing with
30. advocates on the stand, to eliminate that mass confusion before
31. the vote deadline imposed by the Constitution. As you well know,
32. the deadline runs out today. However, Mr. President, I have received
33. assurances that the motion will be filed in the House calling for

1. a public hearing on SB 589 which will give the State environmental
2. agencies a chance to testify before a Legislative Body to present
3. their case. I am willing to live with the results of those
4. hearings, but I do think there should be a chance to see if the
5. State agencies are willing to tell the truth. Now, vote on
6. Senate Bill 589 today, will be a vote to hold an open public
7. hearing at which State environmental agencies can be accountable
8. for their charges before the Legislature. Mr. President, Members
9. of the Senate, I would appreciate a favorable vote. Thank you.

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1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. Yes, it is...in one of those
5. mental lapses, for which I am celebrated in this Chamber, I voted
6. for this bill when it first came up on...before us, and I am happy
7. to have an opportunity to consider it again. After all, on the
8. face of it, it would give environmentalists what they have long
9. wanted - a good legal reason for getting into company's books and
10. seeing what they are actually spending and trying once and for all
11. to nail down the elusive problem of just what was being spent on
12. environmental clean up and what was not. This, of course, many
13. companies have resisted, but a law like this, I think, would give
14. us the means of getting court orders to go in and look at the books
15. and see exactly what the truth is. And that's the good news about
16. the bill. The bad news, of course, is that because the language is
17. poorly drawn, it could very well force us to go back and re-examine
18. all existing environmental regulations. That would take the State
19. out of the picture, would bring the Federal government in to handle
20. the problem. We would lose what little control the State has in
21. this area. We would lose a great deal of money, and by the way,
22. I don't mean the State would lose money, I mean businesses would
23. lose the money as well, but they would still be subject to Federal
24. regulations. It really is a no-win situation for business, for
25. environmentalists and for the State for this bill to pass in its
26. present form. I listened to the testimony and I understand the
27. fear that the business has that the regulations which now require
28. such studies and which, in fact, are...is being done...the regula-
29. tion would then have the force of law and would not in the future
30. be suspended. I think, perhaps, it's a legitimate fear and maybe
31. the steps should be taken that this regulation be codified as law,
32. but this is a case of going after a wasp with a sledge hammer, and
33. I think the legislation...because it was not amended, is

1. faulty and the Governor's veto should be sustained. I believe
2. the Chamber of Commerce is beginning to have second thoughts about
3. their motion to have the veto overridden simply because it does
4. give the EPA a good look inside their books. So, I move that we
5. sustain the Governor's veto.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Netsch.

8. SENATOR NETSCH:

9. Thank you, Mr. President. Senator Bartulis is wrong about a
10. number of things with respect to this bill and one of them is that
11. no one ever opposed it. On May 23rd, when it was first called for
12. passage, it was just as bad as it is now and I, for one, voted
13. against it. The only reason I did not vote No on the Conference
14. Committee Report was that I was off the Floor at the time it was
15. called. The...and the reason was very simple then and now, Senator
16. Bartulis. There is a great deal of justification for requiring some
17. economic analysis of pollution requirements prospectively and indeed
18. that is really what the present law requires and that is what the
19. present board is doing. There is no justification whatever for
20. placing in limbo every single existing regulation that has ever been
21. adopted by the Pollution Control Board with respect to any of the
22. pollution matters before it while a new study is made of the economic
23. impact of all of those that have already been in operation for some
24. period of time. It not only would be the cost of conducting that
25. kind of hearing, it would be the cost of having all of these in limbo
26. during that period and potentially a cost in Federal funds. But it
27. simply makes no sense. That provision should never have been included
28. in the bill. If it had not been, there probably would not have been
29. a veto and we would not have had it...an opportunity to do what I
30. hope we will do now and that is to sustain that veto.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Glass.

33. SENATOR GLASS:

1. Well, thank you, Mr. President. As a member of the Agriculture
2. Conservation and Ecology Committee which held a hearing on this
3. bill, I along with Senator Wooten and others voted for the bill.
4. I think...in fairness to everybody in the Chamber that supported
5. this bill, there was virtually no opposition to it in the Senate,
6. ...in Committee, and very little on the Floor. As Senator Netsch
7. indicates, she opposed it, but I think there was very little activity
8. by the EPA, the Pollution Control Board to notify us of the problems
9. that obviously exist with this bill. I think this is unfortunate
10. because it places...the Senate and the House in the somewhat embarrass-
11. ing position, I think, of having legislated without having heard
12. from all...parties on it. Now, I spent a great deal of time in look-
13. ing at the mail...and I actually talked to several members of the
14. Pollution Control Board on this matter. Specifically for one of
15. them anyway, they would welcome an environmental impact, rather an
16. economic impact study from the Institute of Environmental Quality.
17. They say that at the present time, the regulations call for them to
18. determine the economic impact of their regulations and they say that
19. they're doing it. The Chamber of Commerce and other people who have
20. been personally involved say that they don't do an adequate job of
21. considering the economies. I say, they should legislate with their
22. eyes open, not that if the economic costs are high. It doesn't
23. mean they shouldn't have a regulation, but they certainly ought to
24. know what they are doing when they do pass Pollution Control regula-
25. tions. And I think most of the members of the Pollution Control Board
26. agree with that. The problem, of course, with the bill as it now
27. stands is that it is retroactive. ...I heard what Senator Bartulis
28. said and I would disagree with him only in a couple of regards. The
29. language of the bill itself says and I quote, "that the Board shall
30. prepare a declaratory statement that existing rules and regulations
31. are economically reasonable and sound. The record of existing rules
32. and regulations shall be reopened to consider proposes provisions".
33. Now, I think with that language in there, legally speaking, there is

1. a real danger that these regulations might be held invalid...
2. in a court action until such...until the hearings were reopened
3. and until a statement like that was made by the Board. So I, for
4. one, will enthusiastically support this kind of legislation if it
5. operates perspectively, and would like to work at the next Session
6. for a bill that will do this perspectively. But, I think that in
7. its present form, some of the objections, at least of the Governor,
8. are valid and that the veto should not be overridden.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Kosinski.

11. SENATOR KOSINSKI:

12. Mr. President, Members of the Senate, I happen to be one of
13. the supporters of Senate Bill 589 when it came up for adoption
14. during the hectic Session. Since that time, I've had an opportunity
15. to more thoroughly review this legislation. In that review, I have
16. learned that this bill could adversely effect existing State and
17. environmental programs. The bill requires the Illinois Pollution
18. Control Board to reopen hearings on all existing environmental
19. regulations. In a legal sense, this means that the regulations
20. under review are no longer final and could be suspended if challenged
21. in any court. This could invalidate all environmental standards
22. in the area of air, water, noise pollution, solid waste, and land
23. use. It would also jeopardize nearly a quarter of a billion dollars
24. in Federal funds to the State. Supporters of the bill argue that
25. existing regulations create economic hardships in the State.
26. However, control programs in Chicago have resulted in savings to
27. industry. As an example, the R. R. Donnelly Company recovers
28. fifty thousand dollars monthly and usable solvents for their
29. printing processes. Also, Sherwin Williams Company estimates that
30. it recaptures twenty-five thousand dollars monthly in chemicals
31. for their processes. Both these economic benefits were due to
32. controls installed on their processing equipment. Mr. President,
33. I wholeheartedly support full and complete hearings before any

1. legislation is voted on, but I staunchly oppose reopening of hear-
2. ings on programs which have shown to be successful in protecting
3. the environment and public health. It is for this reason, Mr.
4. President, that I am going to vote to sustain the Governor's veto
5. of SB 589 and strongly urge my Senators for your support. Thank
6. you, Mr. President, and I move the previous question.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Thank you, Senator Kosinski, but we have several other speakers
9. on the list, so if you withdraw your motion. Senator Berning.

10. SENATOR BERNING:

11. Mr. President and Members of the Body, it would seem to me
12. to be a sad day when this General Assembly cannot by its own
13. volition bring a matter back for public hearing. When we are
14. assured that by action of this Body in overriding the Governor's
15. veto, the matter will become a...an item for public hearing by
16. the House. We have every assurance that justice and fairness will
17. prevail and I, for one, resent, bitterly resent the use of pressure
18. in reverse. What do I mean by that? Those of some groups who
19. criticize pressure for passage of a measure fail to recognize that
20. when they take their stance opposing, they are pressuring in re-
21. verse. Obviously, we get to the point where one is damned if he
22. does and damned if he doesn't, but I resent also, as an additional
23. threat, being pulled around with a ring in my nose by that ever
24. present Federal funding. If the Federal government were to say
25. to the State of Illinois, you no longer qualify because you presume
26. to re-evaluate the rules and regulations established under your
27. Environmental Protection Act, then we have come to a sad day in
28. this sovereign State of Illinois.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator McCarthy.

31. SENATOR McCARTHY:

32. Yes, Mr. President and Members of the Body, this is not an
33. easy vote because no one can convince me that the Environmental

1. Protection Agency and the Pollution Control Board did not in the
2. past over reach. I think when they came out with their regulation
3. on burning of leaves that they just over reached and really did a
4. disservice to the whole concept of trying to preserve our environ-
5. ment through clean air and clean water. At the same time when they
6. have over reached on leaf burning that doesn't mean that their cause
7. is necessarily without justification. I had an experience recently
8. of flying on an airplane from Chicago to Decatur with a woman who
9. was a Japanese citizen. She had just come back from London where
10. she was a teacher in London and she was on her way ultimately back
11. to Tokyo and we were discussing the economics situation in America
12. and she couldn't understand ...she couldn't understand why America
13. was suffering from the twin evils of inflation and recession in view
14. of the fact that we had so much land and so many resources, natural
15. resources. She couldn't understand why we were getting ourselves in
16. the same position that Japan has and to highlight that, an article
17. appeared in the Wall Street Journal last week about some technology
18. in Japan where they now have a machine where if you put a dime in
19. it you get a breath of fresh air and after taking the fresh air,
20. the machine through its voice says, thank you ...you're welcome.
21. ... I mentioned those things because the Pollution Control Board,
22. the environmentalist are truly on a collision course with big
23. business and the people that are for override in this matter are
24. not the Mom and Pop business operations. I haven't heard anything
25. from the farmers. The only thing I have heard from are from the
26. multi-national corporations who believe that the business of Illi-
27. nois is business and if they don't like it...if they don't like,
28. and if we don't like their premise that the business of Illinois
29. should be business, those multi-national corporations quietly turn
30. off their air-conditioners, lock their door and go to another
31. Country. ...We've seen too much of it. We've seen too much in-
32. fluence of these multi-national corporations in attempting to run
33. this Body and they're attempting to run it today by asking us to

1. override the decision of the Governor in trying to preserve as
2. best he can the validity of the Environmental Protection Agency
3. of the Pollution Control Board. Recently, I had another experience.
4. It came last week. I happen to be in another State and I was think-
5. ing of what sort of legacy we can give to our children, to our
6. grandchildren. We've seen that we cannot really give them monetary
7. legacies because we can't control, we can't control, or we seem like
8. we can't control the preservation of our physical monetary assets.
9. But, we do owe the people who live in this Country the legacy of
10. being able to have the air to breath, to have the water to use and
11. to put into limbo to frustrate the activity of the Pollution Con-
12. trol Board and the Environmental Protection Agency in the five years
13. I believe it has been in existence merely because big business, the
14. multi-national corporations wanted to do it, I think it's an unwise
15. step. Let me conclude, Mr. President, by remarking and trying to quote
16. what Governor Scratton said in St. Louis at a meeting I was with...in
17. his presence several years ago when the quest for the pollution
18. solution was pretty much of a new topic. Governor Scratton in
19. quoting some unknown author said, "that if the sun and the stars
20. were within the reach of the predatory human hand, they long ago
21. would've disappeared from the firmament". We know that to be a
22. valid type of statement and we represent people we have a
23. legacy that we must ...deliver to those that follow after us in
24. that legacy is the opportunity for a good environment and I think
25. on this one we should sustain the Governor.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. Yes, Mr. President, Members of the Senate. We have a rather
30. tough decision to make in considering the Governor's veto of what
31. ...in its original form is good legislation. That is the economic im-
32. pact of these environmental controls that are being adopted by the
33. Pollution Control Board, Environmental Protection Agency and just

1. in general. You know, it's like motherhood and the flag and
2. ERA's as was talked to the other day. I believe there's no one on
3. either side of the aisle that isn't for Pollution Control, cleaning
4. up our environment and doing all we can. And, I believe there is
5. the same feeling on both sides of the aisle as to the economic im-
6. pact, as well as the environmental impact, that's going to be obtained
7. and involved in achieving our goal. But, let me point out some of
8. the things that have come to my attention in giving consideration
9. to the fact that this bill did not receive the Governor's approval.
10. I have been in communication with some friends with the Elgin
11. Sanitary District. These are engineers and they pointed out that
12. in a thirty-seven million dollar grant to that sanitary district
13. the requirements in the grant for certain specifications were far
14. beyond that which was actually needed. Now, they aren't complaining
15. because I suppose they work on a percentage basis and the higher the
16. cost, the more profit they'll make. But, they want to point it out
17. from an economic impact on the taxpayer. This firm is from Geneva,
18. Illinois. And I've written to the EPA and I got a response back
19. that it goes into the Federal Government, so we are trying to handle
20. it through them. But, Woodruff and Edwards, a foundry in Elgin,
21. the Sandwich foundry in Plano, the Aurora Metal Company in Aurora,
22. take a look at your foundries; they're out of business because of
23. the economic impact of the rules and regulations put on them. And
24. in time of national defense, you and I are going to need those
25. foundries to produce the castings that are necessary. What about
26. the coal producers, oh, a few years ago was great for the oil and
27. gas industry to take over on all of the coal facilities and say,
28. shut down the coal mines. We're not going to use your high sulphur
29. Illinois coal. Did they ever think about the economic impact on
30. the coal miners down there that they put out of business? Did they
31. ever stop to think about the fact that the coal producers would not
32. invest more money to open new mines? Now, the tables are turned,
33. and now they're going to have to pay even higher because the coal

1. miners say the shoe is on the other foot, now we are going to
2. have our demands. Leaf burning, sure they reversed it. Seat
3. belts on cars, sure, oh all of us that think we know more than
4. the people, they reverse that in Washington. I've got a press
5. release from Attorney General Bill Scott; maybe if he was the
6. Governor maybe he would veto the bill also, because in his
7. statement, he's pointing out that the present controls carried
8. by the Pollution Control Board, they take a look at the economic
9. impact. Now, as far as the big companies in the State of Illi-
10. nois, you take Caterpillar Tractor Company; they care less whether
11. you got an economic impact bill through or not, because they got
12. the funds and they themselves go through to produce, I know that
13. the Caterpillar Tractor Company is going to be the leader, not
14. only in Illinois, but throughout this Nation and the World. Let
15. me explain here, Senator Chew...

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Mitchler, will you try to wind up very shortly?

18. SENATOR MITHCLER:

19. ...give me the courtesy ...Caterpillar Tractor Company could
20. care less because they get into the programs; they got the funds
21. to do it, whether they got unemployment insurance compensation in-
22. crease, workmen's comp increase, economic impact, they can't pro-
23. duce enough equipment to sell to the people around the world. And,
24. they don't care what the price is that they sell it at, half of it
25. is subsidized anyway. Now, the economic impact, I ask the sponsor
26. a question, would it require in order to find out the economic im-
27. pact on a company for that company to give to the person or the
28. people inquiring on the economic impact the cost of their product,
29. what they sell it for and some of the internal cost ...accounting
30. that they have in the company, and I think some of these people
31. would hesitate, especially small company operating on a margin to
32. divulge this. Now, the whole theory of the economic impact should
33. be studied further and that's the message that I get in the message

1. from the Governor. Thank you. Thank you, Senator Chew, for the
2. courtesies in allowing me to talk.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Partee.

5. SENATOR PARTEE:

6. Mr. President, I don't want to...you know pontificate on
7. this subject; I think that's been done amply. But I would like
8. to point out that there is a basic and fundamental consideration
9. with this Senator about the economic impact and about the fact
10. that businesses may be in a bind if the pollution standards render
11. them incapable of continuing and I didn't just think about that
12. yesterday, nor the day before when pollution standards came along
13. and environmentalists became very, very active. It was recognized
14. by this Legislature that there would be businesses that would have
15. problems. And I'm looking now at the Journal of June 13th, 1972 and
16. it says on motion of Senator Knuepfer, House Bill No. 2555 having
17. been printed and received, etc. was read at large a third time and
18. the question was shall this bill pass. And, it was decided in the
19. affirmative and among the affirmative voters is the name of Cecil
20. Partee. Now, this was a bill that took into consideration the
21. fact that many manufacturers might have problems reaching pollution
22. standards within the orbit of their financial capability. And,
23. let me tell you what the press release says and this is a press
24. release from the office of Governor Richard B. Ogilvie with
25. reference to House Bill 2555. For information, call Fred Bird.
26. Governor Richard B. Ogilvie, this is September 25th of '72,
27. Governor Richard B. Ogilvie today appointed the three members of
28. the States new Industrial Pollution Control Financing Authority.
29. This Legislature put money into that Financial Authority so that
30. business could borrow money to reach the standards that are required
31. under the EPA. Now, I believe in business and I also believe in
32. health. And I think that if you are going to demand that people
33. do certain things, you have to make the capability for them to do

1. those things and this is precisely what we have done. So, I am
2. unimpressed by the bleedings concerning businesses who are going
3. out of business and all of this because we have made it possible
4. for them to borrow money to make those standards and the interest
5. rates are nil and they are able to do what has to be done to make
6. sure that we preserve our environment. I'm not going to even
7. address myself to the questions raised by the Governor and the
8. veto. I agree intoto and I think certainly that this veto should
9. be sustained.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Latherow.

12. SENATOR LATHEROW:

13. Thank you, Mr. President and Members of the Senate. I can't
14. help but recognize in all the material that's passed by many of
15. us in the last few days how wonderful it is to have free handed
16. power. You and I...I can't say you and I, but 'cause I wasn't one
17. of them gave almost free handed power to some agencies a few years
18. ago by action of this General Assembly and the Governor. It's
19. very difficult for me to believe that when some agency makes judge-
20. ments that forecloses a business that they shouldn't be able to
21. make some statement of reasoning of what it's going to mean that
22. that business is closed, both to the community and to the area on
23. beyond the immediate community. You can't tell me that an economi-
24. cally unsound position doesn't result when they go into the
25. innocuous small area where there's an elevator sitting in the
26. country and say you're...polluting the air with a few hundred
27. thousand bushels of grain that you may buy. Now, there needs to
28. be some reason in the business that is going on today with these
29. agencies that are involved in this piece of legislation and I
30. think that's what most of us want to see. We want to see reason-
31. ableness. We don't want to see that agency out there legislating
32. and I refer to the name of Senator Knuepfer at this particular
33. time when about two or three years ago we hashed for several days

1. on a piece of legislation to put some regulation in there where
2. counties under one hundred thousand were excluded from that regu-
3. lation. That was passed and signed by the Governor. In less than
4. six months time, the agency that we were referring to in this legis-
5. lation decided that it was their job to include those portions
6. that we, in the General Assembly, saw fit not to include. Now, I
7. think that we need to sit up and have that agency be just as
8. responsible as you think you and I should be here and the people
9. in business should be. I can't help but think when we talk about
10. an economic impact...look at your construction of highways in the
11. State of Illinois and see what the economic impact statement alone
12. has caused to be added to the cost of that construction. I read
13. very carefully each newsletter that comes from the Pollution Control
14. Board and I hope that many of you here also do that same. I
15. can't help but see now in one of the most recent ones, not just you
16. and I are being told what type tires we can run on our automobiles.
17. Manufacturers, you have to assume from this are also being told that
18. no longer can you manufacture a tire that has not come within the
19. design that we say is probably here. I think that we have to do
20. something to keep an agency from being overly instructive on what
21. they do without giving what some impact could be. For instance,
22. on this one part where you can say to the automotive industries that
23. tire business, no longer can you produce that type automobile tire
24. or truck tire because we say that it shouldn't be used on the high-
25. way, one or more tires on the automobile or vehicle. I know I've
26. passed my time, Mr. President and Members, but I think this is impor-
27. tant legislation affecting someone and when you make a decision at
28. home, you have a tendency to think how economically it is there
29. because you know who it affects. And I think we need to do that thing
30. here today and override this action of the Governor. Thank you,
31. Mr. President.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Sours.

1. SENATOR SOURS:

2. While we're on the subject, Mr. President and Senators,
3. of economic impact, I was over in...at the Chevrolet distri-
4. butor in Peoria earlier this week and I noticed there was a
5. Chevrolet Caprice. And I...for sale and there was the price
6. tag on the...on the...on the window. Just seventy-one hundred
7. dollars...just seventy-one hundred dollars for the least of
8. the General Motors automobiles. Somewhere along the line,
9. there's...there's a cause or there are numerous causes for
10. that. Now, we say it's inflation. It's something just
11. what we're talking about today. Those of you who do not
12. practice law in this Chamber, do you know that when this
13. board makes a decision that it is final unless you are able
14. to prove that its decision is against the manifest weight of
15. the evidence...against the manifest weight of the evidence.
16. Then I hear the complaint that Illinois is going to lose so
17. many dollars, so many Federal dollars, so many of our own
18. dollars which some feel ought to come back to us whereas I
19. feel it shouldn't have left me in the first place. We're
20. going to lose some of that. Well, just take a look in the
21. newspapers today. There's a picture of the Chrysler Plant
22. in Belvidere and the Chryslers, the new automobiles, ready
23. for sale and no buyers. And that's true throughout the auto-
24. motive industry. We are up to our ears in unsold and unsalable
25. automotive vehicles because we...we cannot keep our paws away
26. from business. And when I hear Senator McCarthy talk about
27. businesses leaving these multi-national corporations. Some
28. day when you're up in New England take a look at the town
29. of Lawrence, Massachusetts which had the cotton textile business
30. in the world, most of it. If that doesn't satisfy you, those
31. scarecrow mills along the river, you go up to Manchester, New
32. Hampshire where most of the woolen cloth in the world was made.
33. You see, once we put our paws and...and...and hamstring and tie

1. up and strangle business as bad as business is and I don't
2. say it's sacrosanct or pure or holy but we...we're going to
3. have to start some day to quit bothering business. For what?
4. So you and I may eat. So we won't have another depression
5. because when we have the next depression, Gentlemen, there
6. will be instances ...of machine guns in the Court House
7. yards. Now, this is right in principle. I'm a defeated
8. Republican. We were defeated earlier this month. A party
9. can't afford to be defeated but it cannot afford to surrender
10. its principles. We'd better quit bothering business whether
11. it's U.S. Steel or whether it's the candy store next to the
12. grade school. This veto and I see the party line on...on the
13. other side where they were mistaken in voting for it at one
14. time or other. You weren't mistaken, Gentlemen, you were
15. right. Since then, you've gotten the party message. This
16. veto ought to be overridden. Give industry a chance. Let us
17. survive. If you don't believe me, take a trip to Britain
18. some day and see what they did and what they have left. Britain
19. is done.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. Chairman and the Members of this Body, in the four
24. years I've set...sat in this Chamber, I've seldom agreed with
25. Senator Sours. On this proposition, he has spoken truth that
26. should be listened to. The major problem we are facing today
27. and tomorrow is a recession. Inflation will take care of
28. itself as the recession spreads, and spreads like a cancer over
29. this land. You're going to hear from...from me from this desk
30. about being responsible from now on. One of the classic
31. jackasses of all times was Nero who sat on his butt and
32. fiddled while Rome burned. We see a depression coming and I
33. say let's grab a bucket. Let's do something about it. We

1. got a message on November the 5th and that message wasn't to
2. sit on our patoot, it was to do something - to do something
3. to avoid the depression. Sure , inflation's bad but let me
4. tell you and I was just a child to remember what happened in
5. the depression. We ain't seen nothing yet, Gentlemen. Now,
6. I'll say this, this veto may not be overridden and the National
7. Director of the EPA may not...may say that it's not inflationary.
8. Well, I tell you if it's not inflationary, he's crazy as hell.
9. It is inflationary and who's paying the price, where does the
10. tax dollars come from? They come out of your and my pocket.
11. So we lose two hundred and fifty million dollars of Federal
12. funds. Who's money is it anyway? It isn't in Washington. It
13. isn't...it doesn't belong to those people up there. It belongs
14. to us. The greatest relief we could have today from a...the
15. coming of a depression or a recession would be a savings in
16. tax money for the little man, the man who has to buy bread,
17. butter, food and transportation. Now, wake up and don't tell
18. me two years from now , if you get it fellas, that you didn't
19. stand here with your head in the sand because you let a group
20. of ecologists frighten you at this moment. Now I'm for ecology
21. too , but there's a time and place for it. And believe me, the
22. cancer that's spreading over this land today as he...as Senator
23. Sours has said, with the closing of the Chrysler Plant and all
24. the others, you're going to see a lot of hungry people here in
25. January and February, and I say to my friends on this side of
26. the aisle, the people gave you a mandate to be responsible, to
27. come out and fight against...against inflation and to head off
28. the recession. It's time now - it's here today - not February or
29. March. You better start now. It's a hell of a lot easier to
30. get a fire out today then it's going to be next March. If
31. you see a prairie fire start, you better start a backfire. This
32. my friends and if this bill goes down, I...I appreciate what
33. Senator Glass said about it being perspective. Maybe there's

1. some bad features about it in that respect. I'm not so sure.
2. I want to see another bill back out here on this floor. As
3. early as possible...as early as possible in the next Session,
4. to say perspectivevely we got to know what the economic impact
5. of any of these things are. This is providing jobs for a lot
6. of educated engineers over in the EPA and what they don't do
7. today, they'll do tomorrow. They'll put further restrictions
8. on because it means their job. When they run out of some-
9. thing to think about, they'll think of something else because
10. if they don't and they're not going to go to work for the auto
11. industry because it's going to be shut down. Where in the hell
12. are these engineers going to get jobs? Over there in the EPA
13. and they're going to think up some more regulations. Now get
14. your heads out of the sand. Let's start today to fight the
15. recession, not next...not next February, not over...we've got
16. a President that's over someplace else. He's not here fighting
17. the recession. He's not fighting inflation. The people sent
18. us a message. Let's read it. Let's read it now and in the words
19. of Ted Kennedy who was assassinated eleven years ago today on
20. Friday, I say to you, let's get this country moving again. Let's
21. don't let a recession deepen and to override this veto would be
22. such a vote.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Graham.

25. SENATOR GRAHAM:

26. Mr. President and Members, that's a pretty hard act to
27. follow. Nineteen hundred and seventy-two, I stood before the
28. Senate when we were adopting a pollution control bill and I
29. said, Gentlemen, if we keep listening to the environmentalists,
30. Ann Liddy at that time, we're going to soon be riding a bicycle
31. no where to do nothing. Many things have been said today. I
32. don't know how we fight inflation by cutting down employment
33. unless we subscribe to the soup kitchen tactics that I remember.

1. I was not a child in thirty-two. What I am really offended
2. about and all of us should be, is the fact that we have some
3. inference into the consideration of this important legislation,
4. some thoughts injected into this from people we didn't ask.
5. I resent thoroughly a telegram from Region 5, Chicago Chapter
6. of the EPA, telling us what to do and it wasn't signed. I
7. reject the influence and the mis...information put out
8. by Doctor Briceland and his crew that scared the Jesus out
9. of half of the mayors of the State of Illinois and it was
10. wrong. And he knows it was wrong. I tell you, Gentlemen,
11. the money that keeps this outfit going and these high priced
12. engineers that Senator Knuppel was talking about is tax money,
13. our money. At the tail end, the compliance of their ideas
14. is paid for by us and the cost of goods but we're not supposed
15. to know what really they're doing. So this puts us in the
16. place of a taxpayer-consumer with a charge account. This
17. buying a product with not knowing its cost and has no idea
18. what it will cost until the monthly bills start coming in.
19. This is a serious thing. This is a serious thing and if the
20. people that are in charge of it would have told the truth, it
21. wouldn't be so serious. And the Governor was in league with
22. those people and I'm sorry to say that.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Nudelman.

25. SENATOR NUDELMAN:

26. Mr. President and Ladies and Gentlemen of the Senate, we've
27. been discussing this for quite a while and everybody has been
28. speaking in generalities and there's been a lot of good infor-
29. mation and a good flow of...of ideas but I...I have a specific.
30. Before I was elected to this Body, I practiced law and I had a
31. client from the East who came to Chicago to try and expand their
32. operation and the Environmental Protection Agency had then
33. recently been created by the Legislature and signed by the then

1. Governor and I am afraid a monster was created. An irresponsible
2. monster that took it in all of these powers in its own hands.
3. And between my good friend, Mr. Kosinski's organization, the
4. Chicago Pollution Board, the Cook County Pollution Agency, and
5. particularly, the State Environmental Protection Agency, they
6. hounded my client who spent incidentally the largest...the
7. largest part of...of...the money spent outside of wages by
8. this...by this company was in attempting to protect the environ-
9. ment and they spent substantial sums of money and had a very
10. intricate system, a very involved scientific syn...system to
11. attempt to protect the environment, and by and large were
12. successful in that attempt. Finally, after all of these
13. harassments and being pushed around by the various agencies,
14. they left Chicago. And they said to me, we just can't make
15. it here under these conditions. And Gentlemen, we lost some
16. sixty jobs. That company is gone. Those jobs are gone and
17. they will never return. And if this organ...if this agency
18. is permitted to run rampant without any controls, that...type
19. of thing would continue and I strongly urge an override vote.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator McBroom.

22. SENATOR MCBROOM:

23. I move the previous question, Mr. President.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. All in favor signify by saying Aye. Opposed Nay. Motion
26. carries. Senator Bartulis may close debate.

27. SENATOR BARTULIS:

28. Thank you, Mr. President and Members of the Senate. I
29. would just like to read a few excerpts of a letter I received
30. just the other day. Now this is from when the Public Services
31. Utilities in the Springfield area. It says, "Business has been
32. accused of being negative and reactionary on matters en...in-
33. volving the environment and is ignoring health aspects of

1. pollution control. The situation I am about to relate, however,
2. has little if anything to do with health, but it does have to do
3. with a huge, unnecessary expense to our customers. Therefore,
4. we want you to have this information as you make your decision
5. on this question. When we built our Coffeen generating station in
6. Montgomery County, we purchased land surrounding the plant site
7. and built a lake for the express purpose of providing cooling
8. water for the plant. The Illinois Environmental Protection
9. Agency, however, has taken the position that this lake is State
10. water. The...EPA also proposes to require that we meet turmoil
11. discharge limitations and action which would require the con-
12. struction of cooling towers to prevent the discharge of warm
13. water into the lake." And that cost is about twenty million
14. dollars, Members of the Senate, and that would be directly put
15. on to the consumers of...of that utility. But I would do...say
16. just in closing that I have re...received assurances that a
17. motion would be filed in the House calling for a public hearing
18. on this bill which will give the State Environmental Agencies
19. the chance to testify before a Legislative Body to present
20. their case. Therefore, I hope for a...your yes vote on this
21. bill.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. The question is shall SB 9...589 pass the veto of the
24. Governor to the contrary notwithstanding. Those in favor
25. vote Aye. Those opposed vote Nay. The voting is open. Have
26. all voted who wish? Have all voted who wish? Take the record.
27. On that question the Ayes are twenty-seven, the Nays are
28. twenty-seven, three Present, two Absent. The...the bill having
29. failed to receive the required constitutional majority is
30. discarded and lost. For what purpose does Senator Berning arise?

31. SENATOR BERNING:

32. Mr. President, I'd like to rise on a point of personal
33. privilege.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. State your point.

3. SENATOR BERNING:

4. Action has now been taken on SB 589, however, and I did
5. not want to ask for a second recognition during the debate
6. but now that action has been taken, I want to have the record
7. show, that I am registering a vigorous protest, of the actions
8. by Richard H. Briceland, Director of the Illinois Environmental
9. Protection Agency. I just realized the full impact of his
10. communication to me. And Mr. President, I think it is regret-
11. table when an agency of the State takes special note of individual
12. groups and subjects them to castigation and ridicule. This I
13. submit, Mr. President and Members of the Senate, was done by an
14. arm of the State Government at the taxpayers expense. I think
15. it's regrettable and I think Richard Briceland owes not only the
16. two organizations named but the entire body of citizens of the
17. State of Illinois including this Senator, an apology.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Do any of the Senators have motions pending on the desk
20. of the Secretary upon which they would like to act at this time?
21. Senator Latherow.

22. SENATOR LATHEROW:

23. Well, Mr. President, I have a motion to move the Committee
24. on Agriculture, Conservation and Ecology be discharged from
25. further consideration of HB 1277, have it placed on second
26. reading and read a second time.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. What was the bill number? I was...

29. SENATOR LATHEROW:

30. That's...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. 1277. Senator Latherow moves that the Committee on
33. Agriculture and Ecology be discharged from further consideration

1. of HB 1277 and for the purpose of...I'm sorry. Placing it on
2. the order of second reading?

3. SENATOR LATHEROW:

4. 2nd...having it read a second time.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. And having it read a second time. All in favor of the
7. motion...Senator Netsch. Just a minute, I won't...

8. SENATOR NETSCH:

9. On...on behalf of many of us, what is the bill and why
10. is it necessary to discharge it at this moment?

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Latherow, will you enlighten Senator Netsch as
13. to the content of the bill.

14. SENATOR LATHEROW:

15. Senator, that is the land reclamation bill that was
16. passed out of the House and was held in the Senate Committee
17. and the Sub-Committee worked on it and have two major amend-
18. ments to go on that, we think, to provide a...a good land
19. reclamation bill for the State of Illinois.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Knuppel...Senator Netsch.

22. SENATOR NETSCH:

23. Just the second part of the question, Senator Latherow.
24. Why is the motion to discharge being made now? Is it your
25. assumption that the bill is going to be acted on and passed
26. at this Session?

27. SENATOR LATHEROW:

28. Well, I would presume that that's what I presumed if I
29. didn't presume that, I wouldn't have called that, you know.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Maybe I can help some of the Members on my side of the

1. aisle. There's another...there are two other bills that I'll
2. move right after this if they also be discharged. There's a
3. Boyle Bills and the McMaster Bills. Both of them deal with
4. reclamation of strip mine land. These are both good bills.
5. They were studied thoroughly in the House and after coming to
6. the Senate, a Sub-Committee was appointed that has studied
7. these and has prepared amendments. Now, unfortunately, time
8. won't allow those amendments to be placed on any other way
9. than to get...until pass those bills in this Session except
10. to get them out here on the Floor. Staff for the Democratic
11. side studying the bill so are people from Fulton, Knox County
12. who are with their planning and zoning commissions and if...if
13. those bills, in fact, are kind...the kind of bills that will
14. not be beneficial to the State of Illinois when amended on
15. third reading, I'll be the first to stand up and tell you so.
16. But, this is the only way that we can get bills out here and
17. get them passed at this Session that will deal with reclamation
18. of strip mine land.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Further discussion? All in...Senator Rock.

21. SENATOR ROCK:

22. I...just a question to the sponsor of the motion. Is...
23. is the idea, Senator Latherow, that all three bills come out
24. with unanimous consent and be placed on the Calendar for
25. proper action?

26. SENATOR LATHEROW:

27. Yes, I'm not objecting to the other...the other motion
28. of Senator Knuppel's.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. All in favor of the motion of Senator Latherow to dis-
31. charge the committee from further consideration of HB 1277
32. indicate by saying Aye. Opposed. The Ayes have it and the
33. bill is now on the order of second reading for the purpose

1. of being read by the Secretary, as soon as we get the bill.
2. If there's going to be further motions in this regard, get
3. the numbers to the Secretary's Office so he can have the
4. bills out here too. So why don't you tell the Assistant
5. Secretary the numbers of your bills that you're...oh, thank
6. you. For what purpose do you rise, Senator Bartulis?

7. SENATOR BARTULIS:

8. A point of personal privilege...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. State your point, Senator.

11. SENATOR BARTULIS:

12. ...Mr. President. Today we have directly behind me,
13. a class in government and business law from North Greene High
14. School in White Hall. If they'd stand and be recognized.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. I say the Chair notes that on the Floor of the Senate,
17. we now have a retiring member of the House of Representatives.
18. A man who was honored by many, many of his friends last even-
19. ing in recognition of his service of thirty-eight years in
20. the Illinois House of Representatives. Those who didn't have
21. an opportunity to congratulate Representative Charles Clabaugh
22. last night upon his recognition for his many achievements may
23. do so now in the usual manner extended to a distinguished
24. colleague by this Senate. Charley, you have served your State
25. well and you deserve a rest. Who...we have HB 1277 on the
26. Secretary's Table now to be read a second time.

27. SECRETARY:

28. HB 1277.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Any amendments from the Floor? 3rd reading. (Machine cut-off)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. I'd like leave of this Body to deal with both HB 1114 and
3. 1115 jointly in light of the fact that they're companion
4. bills. And I would, at this time, move that those bills be
5. ...be withdrawn from the Senate Agriculture and Conservation
6. Committee and placed on the second reading. They're both...

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. You've heard the motion by the Senator to have HB 1114
9. and 1115...the Committee on Agriculture and Ecology discharged
10. from further consideration, it be placed on the Secretary's
11. desk for the purpose of reading them a second time. All in
12. favor signify by saying Aye. Opposed. The Ayes have it and
13. the bills are on the Secretary's desk on the order of second
14. reading. The Secretary will read them. 1114.

15. SECRETARY:

16. HB 1114.

17. (Secretary reads title of bill)

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

19. PRESIDING OFFICER (SENATOR GRAHAM):

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

21. SECRETARY:

22. 1115.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any amendments from the Floor? 3rd reading. Senator Roe
27. had sent a request up for some purpose and I...are you here,
28. Senator? He's so small, I can't find him. He wanted to ask,
29. quite a while ago, to...for us on the order of consideration
30. postponed to take action on SB 1267. Senator Roe.

31. SENATOR ROE:

32. Mr. President and Members of the Senate, discussed this
33. motion on Wednesday and the motion is that I move that item...

1. that the item on Page 7, line 19 of SB 1267 be restored, the
2. item reduction of the Governor to the contrary notwithstanding.
3. This would be a restoration of seven hundred and twenty thousand
4. dollars. It would provide for an additional fifty dollars a
5. month for the State Police. I would appreciate favorable
6. consideration by this group.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Any discussion? Senator Partee. We'll wait. Senator
9. Partee.

10. SENATOR PARTEE:

11. I'd like to have, probably, Mr. President, about a ten
12. minute caucus in my office, right here.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. We've been asked to recess for ten minutes for the
15. purpose of a caucus in Senator Partee's office. Are we
16. invited too, Senator, or just your side? The Senate will be
17. in recess for ten minutes.

18. (RECESS)

19. (AFTER RECESS)

20. PRESIDENT:

21. The Senate will come to order. Senator Weaver.

22. SENATOR WEAVER:

23. Mr. President, I would like to move to reconsider the
24. vote by which the adjournment resolution was adopted.

25. PRESIDENT:

26. All right. Senator Weaver has moved, having voted on the
27. prevailing side, has moved to reconsider the vote by which the
28. adjournment resolution was adopted be reconsidered. All in
29. favor signify by saying Aye. Contrary No. The motion carries.
30. It is SJR 86, Senator Weaver. Now, you wish to...

31. SENATOR WEAVER:

32. Mr. President, I move to Table that resolution.

33. PRESIDENT:

1. Now, Senator Weaver moves to Table SJR 85. All in favor
2. of the motion to Table signify by saying Aye. Contrary No.
3. The motion carries. The resolution is Tabled. Now, the Chair
4. would like to explain the purpose for this action. As most of
5. us are aware, our schedule which was agreed to last June and
6. which we are now pursuing calls for us to reconvene on the 5th.
7. Most of us are aware that the Democratic Party does have its
8. National Mini-Convention scheduled in Kansas City for the days
9. of the 6th, 7th and 8th. If we meet our regular schedule of the
10. 5th, 6th and 7th, it will visit some hardship on those people
11. who want to be two places at the same time especially when those
12. two places are separated as widely as Springfield and Kansas City,
13. Missouri. We have communicated the Joint Leadership and...have
14. agreed that since most of us are going to be here on the 4th
15. anyway and I might indicate that the House Republicans are going
16. to caucus in relation to their leadership on the 4th also as are
17. the Democrat and Republican caucuses for Leadership for the
18. 79th Session going to be held on the 4th, most of us are going
19. to be here anyway. So, we will now determine to reconvene at
20. noon here in the Senate on the 4th. That will give us a full
21. legislative day that day and get our work out of the way hope-
22. fully by adjournment on the 5th and that will permit our Demo-
23. crat colleagues to those among them who wish to attend the Kansas
24. City meeting to be able to do so. So, the...the substitute
25. adjournment resolution, I think, is...do you have it, Mr. Secretary,
26. yet? We can...all right. He's prepared to read it. This would
27. be SJR 86.

28. SECRETARY:

29. No, it'll be 88.

30. PRESIDENT:

31. I'm, sorry. SJR 88 and it would provide for adjournment
32. today until noon on the 4th for the Senate and 11 a.m. for the
33. House on December 4th. Yeah. All right. If that's sufficient

1. understanding, we will then on Senator Weaver's motion move to
2. adopt SJR 88 which is our adjournment resolution. All in favor
3. of the adoption of the Joint Resolution signify by saying Aye.
4. Contrary No. The motion carries. SJR 88 is adopted. Senator
5. Weaver.

6. SENATOR WEAVER:

7. Mr. President, under the Amendatory Vetoes, SB 1527, I
8. would move to accept the specific recommendations of the
9. Governor as to SB 1527 in the following manner and form. On
10. Page 3 deletes lines 7 through 21. If there's any questions,
11. I'll be glad to answer them but I would so move.

12. PRESIDENT:

13. Is there further discussion? Well, are you directing a
14. question to the Chair to be raised with...Senator Wooten.

15. SENATOR WOOTEN:

16. Yes, I just wanted to know to what those lines relate.

17. PRESIDENT:

18. Senator Weaver.

19. SENATOR WEAVER:

20. Well, this is the Sanitarian Registration Act. The one
21. that provides for a one year grandfather section and the
22. Governor amended this section out and I would concur in his
23. amendmendatory veto.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. I just want to make it clear that there possibly is a
28. difference here now but some of these matters are in court and
29. this Senator and I would hope...urge those of us who are...have
30. been opposed to this entire principle of home rule would vote
31. No on all of these bills just to maintain the same posture.

32. PRESIDENT:

33. Is there further discussion? The question is shall the

1. Senate accept the specific recommendations of the Governor as
2. to SB 1526 according to...I'm sorry. Did I say 1526? It is
3. 1527. Let it be understood that I'm...my statement of the
4. question is that it relates to the specific recommendations
5. of the Governor as to SB 1527 in the manner and form just
6. explained by Senator Weaver. Those in favor will vote Aye.
7. Those opposed No. The voting is open. Have all voted who
8. wish? Have all voted who wish? Take the record. On that
9. question the Yeas are thirty, the Nays are nineteen. Those...
10. and...and...the specific recommendations of the Governor as
11. to SB 1527 having received the required majority vote of
12. Senators elected are declared accepted. SB 1519.

13. SECRETARY:

14. I move to accept the specific recommendations of the
15. Governor as to SB 1519 in a manner and form as follows. At
16. Page 1, restore the language deleted of lines 24 through 27
17. to-wit. Nothing in this act shall have the effect of limiting
18. the powers of cities or villages to tax license and regulate
19. funeral directors, undertakers, undertaking establishments, as
20. may be authorized from time to time by General Law. And add
21. to the extent such powers and functions are not exercised by
22. the State after the word regulate. Signed, Senators Howard R.
23. Mohr and Senator John A. Graham.

24. PRESIDENT: '

25. Senator Graham.

26. SENATOR GRAHAM:

27. Mr. President, on behalf of Senator Mohr, I will now move
28. to accept the specific recommendation of the Governor, SB 1519,
29. in the manner just read by the Secretary and ask for a favorable
30. roll call.

31. PRESIDENT:

32. Is there further discussion? The question is shall the
33. Senate accept the specific recommendations of the Governor as

1. to SB 1519 in the manner and form explained by Senator Graham.
2. Those in favor vote Aye. Those opposed No. The voting is
3. open. Have all voted who wish? Have all voted who wish?
4. Take the record. For what purpose does Senator Partee arise?
5. SENATOR PARTEE:

6. Just to alert you that I'm going to ask for a verification
7. of this roll call.

8. PRESIDENT:

9. On that question the Yeas are thirty, the Nays are sixteen,
10. one Voting Present. The specific recommendations of the
11. Governor as to SB 1519 having received the required majority
12. vote of Senators elected are declared accepted. Senator
13. Partee has requested a verification of the roll call. The
14. Secretary will read the names of the Senators voting in the
15. affirmative.

16. SECRETARY:

17. The following voted in the Affirmative:

18. Bartulis, Bell, Berning, Conolly, Davidson, Fawell,
19. Glass, Graham, Harber Hall, Hickey, Latherow, McBroom, Merritt,
20. Mitchler, Mohr, Moore, Netsch, Nimrod, Ozinga, Regner, Roe,
21. Schaffer, Scholl, Shapiro, Sommer, Soper, Sours, Vadalabene,
22. Walker, Mr. President.

23. PRESIDENT:

24. Is Senator Howard Mohr on the Floor? Remove Senator
25. Howard Mohr's name from the roll call. Is Senator Harber
26. Hall on the Floor? Remove Senator Harber Hall's name from
27. the roll call. Senator Graham moves to postpone consideration.
28. For what purpose does Senator Vadalabene arise?

29. SENATOR VADALABENE:

30. Thank you, Mr. President. On a point of personal privilege,
31. Sir.

32. PRESIDENT:

33. Proceed.

1. SENATOR VADALABENE:

2. On SB 1527, I was recorded as No. Now, you know my position
3. on these bills for the past three and a half years. I was talk-
4. ing to my secretary and inadvertently pushed the red button and
5. I want the record to show that, Sir.

6. PRESIDENT:

7. The record will so show that this addition to the Journal
8. will be clearly a matter of record. Senator Roe, do you have a
9. motion? Do you wish to proceed?

10. SENATOR ROE:

11. Mr. Secretary, is the...is the motion in the record or
12. need it be repeated?

13. PRESIDENT:

14. No. It...I...yes, the motion to postpone is in yesterday's
15. record so we can pick up this matter at this point.

16. SENATOR ROE:

17. So the motion need not be repeated.

18. PRESIDENT:

19. Be...need not be restated.

20. SENATOR ROE:

21. I think that...that we all know what this is. This is
22. about the third or fourth time that it has been brought up.
23. This is the fifty dollar per month restoration for the State
24. Police and I would request a favorable roll call.

25. PRESIDENT:

26. Is there further discussion? The Senate will just be at
27. ease for a moment. The Secretary is bringing the motion from
28. the Secretary's Office. Is there further discussion with
29. respect to SB 1267? Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President and Ladies and Gentlemen of the Senate,
32. this is the first step toward the thirty-six million two
33. hundred and ninety thousand nine hundred and fifteen dollars

1. that you're going to be adding as the five percent increase.
2. This first seven hundred and twenty thousand dollars is the
3. second seven hun...seven hundred and twenty thousand. These
4. have already gotten the five percent. You're adding one more
5. and when you start this, you will have exceeded. You were at
6. fifty eight million one eighty-eight two seventy-two and when
7. you add this thirty-six million, you'll have broken the hundred
8. million and haven't even gotten any tax relief. That means
9. that when you vote for this, you're not voting for a pay raise,
10. you're voting for an increase in taxes and the records will so
11. show. I would hope that we would reconsider what we're doing
12. here and show some discretion and certainly show some respon-
13. sibility in voting this down.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President, this is a very difficult vote for many of us.
18. I think we all feel that our State employees in the main do
19. an excellent job and are deserving of the money they make and
20. I know that they have been hit by the pressures of inflation
21. as indeed have all of us. But, I think it is only a matter of
22. prudence for us to look ahead at what may be around the corner.
23. I, personally, have profound fears for what may come in the
24. next year. We have already seen significant lay-offs. We know
25. that there are going to be great pressures placed on us for
26. additional relief as more people are...become unemployed. I
27. think it would be an imprudent thing for us to start this round of pay
28. raises generally. We must remember that a raise has been granted.
29. A fifty dollar pay raise. Certainly, my votes will reflect my
30. opinion that those are the only pay raises that should be granted
31. to any State employee elected or hired. I feel that the fifty
32. dollars a month is more than many citizens in the private sector
33. have received. I believe that if we are serious about holding

1. down inflation, we in State government, whether elected, appointed,
2. or hired, must set an example for the rest of the State. I
3. intend to oppose all further pay increases of any kind and wish
4. to so serve notice of that at this point. And, I will not go
5. beyond the fifty dollar raise in this or other categories to
6. State employees. I would urge you all while there is no great
7. virtue in accumulating money, we do need a cushion for what may
8. hit us next year. And, so I urge that we sustain the Governor's
9. Veto.

10. PRESIDENT:

11. Is there further discussion? The question is...yes,
12. Senator Roe, do you wish to close?

13. SENATOR ROE:

14. I just wish to state, Mr. President, that the five percent
15. alluded to by Senator Nimrod has been impounded and I would
16. again ask for a favorable roll call.

17. PRESIDENT:

18. The question is, shall the item on Page 7, line 19 of
19. SB 1267 be restored, the item reduction of the Governor to
20. the contrary notwithstanding. Those in favor vote Aye. Those
21. opposed Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Take the record. On that question
23. the Yeas are twenty-six, the Nays are thirteen, ten Voting
24. Present. The item on Page 7, line 19 of SB 1267 having failed
25. to receive the majority vote of Senators elected is declared
26. lost.

27. SECRETARY:

28. I move that the item on Page 1, lines...I move that the
29. item on Page 1, lines 13 and 14 and the item on Page 1, lines
30. 34 and 35 and the item on Page 2, lines 12 and 13 and the item
31. on Page 2, lines 25 and 26 and the item on Page 3, lines 9 and
32. 10 and the item on Page 3, lines 21 and 22 and the item on Page 3,
33. lines 34 and 35 and the item on Page 4, lines 14 and 15 and the

1. item on Page 5, lines 4 and 5 and the item on Page 5, lines
2. 18 and 19 and the item on Page 5, lines 35 and 36 and the
3. item on Page 6, lines 18 and 19 and the item on Page 6, lines
4. 35 and 36 and the item on Page 7, lines 17 and 18 and the
5. item on Page 7, lines 34 and 35 and the item on Page 8, lines
6. 16 and 17 and the item on Page 8, lines 33 and 34 and the
7. item on Page 9, lines 13 and 14 and the item on Page 9, lines
8. 34 and 35 and the item on Page 10, lines 14 and 15 and the
9. item on Page 10, lines 25 and 26 and the item on Page 11,
10. lines 10 and 11 and the item on Page 11, lines 28 and 29 and
11. the item on Page 12, lines 11 and 12 and the item on Page 12,
12. lines 28 and 29 and the item on Page 13, lines 10 and 11 and
13. the item on Page 13, lines 27 and 28 and the item on Page 14,
14. lines 9 and 10 of SB 1383 be restored, the item reductions
15. of the Governor to the contrary notwithstanding. Signed,
16. Senator Stanley Weaver.

17. PRESIDENT:

18. Senator Weaver.

19. SENATOR WEAVER:

20. Mr. President, I would ask leave to consider all of these
21. items in one motion.

22. PRESIDENT:

23. For what purpose does Senator Sours arise?

24. SENATOR SOURS:

25. I wanted to ask the sponsor, Senator Wooten, a question
26. if I may. Is the learned gentleman extant?

27. PRESIDENT:

28. Senator Wooten is the sponsor of the bill. It is Senator
29. Weaver's motion.

30. SENATOR SOURS:

31. Well...

32. PRESIDENT:

33. Senator Weaver...Wooten is returning to his seat. Just a

1. moment.

2. SENATOR SOURS:

3. Well now, Senator Wooten, are we saving money or are we
4. adding money on this one because this morning you were a great
5. money saver. And I wondered if that same consistent approach
6. would be the subject matter of this consideration.

7. SENATOR WOOTEN:

8. I would hate to violate Senatorial cannons by being guilty
9. of consistency, Senator, but I would certainly say that I have
10. heeded the arguments of my elders and I assume wiser colleagues
11. who prevailed upon me to believe that if we don't adopt Senator
12. Weaver's pay plan that our pension systems will be so seriously
13. underfunded that there is grave danger of them lapsing into bank-
14. ruptcy. The fact that I'm a Democrat does not automatically make
15. me fiscally respon...irresponsible, I hope, and I feel that pension
16. plans ought to be sound and properly funded. It is for that reason
17. that I'm supporting the restoration of these amounts in my own
18. bill as well as other appropriation bills. It's perhaps not the
19. perfect approach. I, personally, hope that we will take a somewhat
20. different, perhaps more comprehensive, approach to the whole vexing
21. question of pension plans, but I think it's imperative that we do
22. something now. And so I'm very happy to join in...in this, but I
23. think there is an error we have to correct.

24. PRESIDENT:

25. Senator Sours.

26. SENATOR SOURS:

27. I just wanted to call to your attention. You see, I've sat
28. back here acquiescently and supinely for fourteen years to hear
29. this double-talk, mealy-mouth, we're going to save a nickel here
30. and a nickel there except when it's something that we want. Now,
31. I happen to agree with what we're going to do here, but I disagree
32. with this blatant, latent, obvious kidding. I think we ought to
33. get in a peg or a mold and stay there rather than dancing all over

1. the lot. I'm going to support this, but I'm calling to your atten-
2. tion that we live by our deeds and our deeds are generally evinced
3. by what we say with our mouths.

4. PRESIDENT:

5. Yes. Senator Weaver.

6. SENATOR WEAVER:

7. Mr. ...Mr. President, on the motion, I would like to...on
8. the face of the motion strike Item 20 which is line...Page 10,
9. lines 14 and 15. That is not a restoration of pension contribu-
10. tions so if I might have leave to strike that from this motion?

11. PRESIDENT:

12. Is there leave? Leave is granted and the motion as stated
13. would exclude the reference to the item on Page 10, lines 14 and
14. 15, but all of the other items referred to previously in Senator
15. Weaver's motion remain in the motion. Is there further discussion?
16. The question is shall the items as enunciated by Senator Weaver
17. of SB 1383 be restored, the item reduction of the Governor to the
18. contrary notwithstanding. Those in favor vote Aye. Those opposed
19. No. The voting is open. Have all voted who wish? Take the record.
20. On that question, the Yeas are fifty-two, the Nays are none. The
21. items on the various pages as enunciated by Senator Weaver of
22. SB 1383 having received the required majority vote of Senators
23. elected are declared restored, the item reductions of the Governor
24. to the contrary notwithstanding. The Secretary will inform the
25. House...oh, I'm sorry. We haven't completed action on that. I'm
26. sorry. Yes, Senator Sours recognized.

27. SENATOR SOURS:

28. Mr. President and Senators, we have with us today a former
29. Member of the House, a very highly regarded citizen of Peoria County,
30. the honorable Wilbur Lauderbach, just visiting.

31. SECRETARY:

32. I move that the item on Page 16, lines 28 through 30 of
33. SB 1383 do pass, the item veto of the Governor to the contrary

1. notwithstanding. Signed, Senator John A. Graham.

2. PRESIDENT:

3. For what purpose does Senator Fawell arise?

4. SENATOR FAWELL:

5. Mr. President, Members of the Senate, I have a procedural
6. question which I would like to put to the Chair at this time in
7. regard to this particular motion. I have before me the bill which
8. is 1383 and I note that in reading the Governor's Veto Message
9. that the veto message is couched in terms that it is utilizing
10. Section 9-D of Article IV of our Illinois Constitution and it is
11. quite clearly expressed as being an item veto. I note, however,
12. that the alleged item veto wholly deletes Section 8 from this
13. particular bill. And Section 8 contains no appropriation whatsoever.
14. Section 8 actually, and I am reading that particular section,
15. states as follows. No part of any appropriation made in this act
16. shall be expended for the purchase of health or hospitalization
17. insurance for inmates. Now, this restrictive wording in regard to
18. this appropriation bill has been wholly deleted by action of the
19. Governor and based upon an Attorney General's opinion of October
20. 11th, 1973, in regard to another bill which was before this Senate
21. earlier this year, SB 698. The Attorney General has, it seems to
22. me, rather clearly said that if there is an alleged use by the
23. Governor of what is termed to be an item veto where there is no
24. effect at all upon any appropriation item, it simply cannot stand
25. as a valid exercise of the veto powers of the Governor. One might
26. try to say it is the utilization of the amendatory veto power, but
27. clearly that was not the Governor's intent and if it had been, the
28. ...no appropriations, of course, under this bill would have been
29. authorized whatsoever. And, so I am suggesting to the Chair that
30. and asking for a ruling as to whether or not the Governor's attempted
31. item veto of lines 28 through 30 on Page 16 of SB 1383 is or is not
32. an ineffective exercise by the Governor of an item veto power.

33. PRESIDENT:

1. Senator Fawell, you've asked for ruling of the Chair. For
2. what purpose Senator Nimrod arise?

3. SENATOR NIMROD:

4. Mr. President, just a point of personal privilege. The
5. students from the Algonquin Junior High School...or from the
6. junior high from...are here with us from the eighth grade and I
7. would like us to have a chance to be recognized by the Senate.

8. PRESIDENT:

9. Senator Fawell, you have requested a ruling of the Chair
10. with respect to the use of the Governor's item veto power in which
11. he has, in fact, proceeded to strike from the bill subject matter
12. other than a specific appropriation item and I have, of course,
13. familiarized myself with that Attorney General opinion that you
14. have referred to and it would be the ruling of the Chair that the
15. Governor through the use of his item veto power has attempted to
16. delete Section 8 at Page 16, lines 28 through 30 of SB 1383, the
17. prohibition of expenditures for health and hospitalization insurance
18. for inmates. This would be a veto of an entire section of the bill,
19. but not of an item of appropriation within the meaning of Article
20. IV, Section 9-D of the Constitution of 1970. The Governor speci-
21. fically states in his veto message that his veto of Section 8 is
22. an item veto pursuant to Section 9-D and the action specified by
23. the Governor in striking all of Section 8 of the bill is not a veto
24. of an item of appropriation within the meaning of Section 9-D.
25. Therefore, the Chair rules in accordance with the Illinois Attorney
26. General opinion S-630 that the Governor's attempted item veto of
27. lines 28 through 30 on Page 16 of SB 1383 is ineffective. As an
28. exercise of his item veto power, no action by the Senate is
29. necessary with respect to Section 7 and that section stands as
30. originally enacted by the General Assembly on July 2, 1974.

31. Senator Fawell.

32. SENATOR FAWELL:

33. Yes, I would concur wholeheartedly and perhaps some day there

1. may be some judicial rulings on this. I...I believe that is the
2. correct...

3. PRESIDENT:

4. Then the effect of my rule is to rule Senator Graham's motion
5. out of order. Senator Netsch.

6. SENATOR NETSCH:

7. Mr. President, this is a fairly momentous ruling that I think
8. not everyone was...realized was going to be occurring at this
9. moment in time and so I think it should be clear to...made clear to
10. everyone that what you are ruling. You are saying in effect that
11. in this specific case and any other similar case, if the Governor
12. takes from an appropriation bill an entire section of language
13. which might not have a dollar sign in it and designates it as an
14. item veto, that that is a totally ineffective action and will not
15. be recognized by this Body. Is that your...the effect of your
16. ruling, Mr. President?

17. PRESIDENT:

18. Senator Netsch, I state to you that my ruling is one of
19. moment and significance and we have researched this matter quite
20. thoroughly and carefully. And our determination is insofar as the
21. Chair is concerned fully determine that the motion is out of order
22. and that the use of the Governor of his item veto power must be
23. limited just to that and that his proported use of item veto power
24. in what really should have been an amendatory veto action, then rules
25. the effect of his veto in this instant matter and ineffective veto.
26. And I sight as the authority for my ruling, the Attorney General's
27. opinion that I referred to and that is the ruling of the Chair that
28. the veto is ineffective and that the motion is out of order.
29. Senator Netsch.

30. SENATOR NETSCH:

31. Is it then my understanding that if the Governor had used a
32. different magic word to describe this veto, that is had designated
33. it as an amendatory veto, rather than an item veto presumably your

1. ruling would not be the same.

2. PRESIDENT:

3. That is absolutely correct.

4. SENATOR NETSCH:

5. I have two more questions...

6. PRESIDENT:

7. And he sited...he sited his constitutional authority as that
8. authority provided for his item veto power. He did not, of course,
9. site as his authority his amendatory veto power which is contained
10. in a different paragraph of the Article relating to his veto power.

11. SENATOR NETSCH:

12. Would it also be or not be the ruling of the Chair, that in
13. view of the fact, that there obviously is some area of...of vagueness
14. about this or at least of confusion about the proper designation of
15. ...of the item...of the veto in this case. Could this not be
16. considered then as if it were an amendatory veto since it would be
17. proper under your previous ruling and a motion be made with respect
18. to it as an amendatory veto?

19. PRESIDENT:

20. Well, since the Governor has been so precise in his message,
21. Senator, I don't think we have that latitude. Now, further, that
22. question was addressed in the Attorney General's opinion and I
23. think effectively responded to as a...as a...as an evaluation in
24. point of the point that you raised. And it...it has been, of
25. course, responded to as I am stating now, in that opinion.

26. SENATOR NETSCH:

27. I would make an additional point then, Mr...

28. PRESIDENT:

29. I would...I would just caution the other Senators. I am
30. aware of others seeking recognition if it is in connection with this
31. matter, you will be recognized. I noticed in this order requesting
32. to be recognized, Senator Sours, Senator Buzbee, Senator Shapiro,
33. and Senator Knuppel. Now, Senator Glass is also up and I...you

1. ...you will be recognized. Senator Netsch, proceed. I didn't
2. mean to interrupt. I just wanted to settle down some waving hands.
3. Senator Netsch.

4. SENATOR NETSCH:

5. I think one additional element should be injected into the
6. debate over the validity of your ruling then, Mr. President. And
7. that is that if, indeed, the item veto is not proper because this is
8. not an item of appropriation, then I would suggest that Section 8
9. itself is invalid and ineffective because it is not an appropriation.
10. It is a matter of substance that was incorrectly included in an
11. appropriation bill. So that seems to me we are back a stage beyond
12. this. I am not sure whether I bring that issue to the front by
13. eventually appealing the ruling that you are making on this point,
14. or whether there might be a more direct way of bringing it into
15. challenge. But it seems to me that if your first point is indeed
16. correct and I do not concede that it is, but if it is, then I think
17. my point is equally valid and that is that Section 8 had no
18. business being in this bill in the first place and it itself is
19. invalid and should be ignored as if it did not exist. And I think
20. ...oh, one other thing. I...I don't want to cut off the debate...

21. PRESIDENT:

22. Proceed.

23. SENATOR NETSCH:

24. ...but...but if it is not done some place along the line
25. after others have had a chance to express themselves, I think I
26. would appeal the ruling of the Chair.

27. PRESIDENT:

28. I would respond, Senator, just by saying that you are raising
29. the question of whether this is substantive language or not. And
30. I indicate to you that we have had discussions on this in connection
31. with a somewhat similar set of facts before in connection with the
32. junior college appropriation. There was general agreement that
33. that question needs to be litigated. It, in fact, is presently

1. being litigated. The...matter of the local government affairs
2. appropriation which the Comptroller raised questions about. You
3. may be familiar with that in connection with the appropriation
4. requirement of Federal funds. That is being litigated and I would
5. say that that is a subject clearly separate from the very precise
6. question being raised here. And that precise question is the
7. distinction between an amendatory veto and an item veto and the
8. Chair does, in fact, rule that the authority for the use of the
9. item veto is restricted to just that, the adjustment of a bill by
10. the elimination of the appropriation item itself which is quite
11. precise in the judgement of the Chair and that the deletion of a
12. section of the bill which is language pertaining to the appropria-
13. tion could be deleted only through the amendatory veto process...
14. I'm sorry, amendatory veto authority granted under the amendatory
15. veto section of the Constitution. Now, that's...I raised that
16. point. You have...you certainly have the right to raise the
17. question about substantive language and I would say to you that
18. that question was determined by this General Assembly in the
19. passage of this bill and determined that it related to the question
20. of appropriations and no...nothing more. I would so rule that that
21. was the judgement and the collective action of the General Assembly
22. in that regard. I'm certain that there will be ultimately not only
23. initial litigation of what, in fact, the Constitution means as
24. relates to appropriation matters and substantive matters. It
25. probably is going to take more than one case to really narrowly
26. define so as not to inhibit the orderly operation of government
27. still...but still to give the court's judgement of what those new
28. expressions in the 1970 Constitution really do provide as a limita-
29. tion for us. Now, that...if you want to say something, you're
30. recognized.

31. SENATOR NETSCH:

32. Well, I just...on the basis that the ruling is, in my judgement,
33. highly questionable and in addition would virtually make impossible

1. appropriate action with respect to sections in a number of appro-
2. priations bills. I would appeal the ruling of the Chair, however,
3. at the moment, I've forgotten whether that's a nondebatable motion
4. and I do not want to cut off debate.

5. PRESIDENT:

6. Well, I...I understood that you mentioned before. I...when...
7. the Senators who wish to be recognized are finished, your motion
8. will be put. Senator Sours.

9. SENATOR SOURS:

10. I'd like...I would like to address, Mr. President, my
11. comments to Senator Netsch, if I may. I always have some reluctance
12. and trepidation to address any of the Members, the lions under the
13. Samuel Whitworth's throne at the old gentleman's convention that
14. met four years ago, but Senator, would you be willing to tell me
15. if the Governor could operate on the money appropriated according
16. to your theory of Section 8? If the Governor destroys the functional
17. substantive portion of the bill, then would you say that he would
18. have those funds available for any of his wily, elusive, lupine
19. maneuvers?

20. PRESIDENT:

21. Senator Netsch.

22. SENATOR NETSCH:

23. Would you reple...repeat the question please, Senator Sours.

24. SENATOR SOURS:

25. I was so oratorical, I forgot what I said, believe me.
26. The point is, however, if...if you destroy, you say make this an
27. appropriation item rather than a line item, the trouble is the
28. Governor calls this an...a line item. Now, or...or an item veto.
29. rather than...than the other. Now, you say let's apply Section 8.
30. I say fine. Let's apply Section 8. Then what happens to the funds?
31. Does the Governor have those at his fingertips to buy Havana cigars
32. or take a junket over to Continental Europe or what do we do with
33. the money? Where is the control of...you...of your control and my

1. control over what is the ultimate disposition of the dollar while
2. the Governor plays Legislator?

3. SENATOR NETSCH:

4. I don't see why that is in any way changed, Senator Sours.

5. SENATOR SOURS:

6. Well, I don't think you understand the Governor's veto then,
7. Senator, because he...he's got this money jangl...jingling around
8. his pocket then to do with as he pleases. Once he destroys the
9. ultimate substantive, the limited substantive use, now you wouldn't
10. ever want that would you, even in your wildest dreams? Would you
11. really?

12. SENATOR NETSCH:

13. No...no, indeed.

14. SENATOR SOURS:

15. Then, I can't see any substance in your comment here today,
16. other than you've got the word that the Governor would like you
17. to vote a certain way. If we vote your way, Senator, we're
18. simply putting money on top of the Governor's desk and that wily,
19. elusive executive, he has a lot of...a lot of dispositive persons
20. for those, believe me. Do you have any further comment on that?

21. SENATOR NETSCH:

22. If...if that was a question, I would repeat, I don't see why
23. the situation is changed. The money in here has not been affected
24. in that respect. There have been except for items that we have
25. responded to in a different context. The money has not been reduced.
26. It has not been restored or in other...in any other way changed.

27. PRESIDENT:

28. Senator Sours.

29. SENATOR SOURS:

30. But the appropriation has not been...been...been killed, Senator,
31. just the substantive use of that appropriation. The money is there.
32. Now, are you going to tell me he's going to let that be put in a
33. sack and be available for you and me two years from now? No,

1. Senator, I think he's got the ultimate disposition of that right
2. in his cranium as you and I are discussing it.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. Mr. President, I would like to
7. address a question to the Chair. I am in agreement with the intent
8. of Senator Graham's motion. Now, my problem is, I...not being a
9. lawyer, I...I understand your ruling. I understand the implica-
10. tions of your ruling and ultimately as I understand your ruling
11. you say that we probably are going to end up in some long-term
12. litigation. Now, Mr. President, with the intent of your ruling
13. being that we are going to end up in long-term litigation, let's
14. just suppose, Mr. President, that the Governor chooses to ignore
15. your ruling. And in fact then it does end up in the courts. What's
16. going to happen if, in fact, there is hospitalization insurance
17. purchased for inmates at State penal institutions?

18. PRESIDENT:

19. Well, Senator Buzbee...well, Senator BuzBee, it is my deter-
20. mination that the Comptroller would not honor a voucher that pre-
21. sumed or directed that hospitalization insurance were being purchased
22. by the funds requested under the voucher. That clearly that's not
23. possible when this General Assembly unmistakably stated that this
24. item was not available for that purpose. Now, it's the judgement
25. of the Chair that the General Assembly has that appropriation power
26. and that we were not involved with substantive legislative enactment
27. but directing a limitation on an appropriation and not enacting into
28. general law substantive law. And it...in response to your perfectly
29. valid question in connection with this issue and mindful of the
30. responsibility that you have within your legislative district. I
31. have one too so involved and there's deep concern about our consti-
32. tuency, I mean with our constituency about this question. So, I
33. would respond that, if an attempt were made by the Department of

1. Corrections to purchase health insurance for inmates, that it
2. could not be consummated because there is an obligation on the part
3. of the Comptroller to restrict funds for that directed purpose
4. by the General Assembly. And that if, in fact, the...I'm...I'm...
5. I think I'm going beyond your question, but if, in fact, the
6. use of the amendatory veto of Section 9-E were utilized then we're
7. ...we're home free. Of course, the problem is that in the meantime,
8. the authorization for all the other purposes of the Department of
9. Corrections would have been inhibited.

10. SENATOR SCOURS:

11. Well, I think...I think, Mr. President, that there is oral
12. record made today that if...in...it ever...it does get to the
13. courts, the litigation starts that the intent of the Legislature
14. has certainly been expressed.

15. PRESIDENT:

16. I...I would agree. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Mr. President, Ladies and Gentlemen of the Senate, considering
19. some of the remarks that Senator Netsch made previously and which
20. you just reiterated, if this were as she would like it to be, an
21. amendatory veto and this Body sustained that that would definitely
22. mean that until we sustain that amendatory veto there could be no
23. appropriations or no money spent out of this and this is a major
24. appropriation bill. And as far as I, personally, am concerned, the
25. Governor's office knew what they were doing when they attempted to
26. call this an item reduction just for that very purpose. And further-
27. more, if as Senator Buzbee just pointed out that there is a oral
28. record on the debate taking place today, I state that we should go
29. back to a year ago when there is also a recorded debate on what
30. happened as far as SB 698 is concerned. And at that time, this
31. Body did sustain the Attorney General's opinion that a reduction
32. veto was in effect an amendatory veto and since it was sited and
33. called under the wrong paragraph of the Constitution that the

1. Attorney General's opinion would stand and that it was up to the
2. Governor's office to challenge that opinion in the courts. One
3. year has gone past. It has not been done and I think that the
4. Chair's ruling on that...on the request of Senator Fawell should
5. stand.

6. PRESIDENT:

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Mr. President, there has been a lot of discussion on this.
10. All I want to say is that I don't think it makes any difference
11. what the intent of the Legislature is with respect to this language.
12. It's the intent of what the Constitutional Convention was with
13. respect to what each of these different types of vetoes were. Now,
14. the Governor damn well knows what an amendatory veto is because he
15. went out and worked to keep his amendatory veto. He didn't make
16. any mistake and in the Constitutional Convention, I sit and...and
17. objected to what we were doing. I said we're laying out a variable
18. smorgasbord of vetoes for the Governor. I think there's at least
19. four, maybe five, ways he can veto a bill. Now, if you've got
20. a diet and you choose the wrong food and you end up with a belly
21. ache, that's too bad.

22. PRESIDENT:

23. Senator Nimrod.

24. SENATOR NIMROD:

25. Mr. President, on a point of personal privilege, we did meet
26. half of the class of the Algonquin Junior High from DesPlaines,
27. Illinois and we have the other half of the class with us here to
28. the rear on the right hand side. I would like to have them recog-
29. nized...stand and be recognized.

30. PRESIDENT:

31. For what purpose does Senator Soper arise?

32. SENATOR SOPER:

33. Mr. President and Members of the Senate, I think we've chewed

1. this thing long enough...

2. PRESIDENT:

3. Well, Senator Soper, there is a list of Senators on this
4. question and if you want to be heard on this question, I'll put
5. you on the list. Senator Glass.

6. SENATOR GLASS:

7. Mr. President, I think the record should also reflect one
8. other item in connection with Senator Netsch's position to
9. whether this language is substantive language that the Governor
10. has deleted. Under Section 8 of the Constitution, of course, it
11. is provided that bills, except appropriation bills and others,
12. shall be confined to one subject and appropriation bills shall be
13. limited to the subject of appropriations. It seems to me this
14. language qualifies as a subject of the appropriations and for that
15. reason, the attempted deletion of it would be improper and with it
16. back in, I think the bill would be in proper form as it...in
17. accordance with your ruling, that is the way it will remain.

18. PRESIDENT:

19. Senator Hynes. Senator Soper, do you wish recognition? Is
20. there further discussion? Senator Netsch then moves to appeal the
21. ruling of the Chair. The question is shall the ruling of the Chair
22. be sustained. Those in favor will vote Aye. Those opposed vote
23. No. The voting is open. Yes. This...the question is shall the
24. ruling of the Chair be sustained. It does require thirty-six no
25. votes to carry. I'm sorry...the...to...to overrule. The rules
26. provide for the question to be put in the form shall the ruling of
27. the Chair be sustained. Those who wish to vote with the ruling that
28. Senator Fawell requested will vote Aye. Those who wish to support
29. Senator Netsch's question of that ruling will vote No. Have all
30. voted who wish? Take the record. On that question, the Yeas are
31. thirty-seven, the Nays are twelve, one Voting Present. And the
32. ruling of the Chair is sustained. Further motions with respect to
33. SB 1383? Then the Secretary will inform the House of the action

1. of the Senate with respect to SB 1383 and request its concurrence
2. therein. Senator Weaver.

3. SECRETARY:

4. That the item on Page 17, lines 15 and 16 and the item on
5. Page 17, lines 17 through 20 of SB 1324 be restored, the item
6. reductions of the Governor to the contrary notwithstanding.

7. PRESIDENT:

8. Senator Weaver.

9. SENATOR WEAVER:

10. Mr. ...Mr. President, I would ask leave to consider all of
11. these line items in one motion.

12. PRESIDENT:

13. Senator Weaver has requested leave for all of these items
14. that relate to retirement be considered in a single motion. Is
15. there leave? Leave is granted. Senator Weaver.

16. SENATOR WEAVER:

17. Well, Mr. President, this is a restoration of the retirement
18. contribution by the State to the Chicago teachers in the amount of
19. two million four hundred and twenty-five thousand four hundred
20. dollars; to the downstate teachers, three million nine hundred and
21. seventy-three thousand. A total of six million three hundred and
22. ninety-eight thousand four hundred dollars. I would move that the
23. item on Page 17, lines 15, 16, and the item on Page 17, lines 17
24. and 20, through 20 of SB 1324 be restored, the item reductions of
25. the Governor to the contrary notwithstanding.

26. PRESIDENT:

27. The question is shall the items on Page 17, lines 15 and 16
28. and the item on 17, Page 17, lines 17 through 20 of SB 1324 be
29. restored, the item reductions of the Governor to the contrary not-
30. withstanding. Those in favor will vote Aye. Those opposed No.
31. The voting is open. Have all voted who wish? Have all voted who
32. wish? Take the record. On that question, the Yeas are fifty-one,
33. the Nays are none. And the items on Page 17, lines 15 through 16

1. and 17 through 20 are restored, the item reductions of the Governor
2. to the contrary notwithstanding.

3. SECRETARY:

4. That the item on Page 8, lines 24 through 30 of SB 1324 do
5. pass, the item veto of the Governor to the contrary notwithstanding.
6. Signed, Senator Stanley Weaver.

7. PRESIDENT:

8. Senator Weaver.

9. SENATOR WEAVER:

10. Well, Mr. President and Members of the Senate, this is a
11. restoration of five hundred thousand dollars to finish out what
12. was a three year program, this being the last of the three year
13. program on school financial planning fiscal efficiencies matters.
14. We had...have two years on this program behind us of the three
15. years proposed. This money would complete that program and I think
16. be beneficial to every school district in the State of Illinois.
17. So, I would move for restoration as the Secretary has read, line
18. ...on Page 8, line 24 and 30 of SB 1324 do pass, the item veto of
19. the Governor to the contrary notwithstanding.

20. PRESIDENT:

21. Is there further discussion? The question is shall the item
22. on Page 8, lines 24 through 30 of SB 1324 be restored, the item
23. reduction, of the Governor to the contrary notwithstanding. Those
24. in favor will vote Aye. Those opposed No. The voting is open.
25. I believe I stated that question as an item reduction. It is an
26. item veto. Have all voted who wish? Take the record. On that
27. question, the Yeas are twenty-five, the Nays are six, four Voting
28. Present. The item on Page 8, lines 24 through 30 of SB 1324
29. having failed to receive the required three-fifths vote is declared
30. lost.

31. SECRETARY:

32. I move that the item on Page 10, lines 32 through 36 of SB 1324
33. be restored, the item reduction of the Governor to the contrary

1. notwithstanding. Signed, Senator Thomas Hynes.

2. PRESIDENT:

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President and Members of the Senate, this is a...an item
6. veto of six hundred eleven thousand dollars which was appropriated
7. to the Superintendent of Public Instruction to establish a program
8. for screening to test children that...for possible learning dis-
9. abilities. It has been in operation for the past two years and
10. this money is necessary if the completion of the program is...is
11. to be brought about. The Superintendent's office has entered into
12. a contract to have this screening device perfected and is desirous
13. that this money be made available to complete the program. And
14. I would move, Mr. President, that the item on Page 10, lines 32
15. to 36 of SB 1324 be restored, the item reduction of the Governor
16. to the contrary notwithstanding.

17. PRESIDENT:

18. Is there further discussion? The question is shall the item
19. on Page 10, lines 32 through 36 of SB 1324 be restored, the item
20. veto of the Governor to the contrary notwithstanding. Those in
21. favor...it is a reduction. The item reduction of the Governor to
22. the contrary notwithstanding. Those in favor vote Aye. Those
23. opposed No. The voting is open. For what purpose does Senator
24. Hynes arise?

25. SENATOR HYNES:

26. Mr. President, it is an item veto. And if...if the motion...

27. PRESIDENT:

28. Then the motion on file with the Secretary is...is improperly
29. stated.

30. SENATOR HYNES:

31. May I correct it on its face then?

32. PRESIDENT:

33. On it, you certainly may. Yes, all right. Senator Hynes has

1. corrected the motion on its face and the question is shall the item
2. on Page 10, lines 32 through 36 of SB 1324 pass, the item veto of
3. the Governor to the contrary notwithstanding. Those in favor will
4. vote Aye. Those opposed No. The voting is open. Have all voted
5. who wish? Take the record. On that question, the Yeas are forty-
6. nine, the Nays are none. The item on Page 10, lines 32 through 36
7. of SB 1324 having received the required three-fifths vote is
8. declared passed, the item veto of the Governor to the contrary not-
9. withstanding.

10. SECRETARY:

11. I move that the item on Page 14, lines 24 through...Page 16,
12. line 29 of SB 1324 do pass, the item veto of the Governor to the
13. contrary notwithstanding. Signed, Senator David Shapiro.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President, Ladies and Gentlemen of the Senate, this item
18. veto eliminates the entire Section 3 having to do with position
19. titles and the monthly salary rates.

20. PRESIDENT:

21. For what purpose does Senator Fawell arise?

22. SENATOR FAWELL:

23. Mr. President, I arise for the same reason as in regard to
24. previous SB 1383. I noticed that once again the Governor in
25. regard to this bill quite clearly claims that he is vetoing
26. under the provisions of 9-D of Article IV. Clearly it is not an
27. amendatory veto, but quite clearly, he is rewriting the bill because
28. he is once again deleting a section. There is no effect on any
29. item of appropriation whatsoever. He simply deletes Section 3.
30. I won't...I don't think I have to say anything more because we
31. have certainly fully expressed ourself on the...on the topic. I
32. ...I think the Governor must have known what he was doing. He
33. didn't want to cripple the appropriation bills so the appropriations

1. couldn't flow, yet he wanted to delete these restrictions and I
2. think that it is, therefore, an ineffective veto and I would request
3. again a ruling from the Chair on that subject.

4. PRESIDENT:

5. The Chair would rule then in response to your question with
6. some explanatory preparation of dialogue that the attempted item
7. veto on the part of the Governor strikes all of Section 3 which
8. can be found on Pages 14, 15 and 16 of SB 1324. Now, this would
9. be an veto of an entire section of the bill, not of an item of
10. appropriation within the meaning of Article IV, Section 9-D of
11. the Constitution of 1970. The Governor specifically states in
12. his veto message that his veto of Section 3 is an item veto pur-
13. suant to Article IV, Section 9-D of the Illinois Constitution and
14. the action specified by the Governor in striking all of Section 3
15. of SB 1324 is not a veto of an item of appropriation within the
16. meaning of Section 9-D. Therefore, the Chair rules in accordance
17. with the Attorney General opinion S-630 that the action of the
18. Governor with respect to his attempted item veto of Section 3 on
19. Page 14, line 24 through...Page 16, line 29 of SB 1324 is ineffective
20. as an exercise of his item veto power. No action by the Senate is
21. necessary with respect to Section 3 and that section stands as
22. originally enacted by the General Assembly on June 28th, 1974.
23. Senator Netsch.

24. SENATOR NETSCH:

25. Mr. President, I...I will not renew the motion, I think,
26. because we have already debated the issue. I would like to add
27. simply one more part of the debate which I did not have handy since
28. we were all taken by surprise on the last one. And that is simply
29. to read two sentences from the recent Supreme Court opinion on the
30. subject of the Governor's veto power as follows: The Constitutional
31. provision which limits appropriation bills to the subject of appro-
32. priations is not simply a formal requirement in the enactment of
33. legislation. It is much more than that. It has its roots in the

1. doctrine of separation of powers. As a practical matter, if
2. subjects other than the immediate subject of appropriations and
3. the sense of authorization of expenditures are permitted to be
4. included in an appropriations bill, then the veto power of the
5. Governor is effectively nullified. Appropriations bills are
6. characteristically passed late in the Legislative Session paren-
7. thetically as we well know and they must become effective in order
8. to prevent government operations from being brought to a complete
9. stop. The Governor's amendatory veto power is also effective for
10. an amendatory veto would also delay the availability of the appro-
11. priated funds to insure the continued operation of governmental
12. functions. And to that, I would simply add again that if the Legis-
13. lature is going to include provisions that purport to be part of
14. the appropriations process in an appropriations bill, then it must
15. be subject to the item veto. And on that basis, I would object
16. to the ruling of the Chair, but I won't make the formal motion.

17. PRESIDENT:

18. Is there further discussion? Are there further motions?
19. I ruled, Senator...yes, in response to Senator Fawell's point of
20. order, I now rule Senator Shapiro's motion out of order. Are
21. there further motions pending with regard to SB 1324? Then the
22. Chair directs the Secretary to inform the House of the action by
23. the Senate with respect to SB 1324 and requests its concurrence
24. therein.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senate Bills on third reading. Senator Chew, do you wish
27. to call 1546? For what purpose does Senator Soper arise?

28. SENATOR SOPER:

29. Well, Mr. President and Members of the Senate, on House Bills
30. ...on HB 2715, I'd like to make a motion to reconsider the vote
31. by which Amendment 3 was adopted having voted on the prevailing
32. side. In this amendment, they forgot one line and we've got to
33. put a line in that...that would make some sense of this whole thing.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Soper, we'll have to get back to second, I believe.
3. SENATOR SOPER:
4. Pardon me.
5. PRESIDING OFFICER (SENATOR WEAVER):
6. You have to bring this bill back to second reading. Is this
7. ...are you asking leave to bring it back to second?
8. SENATOR SOPER:
9. Yeah, after I Table this, take it back to second after I
10. reconsider the vote by which it was passed. Oh, you want it back
11. to second first? Will you make the motion? It's your bill.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Senator Rock moves to bring HB 2715 back to the order of
14. second reading for the purpose of Tabling amendment. Is there
15. leave? Leave is granted. Senator Soper.
16. SENATOR SOPER:
17. Now, I'll move that...to reconsider the vote by which Amend-
18. ment No. 3 to HB 2...2715 was adopted.
19. PRESIDING OFFICER (SENATOR WEAVER):
20. All in favor of reconsideration signify by saying Aye.
21. Opposed Nay. The motion carries. Senator Soper.
22. SENATOR SOPER:
23. Now...now, I'll move to Table Amendment No. 3.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. Senator mov...Senator Soper moves to Table Amendment No. 3 to
26. HB 2715. All in favor signify by saying Aye. Opposed Nay.
27. Motion carries.
28. SENATOR SOPER:
29. Now...now, I believe you have another motion on your desk.
30. Another amendment.
31. SECRETARY:
32. Amendment No. 4 offered by Senator Soper.
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Soper.

2. SENATOR SOPER:

3. Now, Amendment No. 4 does exactly what the other amendment was.

4. supposed to do, except that we forgot one line in there that made

5. some sense. It was caught by the Secretary and by some of our

6. staff.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Is there any discussion?

9. SENATOR SOPER:

10. It doesn't change what we said before.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Soper moves the adoption of Amendment No. 4 to Senate

13. ...HB 2715. All in favor signify by saying Aye. Opposed Nay.

14. The amendment is adopted. Any further amendments? Third reading.

15. Senator Chew, do you wish to call 1546 on...Senate Bills on third

16. reading?

17. SECRETARY:

18. SB 1546.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Mr. Secretary, Senator Chew asks that this bill be brought

23. back to the order of second reading.

24. SENATOR CHEW:

25. I don't...yeah, right. For the purpose of an amendment.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Is there leave? Leave is granted. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. I appreciate Senator Chew's bring-

30. ing the mo...SB 1546 back. I have a motion in writing on the

31. Secretary's desk pertaining to that bill and have...I will read

32. the motion having voted on the prevailing side on the roll call

33. by which Amendment No. 2 was defeated, I move to reconsider that

vote.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. You've heard Senator Rock's motion. All in favor
3. signify by saying Aye. Opposed Nay. The motion carries.
4. Senator Rock.
5. SENATOR ROCK:
6. Now, I think the prop...it...it is Senator Schaffer's
7. amendment. Is it appropriate at this time, I think, for him
8. to move its adoption.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Schaffer.
11. SENATOR SCHAFFER:
12. I make the appropriate motion.
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Senator Schaffer moves the adoption of Amendment No. 2
15. to SB 1546. Is there any discussion? All in favor signify
16. by saying Aye. Opposed Nay. The amendment's adopted.
17. Further amendments? Third reading. House Bills on third
18. reading. Senator Rock, are you ready with 2715?
19. SECRETARY:
20. HB 2715.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER (SENATOR WEAVER):
24. Senator Rock.
25. SENATOR ROCK:
26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. HB 2715 is as everyone knows tax relief for senior
28. citizens. The bill has been amended with Senator Soper's amend-
29. ment. It's been a long day. I don't think we need much
30. discussion. The program is a good one and I would urge a
31. favorable vote.
32. PRESIDING OFFICER (SENATOR WEAVER):
33. Is there any discussion? The question is shall HB 2715

1. pass. Those in favor vote Aye. Those opposed vote Nay. The
2. voting is open. For what purpose does Senator Clarke arise?

3. SENATOR CLARKE:

4. I'd just like to one...ask one quick question. Can the
5. sponsor tell me, with the amendments now, how much this is
6. going to cost?

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Rock.

9. SENATOR ROCK:

10. Yes, the companion appropriation is, as you know, thirty
11. four million dollars. With the amendment Senator Soper offered,
12. there would probably be an additional liability of some four
13. million dollars. So, the figure, in my judgement, is...it's
14. approximately thirty-eight million dollars assuming a hundred
15. percent participation.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Glass, did you have a question?

18. SENATOR GLASS:

19. Yeah, I have a question of Senator Rock. Senator Rock,
20. have you had a chance to examine Controller Lindburg's pro-
21. jections about the funds on hand in the...the State and the
22. fact that this...this revenue will not be available to the
23. State if...if the Tax Relief Program is granted? Doesn't it
24. mean that we're looking at a tax increase next year or the
25. following year, partly due to this measure?

26. SENATOR ROCK:

27. I have had the opportunity to study Comptroller Lindburg's
28. statements in that editorial which was in the world's greatest
29. newspaper. A couple of weeks prior to that editorial, there
30. was another one, copies of which I furnished today, from the
31. same newspaper calling for us to pass this bill. In my judge-
32. ment, no. To answer your question directly, no. You asked if
33. there was to be a tax increase in the next year and I say no.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Glass.

3. SENATOR GLASS:

4. Well, all right. I...I appreciate your answer. I would
5. respectfully differ with you. I think the results are very
6. clear. And this is what we've been saying all day, many of
7. us, that by the overrides, by the tax relief measures that
8. are being proposed, we are rapidly moving the State of Illinois
9. into a cast position which will...will put us in a deficit
10. position. And, this is adding to it. This is perhaps the
11. hardest decision of all of them but we should reject this tax
12. relief measure just as we've rejected many other measures and
13. I think it would be a...a demonstration of responsibility if
14. we do so. It's...it's a hard decision because, certainly,
15. senior citizens deserve tax relief and my statements in favor
16. of that are...have been based upon the fact that the State
17. could afford it and I think it's clear now that the State
18. cannot.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Netsch.

21. SENATOR NETSCH:

22. Mr. President, I would like to just point out three
23. features of the bill which, some good, some bad, which I think
24. we all ought to be aware of, though, as we vote on it. One,
25. it is not, this form of relief including the additional grant,
26. will not be available to people who live in senior citizen
27. housing projects in the city of Chicago or anywhere else. It
28. is simply not available to them under the terms of the Act and
29. they are all in extremely low income groups. The second, not
30. so desirable feature of it, is that it is not available, of
31. course, to anyone under sixty-five except the...no, it is not
32. available to anyone under sixty-five and the...and the disabled.
33. The two good features of it are that, number one, it is the

1. right approach to sales tax relief in general even though,
2. admittedly, it is not a...an amendment to the Sales Tax Act
3. as such but it is the right approach to that problem. And
4. secondly, it incorporates what I think is the best feature
5. of that form of approach to sales tax relief and it is one,
6. Senator Weaver, which both you and I had in the bills which
7. we sponsored last Session and that is the feature of inverse
8. graduation. So that those people who are in the very lowest
9. income brackets get the most relief and it cuts off at a
10. point where relief is no longer justified. Thank you.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Mr. President, in response to a couple of statements
15. that were made pertaining to this bill, they said we have
16. now reached the sixty million mark and I did, by the way
17. Senator Rock, I did call the Comptroller's Office. I called
18. it yesterday. I spoke to him yesterday morning and I verified
19. this again and this is accurate that this reflects the budget
20. as it is now and regardless what we might say, it is predicted
21. that at...1976, if we spend an additional hundred million
22. dollars that, in fact, we will be broke. We will have no money
23. whatsoever. So that, in fact, regardless what you might be
24. saying, that the people in charge of this have said that instead
25. of giving tax...tax break to the senior citizen, you will, in
26. fact, be giving a tax increase. I think the message was very
27. clear. I think we all understand inflation and taxation is the
28. real issue and the concern of the people. They will not...they
29. will not tolerate this kind of action and this kind of irres-
30. ponsibility and what we are doing is, in fact, again, I remind
31. you, we are passing a tax increase not a tax decrease to the
32. senior citizens. I would hope that we would consider this.
33. The Chicago Tribune, as you referred to the world's greatest

1. newspaper, Senator Rock, the date of November 20th is when
2. they had seen the light and the date that you passed around
3. on the issue was long before that. They are at least willing
4. to admit the responsible action after they see the facts. I
5. think we ought to be big enough and big enough Senators to also
6. accept this. I would urge us to reconsider here and to reject
7. this move of bringing about a deficit here and actually a tax
8. increase not a relief to the senior citizen.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Have all voted who wish? I apologize for allowing dis-
11. cussion on roll call but I did call for a rather fast vote.
12. So, have all voted who wish? Take the record. On that
13. question, the Ayes are forty-three, and the Nays are three,
14. two Voting Present. HB 2715 having received the constitutional
15. majority is declared passed. Senator Hynes.

16. SENATOR HYNES:

17. Mr. President, having voted on the prevailing side, I
18. move to reconsider the vote by which HB 2715 was passed.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Hynes moves to reconsider. Senator Knuppel moves
21. to Table. All in favor signify by saying Aye. Opposed Nay.
22. The motion carries. Senate Bills on third reading. SB 1546.
23. Senator Chew.

24. SENATOR CHEW:

25. Yes, Mr. President, 1546 has had an ample explanation.
26. The amendment has been accepted. I would urge a favorable
27. roll call.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Excuse me, just a second, Senator Chew. You have the
30. bill, Mr. Secretary?

31. SECRETARY:

32. SB 1546.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. PRESIDING OFFICER (SENATOR WEAVER):
3. Senator Chew.
4. SENATOR CHEW:
5. I would ask for a favorable roll call, Mr. President.
6. PRESIDING OFFICER (SENATOR WEAVER):
7. Is there any discussion? The question is shall SB 1546
8. pass. Those in favor vote Aye. Those opposed vote Nay. The
9. voting is open. Have all voted who wish? Have all voted who wish?
10. For what purpose does Senator Chew arise?
11. SENATOR CHEW:
12. A point of inquiry. How many votes does it require to pass
13. this bill?
14. PRESIDING OFFICER (SENATOR WEAVER):
15. Thirty-six votes.
16. SENATOR CHEW:
17. Would you ring the bell?
18. PRESIDING OFFICER (SENATOR WEAVER):
19. If I could fa...find the doorkeeper, Sergeant at Arms. Have
20. all voted who wish? What purpose Senator Knuppel arise?
21. SENATOR KNUPPEL:
22. Can't pass a bill with thirty votes. It's just the effective
23. date that's different. Well, ...you have to have thirty-six of the
24. votes then. But to pass it only takes thirty votes.
25. PRESIDING OFFICER (SENATOR WEAVER):
26. Take the record. On that question, the Ayes are thirty-
27. nine, the Nays are ten. SB 1546 having received the consti-
28. tutional majority is declared passed. House Bills on third
29. reading.
30. SECRETARY:
31. HB 2716.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. HB 2716 is the companion. It is the appropriation
6. bill in the amount of thirty-four million dollars. We have
7. now passed the program over to the House for their concurrence.
8. I would urge adoption of this appropriation. I urge a favorable
9. roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any discussion? The question is shall HB 2716
12. pass. Those in favor vote Aye. Those opposed vote Nay. The
13. voting is open. Have all voted who wish? Take the record.
14. On that question, the Ayes are forty-two and the Nays are two,
15. two Voting Present. HB 2716 having received a constitutional
16. majority is declared passed. Resolutions.

17. SECRETARY:

18. Senate Joint Resolution No. 89 offered by Senators Don
19. Moore, Smith, Dougherty, Saperstein, Bartulis and Roe.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Just one second. Senator Hynes seeks recognition, Mr.
22. Secretary.

23. SENATOR HYNES:

24. Mr. President, having voted on the prevailing side on the
25. vote to pass HB 2716, I move that that vote be reconsidered.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Hynes moves to reconsider. Senator Vadalabene
28. moves to Table. All in favor signify by saying Aye. Opposed
29. Nay. Motion carries. Resolutions.

30. SECRETARY:

31. Senate Joint Resolution 89 offered by Senators Don Moore,
32. Smith, Dougherty, Saperstein, Bartulis and Roe.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Moore.

2. SENATOR MOORE:

3. Thank you Mr. ...thank you, Mr. President and Members of
4. the Senate. SJR 89 authorizes the Legislative Advisory
5. Committee on Public Aid by an affirmative vote of two-thirds
6. of the House and Senate to hold closed meetings relative to
7. investigation so that they may hear testimony of witness and
8. inspected books, documents and so forth that are relevant to
9. any investigation which Committee may authorize by a
10. two-thirds vote. This is similar to the one we just passed
11. for the Space Needs Committee. The reason for this is that
12. I believe the Members of the Senate are aware that there is a
13. Medicaid investigation going on in the State of Illinois by
14. the Governor's Office of Special Investigations. Mr. Donald Page
15. Moore and Mr. John Simon were invited to appear before my
16. Committee. They said they would but it would have to be in an
17. Executive Session because of...of the information that they
18. did not reveal...want revealed to the...to the public. So,
19. at this time, if there are no questions. I have checked with
20. both of the sides...both sides of the aisle.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President. I rise in support of SJR 89.
25. We had a similar resolution concerning an investigation by the
26. Audit Commission as I recall. I think the idea is a good one
27. and it merits our support. And I urge all the Members on this
28. side to support the adoption of this resolution.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Dougherty.

31. SENATOR DOUGHERTY:

32. I just join with Senator Rock and Senator Moore in asking
33. a favorable consideration of this resolution.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, Mr. President, as I understand the resolution as it
5. ...as it was explained, it is not the same as the Space Needs
6. Commission or which...whichever commission it was we voted on
7. this morning because that one is where they're going to be talking
8. about the prices of property that the State of Illinois may be
9. acquiring. And it seems to me that we're beginning to set a bad
10. precedent here in...in holding closed and secretive meetings by
11. commissions and we have an open meetings law in Illinois and I just
12. question the validity of...of this type of resolution. Perhaps I
13. don't fully understand it, but I...I don't like to start closing
14. meetings. I don't care how badly the Director doesn't want to
15. come in front of them.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Netsch.

18. SENATOR NETSCH:

19. Mr. President, may I direct a question to the sponsor. I have
20. an equal concern about the closing of meetings unless they...it
21. is really essential and I think you read your resolution too
22. quickly and the explanation too quickly in terms of the kind of
23. information it is, that is thought to be so sensitive that it should
24. not be a matter of a open public forum. Could you explain that
25. please?

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Don Moore.

28. SENATOR MOORE:

29. I can give you two examples right away, Senator Netsch.
30. One deals with the Linda Taylor case which you've probably read
31. about in the paper. The case that there were some thirty-two
32. indictments returned on by the State's attorney of Cook County,
33. twenty-six or twenty-seven of which were fraud, public aid fraud

1. cases. The two investigators of the Legislative Advisory Committee
2. on Public Aid have additional information to turn over to the
3. Director of the Department of Public Aid to Mr. Donald Page Moore,
4. and Mr. Simon who is now the Special Counsel for the Director.
5. That's example one. Example two is the intensive or the alleged
6. intensive medicaid investigation that is going on by the Governor's
7. Office of Special Investigations at this time. I have a letter
8. in front of me here which I received today that stated that Mr.
9. Moore and Mr. Simon would be happy to appear before the Committee
10. in Executive Session to explain what they are doing, disclosing
11. names and so forth. We've heard of the highly paid doctors that are
12. making four or five hundred thousand dollars on public aid matters.
13. For information to leak out at this time or for information to be
14. disclosed could hamper a potential prosecution unless we had this
15. authority to hear matters of this nature in Executive Session.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Netsch.

18. SENATOR NETSCH:

19. Do I understand then, Senator Moore, that what you are saying
20. is that there may be information brought before the Committee that
21. might relate to possible allegations of criminality but without
22. the formality of their being charged with criminal activity by
23. those who have the power to do it. So that it is for the protection
24. of some individuals whose activities ought to be known to the
25. Committee but whose characters perhaps ought not to be assassinated
26. in public without their having any opportunity to reply.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Moore.

29. SENATOR MOORE:

30. That's absolutely correct, Senator Netsch. The Legislative
31. Advisory Committee, I believe, is one of two committees that does
32. have the power of subpoena. There may be occasions when we would
33. subpoena in a witness for testimony that...for his own protection

1. should probably be held in Executive Session in addition to matters
2. such as is going on now in the medicaid investigations.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator Netsch.
5. SENATOR NETSCH:
6. One additional question, Senator Moore. Was there a time limit
7. or a subject limit on the resolution with respect to the holding
8. of Executive Sessions?
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Moore.
11. SENATOR MOORE:
12. There is no time limit, Senator. The protection that was built
13. into this, I think you're aware of the Legislative Advisory Committee
14. on Public Aid consists of six Republicans, six Democrats, six
15. House Members, six Senate Members and for protection to...that I
16. think you are looking for, this can only be done by a two-thirds
17. vote of the Committee to go into Executive Session. So, there
18. could be no partisanship played or no simple majorities or anything
19. like that. It does require a two-thirds vote in order to go into
20. an Executive Session.
21. PRESIDING OFFICER (SENATOR WEAVER):
22. Senator Netsch.
23. SENATOR NETSCH:
24. But it does have an indefinite time limit?
25. SENATOR MOORE:
26. It would have an indefinite time limit, yes, until it would
27. be repealed by a future General Assembly.
28. PRESIDING OFFICER (SENATOR WEAVER):
29. Senator Nudelman.
30. SENATOR NUDELMAN:
31. Would the sponsor yield for a question?
32. PRESIDING OFFICER (SENATOR WEAVER):
33. He indicates he will.

1. SENATOR NUDELMAN:
2. What is the necessity that this commission or that this
3. committee have specific knowledge of alleged individual criminal
4. actions? What good does that do that the...the ultimate legis...
5. this Legislative Body?
6. PRESIDING OFFICER (SENATOR WEAVER):
7. Senator Moore.
8. SENATOR MOORE:
9. Well, what it does in the Linda Taylor case where she was
10. receiving fourteen or was she...we have closed fourteen cases on
11. one individual receiving fourteen checks for ADC with some twenty-
12. seven children. It's matters that of...of this nature that the
13. committee was concerned with by the action that this committee
14. took, there's an estimated savings to the taxpayers of this
15. State of about a hundred and fifty thousand dollars. And I think
16. that we naturally are concerned with this aspect...
17. SENATOR NUDELMAN:
18. Is this committee...
19. SENATOR MOORE:
20. ...in addition to cleaning up the...any other fraud...
21. SENATOR NUDELMAN:
22. Is this committee conducting the prosecution in that case?
23. SENATOR MOORE:
24. No, Sir. Our information...
25. SENATOR NUDELMAN:
26. Then what on earth does it have to know about the people's
27. names for?
28. SENATOR MOORE:
29. We know the names that we discovered through our investigators.
30. They, in turn, are turned over to the State's Attorney's Office of
31. Cook County who is handling the...who returned the Grand Jury
32. indictments and is handling the prosecution of the case.
33. SENATOR NUDELMAN:

1. Fine. Now, what is that...that you don't want to make public?

2. SENATOR MOORE:

3. In this case right now, in the Linda Taylor case, or the...
4. the matter that brought about the introduction of this resolution.
5. In the Linda Taylor case, there are still other...

6. SENATOR NUDELMAN:

7. How will the...Mr...Senator, I...I...I asked simply, how will
8. the...the...the fight against crime be aided by making these meetings
9. secret? I think that's the ultimate question.

10. SENATOR MOORE:

11. They...they will...when there is sufficient evidence with
12. names and facts to substantiate them, at that time, they will be
13. turned over to the proper law enforcement authority, but until in
14. the process of the investigation we do not want to disclose the
15. names and the facts until such time as we have sufficient evidence
16. to turn over...

17. SENATOR NUDELMAN:

18. Disclose it to whom?

19. SENATOR MOORE:

20. I beg your pardon?

21. SENATOR NUDELMAN:

22. Disclose it to whom and in what method?

23. SENATOR MOORE:

24. Be disclosed to the State's Attorney's Office in Cook County
25. or the Attorney General.

26. SENATOR NUDELMAN:

27. No, you don't want to disclose it until you...until the
28. States Attorney brings an indictment. Is that correct?

29. SENATOR MOORE:

30. In some cases, that is correct. Yes.

31. SENATOR NUDELMAN:

32. All right, now, whom...to whom don't you want to dis...who
33. is doing the disclosing and who do you want not to do the disclosing?

1. I'm confused.

2. SENATOR MOORE:

3. All right. In the one case, there are allegations that
4. there have been medical frauds perpetrated on the Department of
5. Public Aid by this specific person, Linda Taylor. We are still
6. in the process of investigating various doctors, various hospitals,
7. things of this nature in order to see whether or not there is
8. evidence of fraud. Until such time as that evidence is determined
9. to be, let's say indictable, it would be unfair to those doctors
10. to disclose their names or those hospitals to disclose their names.

11. SENATOR NUDELMAN:

12. How is this information kept secret in the past?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Moore.

15. SENATOR MOORE:

16. Well, the...the only question...the only way to answer that
17. is that we've only had investigators for the commission for the
18. past two months and everybody has kept their mouth shut.

19. SENATOR NUDELMAN:

20. So that what you're talking about is the investigator reporting
21. ing to the commission and the commission in turn reporting to the
22. States Attorney?

23. SENATOR MOORE:

24. In one instance, yes. In the other instance, it's the office
25. of the...of Special Investigations, the Governor's Office of
26. Special Investigations that is conducting an intensive investiga-
27. tion in the medicaid fraud. They were...we requested them to
28. appear before our committee and leave us know the status of that
29. investigation. They are not willing...

30. SENATOR NUDELMAN:

31. Okay. Now what good will it do the ultimate legislative
32. process for you know that...for you to know the status of that
33. investigation?

1. SENATOR MOORE:

2. I'm sorry, Senator, I missed that.

3. SENATOR NUDELMAN:

4. I said, what good will it do the ultimate legislative process

5. for your commission to know the status of that investigation?

6. SENATOR MOORE:

7. One, potential legislation that could be introduced to

8. correct evils. Two, advising the Department of Public Aid on

9. such rules and regulations that they should implement. Three,

10. different procedures in the Department of Public Aid that they

11. can implement so as to eliminate fraud in the medicaid field.

12. SENATOR NUDELMAN:

13. Wouldn't it be just as effective if you...if you made those

14. moves and...and responded to those problems after the indictment

15. were brought or after the affair were made public?

16. SENATOR MOORE:

17. There have been no indictments brought by the Governor's

18. Office of Special Investigation.

19. SENATOR NUDELMAN:

20. Why can't you do this type of things without divulging

21. individual names?

22. SENATOR MOORE:

23. Well, because the...Mr. Donald Page Moore and Mr. Simon

24. desire not to. And I...I...

25. SENATOR NUDELMAN:

26. They desire not to do what, Sir?

27. SENATOR MOORE:

28. They decided not to appear before the Legislative Advisory

29. Committee and...

30. SENATOR NUDELMAN:

31. But you just said you have subpoena powers.

32. SENATOR MOORE:

33. Oh, yes, we do.

1. SENATOR NUDELMAN:

2. And if you feel you have subpoena powers and you want to
3. exercise them, you can subpoena Mr. Moore.

4. SENATOR MOORE:

5. Well, I would like to...to give the Governor's Office of
6. Special Investigations the opportunity of coming in before the
7. Legislative Committee and telling us what's going on and what
8. they're doing before I would go ahead and recommend to the committee
9. that a subpoena be issued.

10. SENATOR NUDELMAN:

11. Well, Senator, I...I...I...to get back to my basic question
12. which I don't believe has been answered and if you say you have
13. answered, then I won't ask it again. What good will it do the
14. ultimate legislative process for you to know the names of indivi-
15. dual people who are suspected of violations...?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Moore.

18. SENATOR NUDELMAN:

19. ...before the fact...before the fact of indictment.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Moore.

22. SENATOR MOORE:

23. Actually, to know their specific names would not specifically
24. help us as far as their...their method of operation, that would
25. help us, but even...even with that, they still will not talk to
26. the committee unless it's an Executive Session.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there further discussion? Senator Moore moves the
29. adoption of Senate Joint Resolution 89. All in favor will vote
30. Aye. Opposed vote Nay. The voting is open. Have all voted
31. who wish? Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are thirty-two, and
33. the Nays are five. Senate Joint Resolution 89...for what purpose

1. does Senator Moore arise? Senator Moore.

2. SENATOR MOORE:

3. This matter requires a two-thirds vote, Mr. President, and
4. I don't know if all the Members realize that. I think some of
5. them perhaps would have voted if they knew it required the...the
6. two-thirds vote.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Do you wish to take it out of the record?

9. SENATOR MOORE:

10. I would either like to take it out of the record, have
11. another roll call, or put it on postponed consideration.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senate Joint Resolution is on postponed consideration.
14. Senator McBroom, on amendatory vetoes, do you wish to call 2667?

15. SECRETARY:

16. I move to accept the specific recommendations of the Governor
17. as to HB 2667 in the manner and form as follows. On Page 2, line
18. 12 after the word "lease" add "for not more than five years or".
19. And on Page 2, line 13, after the word "property" add a comma and
20. the words "whichever occurs first". Signed, Senator Edward McBroom.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator McBroom.

23. SENATOR McBROOM:

24. Yes, I simply move to concur with the Governor's amendatory
25. veto, Mr. President. I'd be glad to offer an explanation if
26. anyone wants one.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there any discussion? The question is shall the Senate
29. accept the specific recommendations of the...of the Governor as
30. to HB 2667 in the manner and form just read by Senator McBroom
31. and the Secretary. Those in favor vote Aye. Those opposed vote
32. Nay. The voting is open. Have all voted who wish? Have all
33. voted who wish? Take the record. On that question, the Ayes are

1. thirty-nine, the Nays are none. The Members...the specific recom-
2. mendation of the Governor as to HB 2667 having received the required
3. majority vote of Senators elected are declared accepted.

4. SECRETARY:

5. I move...

6. PRESIDING OFFICER (SENATOR WEAVER):

7. For what purpose does Senator McBroom arise?

8. SENATOR MCBROOM:

9. Mr. President, I should have come up and spoken to you about
10. this. There...I'm not going to call 2851 today.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Messages from the House.

13. SECRETARY:

14. Messages from the House. A Message from the House by Mr.
15. Selcke, Clerk. Mr. President, I am directed to inform the Senate
16. that the House of Representatives has passed bills of the following
17. titles, in the passage of which I am instructed to ask concurrence
18. of the Senate, to-wit:

19. House Bill 2908, 2910, 2912 and 2916 passed the House November 22,
20. 1974 by a three-fifths vote. Fredric B. Selcke, Clerk of the
21. House.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. ...thank you, Mr. President and Ladies and
26. Gentlemen of the Senate. I would at this time ask leave to move
27. that these bills which are deficiency appropriation bills that
28. the rules be suspended, that they be read a first time without
29. reference to committee, placed on the Calendar.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Is there leave? Leave is granted.

32. SECRETARY:

33. HB 2908.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. HB 2910.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. HB 2912.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. HB 2916.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Second reading.
14. SECRETARY:
15. A Message from the House by Mr. Selcke, Clerk. Mr. President,
16. I am directed to inform the Senate that the House has adopted an
17. amendment offered by the Governor to a bill of the following title,
18. in the adoption of which I am instructed to ask concurrence of the
19. Senate, to-wit:
20. House Bill 1133.
21. PRESIDING OFFICER (SENATOR WEAVER):
22. Calendar. Senator Harris.
23. SECRETARY:
24. Motion. I move that SB 1635 do pass the veto of the Governor
25. to the contrary notwithstanding. Signed, Senator William C. Harris.
26. PRESIDING OFFICER (SENATOR WEAVER):
27. Senator Harris.
28. SENATOR HARRIS:
29. Well, Mr. President, this bill is a very simple bill. And I
30. really think that there has been a misunderstanding on the part
31. of the Department of Transportation in believing that it would work
32. some kind of a difficulty on them to advance their publication of
33. their road program by approximately three months. Now, this bill

1. provides that the road program be published on the first Wednesday
2. in April. Now, everyone of us are familiar with the long delay in
3. getting the final plans from the Department of Transportation when
4. we consider the DOT appropriation bill. We don't really know until
5. the last, really, two weeks of June with the program being required
6. to be published on the 1st of July. This is a very sound bill in
7. support of budgeting responsibility. I would hope that you would
8. join me in an effort to override the veto of SB 1635. It advances
9. the publication date of the highway program from July 1 to the first
10. Wednesday in April. I would urge your support for this effort to
11. make this law.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Is there any discussion? The question is shall Senate Bill...
14. Senator Partee.

15. SENATOR PARTEE:

16. Since this matter has not been discussed in any detail with
17. the Members on this side of the aisle, since I've had some conver-
18. sations in some other places with some other people, I think I
19. ought to say that we are supportive of this measure and I propose
20. to vote for it and I'd ask others to do so. It will put us in a
21. very excellent position in...in terms of being able to determine
22. something about the highway program before July 1st. And coming
23. in the second Wednesday, I suppose, it is the first Wednesday in
24. April, gives us some time to develop the kind of programs that are
25. necessary so we won't be caught at the last minute, July 1st,
26. determining what's going to happen. I plan to support it.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there any further discussion? The question is shall
29. SB 1635 pass, the veto of the Governor to the contrary notwithstand-
30. ing. Those in favor vote Aye. Those opposed vote Nay. The voting
31. is open. Have all voted who wish? Have all voted who wish? Take
32. the record. On that question, the Ayes are thirty-eight, and the
33. Nays are one, one Voting Present. SB 1635 having received the

1. required three-fifths vote is declared passed, the veto of the
2. Governor to the contrary notwithstanding. Motion...

3. SECRETARY:

4. Pursuant to the rules of the Senate of the 78th General
5. Assembly, I move to discharge the Senate Committee on Rules from
6. further consideration of HB 2480 and place that bill on the order
7. of second reading. Signed, Senator Richard Daley.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator McCarthy.

10. SENATOR McCARTHY:

11. Yes, Mr. President, Senator Daley has asked me to...to move
12. that the consideration of this be postponed until December 4th and
13. I so move, if that motion is necessary.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Do you want to just take it out of the record?

16. SENATOR McCARTHY:

17. Well, it's...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Excuse me. Is there any discussion? All in favor of the
20. motion signify by saying Aye. Opposed Nay. Motion carry. 1974.
21. Any further business?

22. PRESIDENT:

23. On the order of resolutions.

24. SECRETARY:

25. Senate Resolution 566 offered by Senator McCarthy and it's
26. congratulatory.

27. SENATOR McCARTHY:

28. Mr. President...Mr. President and Members of the Senate,
29. Resolution No. 566 is the direct product of a resolution 522 adopted
30. two days ago where the Senate encouraged the St. Teresa Bulldogs
31. to play well today in Normal, John Hancock Stadium and the results
32. came in where they did win the State championship Class 2-A this
33. morning by a score of 15-6 and this is a further resolution con-

1. gratulating them on that which was inspired by the State Senate.
2. And I would move that the rules be suspended so that the con...
3. resolution could be immediately considered and that I'd like to
4. have leave to put all Senators on as co-sponsors.

5. PRESIDENT:

6. Senator McCarthy is requested leave for all Senators to serve
7. as co-sponsors. Leave is granted. The St. Teresa Bulldogs played
8. in Howard Hancock Stadium instead of John Hancock Stadium. All in
9. favor of the motion to suspend for immediate consideration signify
10. by saying Aye. Contrary No. Motion carries. On the motion to
11. adopt. All in favor signify by saying Aye. Contrary No. The
12. motion carries and the resolution is adopted. Now, the Chair
13. wishes to inquire of the Membership...if I can have your attention.
14. We have reached the point where we have disposed of all of the
15. business with the exception of a death resolution and anticipated
16. messages from the House. It would be the suggestion of the Chair
17. following the death resolution that we recess with the understanding
18. that the Leadership would remain to read into the record the messages
19. from the House and move the appropriate motions for reading of the
20. first time and advancement to second reading the administration
21. appropriation bills that the House has not yet acted on but which
22. Body will take final action yet today. In order for us to mo...meet
23. the adjournment on the 5th, we must process any House bills today
24. as...insofar as first reading is concerned. That would be the
25. suggestion of the Chair and unless there is objection, we will
26. proceed in that fashion. Are there any announcements from any of
27. the Members prior to the consideration of the death resolution?
28. On the order of resolutions.

29. SECRETARY:

30. Senate Resolution No. 567 offered by Senators Partee, Harris
31. and all Senators.

32. (Secretary reads Senate Resolution No. 567)

33. PRESIDENT:

1. Senator Partee.

2. SENATOR PARTEE:

3. This is the forty-one year old brother of Senator Savickas.
4. I would move for the suspension of the rules for the immediate
5. consideration and subsequently for the adoption of this resolution.
6. And I'd like to ask that the resolution show all Senate Members.

7. PRESIDENT:

8. Leave is granted for all Senators to show as co-sponsors of
9. the resolution. All in favor of the motion to suspend for immediate
10. consideration signify by saying Aye. Contrary No. The motion
11. carries and on the motion to adopt the resolution. All in favor
12. signify by rising. The resolution is adopted. The Senate will
13. stand in recess subject to the call of the Chair for the purpose
14. of reading a first time House legislation that must be processed
15. today. The Senate following adjournment today will reconvene at
16. twelve noon on December 4th. The Senate stands in recess.

17. RECESS

18. AFTER RECESS

19. PRESIDENT:

20. Messages.

21. SECRETARY:

22. A Message from the House by Mr. Selcke, Clerk. Mr. President,
23. I am directed to inform the Senate that the House of Representatives
24. has passed a bill of the following title, in the passage of which
25. I am instructed to ask the concurrence of the Senate, to-wit:
26. House Bill 2909.

27. (Secretary reads title of bill)

28. PRESIDENT:

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President, I would move that Senate Bill...or
32. HB 2909 be advanced to the order of second reading without reference
33. to committee.

1. PRESIDENT:

2. Senator Donnewald moves that HB 2909 be advanced to the order
3. of second reading without reference to committee. It has been read
4. a first time? No. It just...all right, then, your motion then is
5. to be read a first time...

6. SENATOR DONNEWALD:

7. Read a first time and advanced to the order of second reading
8. without reference.

9. PRESIDENT:

10. Is...is there leave? Leave is granted.

11. SECRETARY:

12. HB 2909.

13. (Secretary reads title of bill)

14. 1st reading of the bill.

15. PRESIDENT:

16. Second reading.

17. SECRETARY:

18. Mr. President, I am directed to inform the Senate that the
19. House of Representatives has passed a bill of the following title,
20. in the passage of which I am instructed to ask the concurrence of
21. the Senate, to-wit:
22. House Bill 2915.

23. SENATOR DONNEWALD:

24. Yes, Mr. President, as to HB 2915, 15, I would ask that it be
25. read a first time and advanced to the order of 2nd reading without
26. reference.

27. PRESIDENT:

28. Is there leave? Leave is granted.

29. SECRETARY:

30. HB 2915.

31. (Secretary reads title of bill)

32. 1st reading of the bill.

33. PRESIDENT:

1. Second reading.

2. SECRETARY:

3. Mr. President, I am directed to inform the Senate that the
4. House of Representatives has passed a bill over the veto of the
5. Governor of the following title, in the passage of which I am
6. instructed to ask concurrence of the Senate, to-wit:
7. House Bill 2437.

8. (Secretary reads title of bill)

9. Mr. President, I am directed to inform the Senate that the
10. House of Representatives has restored to its original amount the
11. reduced item over the reduction of the Governor, to a bill of the
12. following title, in the restoration of which I am instructed to ask
13. concurrence of the Senate, to-wit:

14. House Bill 2264.

15. (Secretary reads title of bill)

16. Mr. President, I am directed to inform the Senate that the
17. House of Representatives has restored the item over the veto of
18. the Governor, to a bill of the following title, in the restoration
19. of which I am instructed to ask concurrence of the Senate, to-wit:
20. House Bill 2416.

21. (Secretary reads title of bill)

22. Mr. President, I am directed to inform the Senate that the
23. House of Representatives has adopted an amendment offered by the
24. Governor to a bill of the following title, in the adoption of which
25. I am instructed to ask concurrence of the Senate, to-wit:
26. House Bill 29...2391.

27. (Secretary reads title of bill)

28. PRESIDENT:

29. Yes, those will be ordered on the Calendar onto the order of
30. the appropriate veto category. Is there further business to come
31. before the Senate? Senator Donnewald.

32. SENATOR DONNEWALD:

33. Yes, Mr. President, if there are no other matters before the

1. Senate, I move we adjourn according to the adjournment resolution.

2. PRESIDENT:

3. Senator...are there further matters to come before the Senate?

4. Senator Donnewald, then, moves that we adjourn pursuant to the
5. adjournment resolution which provides for our convening at twelve
6. noon on December 4. The Senate shall stand adjourned until that
7. time and date.

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