

79th GENERAL ASSEMBLY

SIXTH SPECIAL SESSION

September 8, 1976

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The hour of two having arrived, the Senate will come
3. to order. Prayer this afternoon will be by Father George
4. Nelis, St. Patrick's Church, Springfield, Illinois.

5. FATHER NELIS:

6. Lord, make me an instrument of your peace, where there
7. is hatred, let me so love, where there is doubt, faith, where
8. there is despair hope, where there is darkness, light and where
9. there is sadness, joy. Oh, devine Master, grant that I may not
10. so much seek to be consoled as to console, to be understood as
11. to understand, to be loved as to love, for it is in giving that
12. we receive, it is in pardoning that we are pardoned and it is
13. in dying that we are born to eternal life. Amen.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator D'Arco, for what purpose do you arise?

16. SENATOR D'ARCO:

17. Mr. President, for purposes of the Journal. Senator
18. Savickas is at home ill today and he will be unable to attend.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Thank you, Senator. I think the Journal should also reflect
21. that Senator Dougherty is hospitalized and ill and will not
22. be able to attend. Senator Chew is also hospitalized and ill and
23. will be unable to attend. Communications.

24. SECRETARY:

25. To the...to the Honorable Cecil A. Partee, President of the
26. Senate, State House, Springfield, Illinois.

27. Sir, I am inclosing herewith copies of a proclamation issued
28. by Governor Daniel Walker, filed in my office this 2nd day
29. of September, 1976. Given...given under my hand and great seal
30. of the State, this 8th day of September, A.D., 1976.

31. Signed Michael J...I mean Michael J. Howlett, Secretary of State.

32. State of Illinois, Executive Department, Springfield, Illinois.
33. Proclamation.

1. (Secretary reads Proclamation)

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Resolutions.

4. SECRETARY:

5. Senate Resolution No. 1 introduced by Senator Rock.

6. (Secretary reads Senate Resolution No. 1)

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President. I wonder, Mr. President,

11. ...Mr. President, I...when I was...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SENATOR ROCK:

15. ...when I opened and was presiding, I neglected to

16. relay to the membership the request of WGN TV that they film

17. silently. Would...I wonder, Mr. President, if you would put

18. that question to the Body and see if there's leave for

19. Steve Schickel and his crew to take silent movies of this august

20. Body.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

23. SENATOR ROCK:

24. Thank you, Mr. President. Senate Resolution 1 is...is the

25. first in a series of five resolutions which we, as a matter of

26. course, introduce each and every Special Session for the purpose

27. of organizing and preserving the rules in the Journals, et cetera.

28. I would move the suspension of the rules for the immediate

29. consideration and adoption of Senate Resolution No. 1.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. The motion is to suspend the rules for the immediate

32. consideration and the adoption of Resolution No. 1. All those

33. in favor indicate by saying Aye. Those opposed Nay. The Ayes have

34. it. Resolution No. 1 of the Sixth Special Session is adopted.

1. Senator Rock.

2. SECRETARY:

3. Senate...Senate Resolution No. 2...introduced by Senator Rock.

4. (Secretary reads Senate Resolution No. 2.)

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock moves for the...

7. SENATOR ROCK:

8. Thank you, Mr....I'm...I'm trying to stall a little bit,

9. Mr....

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Rock.

12. SENATOR ROCK:

13. ...President. Thank you, Mr. President, Ladies and

14. Gentlemen of the Senate. Senate Resolution 2 calls for the

15. same standing committees and the officers of the Senate of the

16. 79th General Assembly. I would move for the suspension of the rules

17. for the immediate consideration and adoption of this resolution.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock moves for the adoption of Senate Resolution

20. No. 2 to the Sixth Special Session. All those in favor indicate

21. by saying Aye. Those opposed Nay. The Ayes have it. The

22. resolution is adopted.

23. SECRETARY:

24. Senate...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senate Resolution 3.

27. SECRETARY:

28. Senate Resolution No. 3 introduced by Senator Rock.

29. (Secretary reads Senate Resolution No. 3)

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President, Ladies and Gentlemen of the Senate.

34. Senate Resolution No. 3 again, calls upon the Secretary to inform

1. the House that we are, in fact, organized and ready for
2. business. I would move the suspension of the rules and the
3. immediate consideration and adoption of Senate Resolution No. 3.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. You've heard the motion. Those in favor of the adoption
6. of Amendment...of Senate Resolution No. 3 to Special
7. Session No. 6 indicate by saying Aye. Those opposed Nay. The
8. Ayes have it. Resolution is adopted.

9. SECRETARY:

10. Senate Resolution No. 4 introduced by Senator Rock.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SECRETARY:

14. (Secretary reads Senate Resolution No. 4)

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President. Senate Resolution No. 4
19. calls upon the Committee on Committees to appoint a committee
20. to wait upon his Excellency, the Governor, inform him, also,
21. that we are organized and ready for business in the Sixth Special
22. Session. I would move the suspension of the rules and the
23. immediate consideration and adoption of this resolution.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You've heard the motion. Those in favor indicate by saying
26. Aye. Those opposed. The Ayes have it. The...Resolution
27. No. 4 is adopted to the Sixth Special Session.

28. SECRETARY:

29. Senate Resolution No. 5 introduced by Senator Rock.

30. (Secretary reads Senate Resolution No. 5.)

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
2. Senate Resolution No. 5 calls for a Journal to be prepared to
3. reflect the actions of this Assembly with respect to the
4. Sixth Special Session. I would move you, Mr. President and
5. members, for the suspension of the rules for the immediate
6. consideration and adoption of Senate...
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Rock.
9. SENATOR ROCK:
10. ...Resolution No. 5.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Rock moves for the suspension of the rules for the
13. immediate adoption of Senate Resolution 5. Those in favor
14. indicate by saying Aye. Those opposed Nay. The Ayes have it.
15. The rules are suspended. He now moves for the immediate adoption
16. of Resolution No. 5 in the Sixth Special Session. Those in
17. favor indicate by saying Aye. Those opposed Nay. The Ayes
18. have it. Resolution is adopted. Resolutions.
19. SECRETARY:
20. Senate Resolution No. 6 introduced by Senator Mitchler,
21. it's congratulatory.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Mitchler moves for the suspension of the rules and the
24. immediate adoption of..of the resolution. Those in favor indicate
25. by saying Aye. Those opposed Nay. The Ayes have it. The rules
26. are suspended. Now, Senator Mitchler moves for the immediate adoption
27. of said resolution. All those in favor indicate by saying Aye.
28. Those opposed Nay. The Ayes have it. Resolution is adopted.
29. SECRETARY:
30. Senate Resolution No. 7 introduced by Senator Mitchler
31. and it's congratulatory.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Mitchler again, moves for the suspension of the rules

1. and the immediate adoption of the resolution. Those in favor
2. indicate by saying Aye. Those opposed Nay. The Ayes have it.
3. Senator Mitchler now moves for the immediate adoption of said
4. resolution. Those in favor indicate by saying Aye. Those
5. opposed Nay. The Ayes have it. The resolution is adopted.
6. SECRETARY:

7. Senate Resolution No. 8 introduced by Senator Harber Hall,
8. and Mitchler and all Senators. It's congratulatory.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Harber Hall moves for the suspension of the rules
11. and immediate adoption of the resolution. Those in favor
12. indicate by saying Aye. Those opposed Nay. The Ayes have it.
13. The rules are now suspended. Senator Hall now moves for the
14. immediate adoption of the resolution. Those in favor indicate
15. by saying Aye. Those opposed Nay. The Ayes have it. The
16. resolution is adopted.

17. SECRETARY:

18. Senate Resolution No. 9, introduced by the same sponsors,
19. it's congratulatory.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Harber Hall moves for the suspension of the rules
22. and immediate adoption of the resolution. Those in favor
23. indicate by saying Aye. Those opposed Nay. The rules are
24. suspended. Senator Hall now moves for the immediate adoption of the
25. resolution. Those in favor say Aye. Those opposed Nay.
26. The Ayes have it. The resolution is adopted. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President, Ladies and Gentlemen of the Senate.

29. I have asked...been asked by the President to make an announcement
30. if I can have the members' attention.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. That's very difficult. This is a new Session and the first
33. day. Would...could we have order? Not a little, but a lot.

1. Will the members please be in their seats? All unauthorized
2. personnel please remove themselves to the gallery. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President. I understand there have been
5. conferences between the respective leaders, Majority and Minority
6. in both Houses and I was asked by the President to put before
7. the membership the tentative, at this point, at least, schedule
8. for today so that the membership would know, hopefully, where
9. we're going. There will shortly be introduced five new bills
10. pursuant to the special call of the Governor. We are awaiting
11. the fifth from the Reference Bureau. There was a typographical
12. error. They are retyping it, but five new bills will be introduced.
13. We propose pursuant to the request of the House to break for
14. a caucus of the respective parties and Houses at 2:30 and
15. to reconvene and take action upon those bills as introduced as is
16. seen fit by the membership at 4:15 this afternoon. So that we
17. will shortly upon...once these bills are introduced and given a
18. number, we will at that point, recess until 4:15 for the
19. purpose of caucuses of both Houses and both parties.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Introduction of bills.

22. SECRETARY:

23. Senate Bill No. 1, introduced by Senators Brady, Partee,
24. Donnewald, Rock and Bruce.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. Senate Bill No. 2, introduced by Senators Hynes, Partee,
28. Rock, Donnewald and Bruce.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. Senate Bill No. 3, introduced by Senators Bruce, Partee,
32. Donnewald and Rock.

33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. Senate Bill No. 4, introduced by Senators Bruce, Partee,
3. Donnewald and Rock.

4. (Secretary reads title of bill)

5. 1st reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

8. SENATOR SMITH:

9. Mr. President, seated in the President's gallery is a
10. very, very nice looking and fine and competent young lady
11. from the 22nd Senatorial District of the State of Illinois
12. which happens to be my district, Doctor Mercedier Goodwin,
13. a member of the Illinois State Board of Education and Deputy
14. Director of the Chicago Mayor's Office of Manpower. I present
15. the good lady and ask that she be recognized by the Senate,
16. Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Will she please stand and be recognized? We will stand
19. at ease for a moment. There will be one more bill introduced.
20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President. Four of the five bills have,
23. in fact, been introduced. I think at this time it would be
24. appropriate, I understand the House is already in recess, and I
25. would move you, Mr. President and Ladies and Gentlemen of the Senate,
26. that the Senate stand in recess until 4:15 p.m. this afternoon

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. I think it appropriate before that is considered that the
29. bills that have been introduced, Senate Bills 1, 2, 3, and 4,
30. to the Sixth Special Session,...

31. SENATOR ROCK:

32. You don't have to do anything with them.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

34. They have to remain on the Secretary's Desk for later

1. disposition.

2. SENATOR ROCK:

3. Oh, fine. Either...either way. All right. And I would
4. like to announce in our Chairman and President's absence, that
5. there will be a caucus of the Democratic membership of the
6. Senate at 3:30 sharp in the President's Office. Now, there...
7. 3:30. The reason for the delay is I am informed that the Chief
8. Executive of this State has called for a meeting of the upper
9. echelon to take place between now and 3:30, but there will be
10. a meeting at 3:30 of the Democratic members in the President's
11. Office. We will reconvene at 4:15.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Weaver.

14. SENATOR WEAVER:

15. Thank you, Mr. President. There will be a Republican
16. caucus immediately in Room 400.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The Senate stands in recess...4:15 p.m.

19. Recess

20. After Recess

21. PRESIDENT:

22. The Senate will come to order. Thank you, very much, Senator.
23. Introduction of bills.

24. SECRETARY:

25. Senate Bill No. 5 introduced by Senators Netsch, Partee,
26. Donnewald, Rock and Bruce.

27. (Secretary reads title of bill)

28. 1st reading of the bill.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President. We have this afternoon, filed
33. five bills thus far in this Special Session. The Minority Leader

1. indicated to me that there would be a sixth bill. I would
2. at this time, move you, Mr. President, that the Committee on
3. the Assignment of Bills be discharged from further consideration
4. of all bills introduced in this Special Session and that they
5. be placed on the order of 2nd reading without reference to committee
6. for the purpose of a Committee of the Whole hearing tomorrow
7. morning at 9:00 o'clock.

8. PRESIDENT:

9. Senator Harris.

10. SENATOR HARRIS:

11. Thank you, Mr. President. This side of the aisle
12. certainly wants to support Senator Rock in his motion and I
13. would ask leave that we have on the Secretary's Desk six bills
14. at this point, is that correct?

15. PRESIDENT:

16. Five.

17. SENATOR HARRIS:

18. Oh, fine.

19. PRESIDENT:

20. It will be six when your sixth one comes.

21. SENATOR HARRIS:

22. All right. When Senate Bill 6 is available that is coming
23. out of the computer now, it would please me if I could have the
24. understanding that we leave the Session open and then when it
25. does reach the Secretary's Desk, we treat it similar to the motion
26. that Senator Rock has proposed.

27. PRESIDENT:

28. Senator Rock's motion, as I understand it, embraces the
29. sixth bill.

30. SENATOR HARRIS:

31. Beautiful.

32. PRESIDENT:

33. Fine.

34. SENATOR HARRIS:

1. Thank you.

2. PRESIDENT:

3. Which will be introduced and read and placed in the same

4. posture as the first five.

5. SENATOR HARRIS:

6. All bills, then, tomorrow would be before the Committee

7. of the Whole?

8. PRESIDENT:

9. That is correct.

10. SENATOR HARRIS:

11. Fine. Thank you, Mr. President.

12. PRESIDENT:

13. 9:00 o'clock. Now, you've heard the motion of Senator

14. Rock. All in favor will say Aye. Ayes have it. The Nays.

15. Ayes have it. The motion carries. ...separate motion on the

16. nine, it's embraced, but...Senator Rock.

17. SENATOR ROCK:

18. Yes, I would move, Mr. President that the appropriate

19. rules concerning posting and notice be waived and that all six

20. of the Senate Bills as introduced in this Sixth Special Session

21. be set for a Committee of the Whole Hearing to commence at

22. 9:00 o'clock tomorrow morning.

23. PRESIDENT:

24. You heard the motion. All in favor will say Aye. Opposed

25. Nay. The Ayes have it. The motion carries. Six Senate

26. Bills will be set as a special order of business for tomorrow

27. morning at 9:00 o'clock for the Committee of the Whole.

28. Any further business to come before the Senate at this time?

29. The Senate will stand in recess till the call of the Chair for the specific

30. purpose only of dealing with the sixth bill when it comes in. The

31. members do not have to remain for that purpose. All in favor.

32. Senator Harris.

33. SENATOR HARRIS:

1. Mr. President, some of the members are saying what time
2. do we come in...do you want it...
3. PRESIDENT:
4. 9:00 o'clock tomorrow morning. 9:00 o'clock tomorrow morning.
5. SENATOR HARRIS:
6. 9:00 o'clock.
7. PRESIDENT:
8. Senator Philip.
9. SENATOR PHILIP:
10. Thank you, Mr. President. I'm just wondering what our
11. tentative schedule is for the rest of the week and for next
12. week. A lot of us had made some plans and so forth
13. and so on and we'd kind of like to plan ahead, if that's possible.
14. PRESIDENT:
15. Senator Rock.
16. SENATOR ROCK:
17. Thank you, Mr. President. I think as we had discussed
18. and as had the House leadership discussed, the program or the plan
19. schedule would be a Committee of the Whole Hearing which the
20. House will also have at 9:00 o'clock tomorrow morning, which
21. should not exceed about two hours at which time the bill will be
22. moved, hopefully, to the...or all the bills will be moved to the order
23. of 3rd reading. Friday, I am informed by the President, that we
24. anticipate coming into Session at noon for the purpose of
25. final action on those six Senate Bills and the House, I understand,
26. is contemplating final action on the six House Bills at the
27. same time. If that happens, I mean favorable final action will cause
28. the bills to cross the rotunda at which time we will make the
29. appropriate motion to advance the House Bills without reference,
30. come in Saturday to read the bills a second time and move them
31. to 3rd reading and come in Sunday for final action.
32. PRESIDENT:
33. Does that answer your question, Senator Philip?

1. SENATOR PHILIP:

2. It answers my question. I'm not too happy about it, but
3. I suppose...not a damn thing I can do about it. I think it's
4. a lousy schedule. I think a lot of people have got things planned
5. and I would personally, rather see us be in two days this week
6. and three days next week and so forth. But,...

7. PRESIDENT:

8. We took a concensus of the membership on both sides of the
9. aisle and nobody wants that plan that I've discussed it with,
10. except perhaps you, Sir. Everybody would like to get in, out
11. and get the matter over with and it certainly, we can schedule
12. it each day at a time where it doesn't kill the entire day for
13. everybody and there are other things that you can do in intervening
14. period. And I might add, Sir, that I had some commitments also
15. during these days. Senator Howard Mohr.

16. SENATOR MOHR:

17. Yes, Mr. President, when you say that..took the consensus
18. of both sides, do you mean both the left...left side in the House and the
19. Senate, or were you referring to our side?

20. PRESIDENT:

21. Senator, you know that I used to be a quarterback and I have
22. peripheral vision and I always see both sides, you know that.

23. SENATOR MOHR:

24. I...I...yeah, I thought I knew that, Mr. President. No,
25. seriously, I don't think that our members have been talked to and
26. it does present a problem and I would think that they should
27. really take a poll and see if you're going to have enough here to...to
28. pass any legislation, should it be passed. Cause there are some
29. important activities, Illinois Municipal League, for example
30. in the Chicago area, Friday, Saturday, Sunday and Monday. ...you know,
31. ...might be that we won't have enough bodies here.

32. PRESIDENT:

33. Fine. Senator Rock.

1 Well, in...in response to that inquiry and I know it's
2 of...of legitimate concern to all of us, I am to attend for instance,
3 Saturday night, a testimonial dinner for a very dear friend
4 of mine and I will certainly be there. I think if you look
5 at the tentative schedule, we hopefully, will be able to expedite
6 everybody in the Chamber, in both Chambers, I think, is familiar
7 with these five bills. I would assume that minds are pretty
8 well made up and I think that this is one of the reasons,
9 frankly, why there was some reluctance in deference to the membership,
10 why there was some reluctance on the part of the legislative
11 leaders to call this Special Session. The Session has now
12 been called by the Governor and it seems to me the better course
13 of action to expedite this Session in five straight days,
14 no day of which should require more than an hour or at the outside,
15 two hours of debate. Now, we have been over these bills adnauseam in
16 the past couple of years and I think everybody's got their
17 mind pretty well made up and that will allow sufficient time, I
18 think, for everybody to hopefully, meet other commitments. Now,
19 we have all been invited, I'm sure, to attend one or another of
20 the functions of the Municipal League and I for one, will be
21 in Chicago on Saturday night to attend a testimonial dinner
22 for the next Attorney General of this State.

23 PRESIDENT:

24 Any further business to come before the...Senator Berning, did you
25 seek recognition?

26 SENATOR BERNING:

27 Yes, Mr. President. With due respect to you, Sir and to
28 Senator Rock and the others on your side who must perforce
29 carry the ball for the Governor in this instance, I submit
30 that this works a more than usual severe hardship on many of us.
31 There isn't any way that an hour Session in anyone of these
32 days is going to allow us to get home to meet commitments and
33 then get back. I'd like to be so bold, Mr. President, as to suggest

1. that while it may not have occurred to some people, to me it
2. seems that this is purely and simply a political move designed
3. solely for the convenience and the benefit of the Governor.
4. We all know that the Presidential Candidate is going to be here
5. on Thursday. Very nice to have the Legislature here as a sounding
6. board and a backdrop for that Gentleman and I admit that's
7. astute politics. But, I resent it, but more because it's an
8. imposition on the members of this General Assembly who had
9. the option through their leadership to call a Special Session
10. if there did appear to be a reasonable suspicion that legislation
11. as introduced could be passed. Now, my point is, Mr. President,
12. that because of the action of this Body through the urging of the
13. leadership on your side, these bills now are before the entire
14. Body whereas they ought to have gone to committee where they
15. could have been assigned to a subcommittee and properly buried
16. and we'd been out of here tomorrow.

17. PRESIDENT:

18. The Senate will stand in recess until the call of the Chair.
19. As soon as we get that other bill, would you please let us know?

20. Recess

21. After Recess

22. PRESIDING OFFICER: (SENATOR ROCK)

23. All right. The Senate will come to order. Introduction of
24. bills.

25. SECRETARY:

26. Senate Bill No. 6 introduced by Senator Shapiro, Harris,
27. Fawell, Graham, Glass, Howard Mohr, Davidson, Schaffer and all
28. remaining Republican Senators.

29. (Secretary reads title of bill)

30. 3rd...1st reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Pursuant to the motion earlier made, that bill also will be
33. discharged from further consideration by the Committee on Assignment

1. of bills and moved to the order of 2nd reading for the purpose
2. of being heard in the Committee on the Whole at 9:00 o'clock
3. tomorrow morning. Any further business to come before the
4. Senate? Senator Buzbee moves that the Senate stands adjourned
5. until 9:00 o'clock. Senator Netsch seconds until 9:00
6. o'clock tomorrow morning, Thursday, September the 9th. Senate
7. stands adjourned.

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