

79TH GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 23, 1975

1 PRESIDENT:

2 The hour of 10:30 having arrived, the Senate will come to
3 order. The prayer will be by Rabbi Barry A. Marks, Temple Israel,
4 Springfield, Illinois.

5 RABBI MARKS:

6 (Prayer given by Rabbi Barry A. Marks)

7 PRESIDENT:

8 Reading of the Journal. Senator Johns.

9 SENATOR JOHNS:

10 Mr. President, I move that reading and approval of the
11 Journal of Wednesday, October the 22nd, 1975 be postponed pending
12 arrival of the printed Journal.

13 PRESIDENT:

14 You heard the motion. All in favor will say Aye. Opposed
15 Nay. The Ayes have it, the motion carries. Committee Reports.

16 SECRETARY:

17 Senator Donnewald, Chairman of the Assignment of Bills, reports
18 the following Senate Bills to Committee:

19 Appropriations - Senate Bills 1508, 1511, 1512, 1514.

20 PRESIDENT:

21 Messages from the House.

22 SECRETARY:

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

24 Mr. President - I am directed to inform the Senate that
25 the House...that the Speaker has sent...set a meeting of the Com-
26 mittee of the Whole in the Hall of the House of Representatives on
27 Thursday, October 23rd, 1975, at the hour of twelve o'clock noon,
28 Central Daylight Time for the purpose of hearing testimony relating
29 to House Bills 2971 and 2989 and Senate Bill 1493, and that the
30 courtesy of the participation of the members of the Senate is
31 desired to join with the House in a Joint Committee of the Whole.

32 PRESIDENT:

33 Pursuant to that message from the House we will leave here at a ...
34 at eleven forty-five at least, not later than that, for the purpose

1. of joining them in the House for the Committee of the Whole. The
2. Senate will be at ease, we'll stand in recess. There will be a
3. Rules Committee Meeting in just a few moments and we'll let those
4. members know. Recess will be at the call of the Chair.

5. (RECESS)

6. (AFTER RECESS)

7. PRESIDENT:

8. Will the members be in their seats. The Senate is now in
9. order. Introduction of bills.

10. SECRETARY:

11. Senate Bill 1515 introduced by Senator Egan.

12. (Secretary reads title of bill)

13. Senate Bill 1516 introduced by Senators Welsh, Brady, Carroll,
14. and others.

15. (Secretary reads title of bill)

16. PRESIDENT:

17. Rules Committee - yes. Resolutions.

18. SECRETARY:

19. Senate Resolution 160 introduced by Senators Don Moore, Ozinga
20. and all members, it's congratulatory.

21. PRESIDENT:

22. Senator Ozinga.

23. SENATOR OZINGA:

24. I would ask for suspension of the rules and immediate con-
25. sideration of this resolution.

26. PRESIDENT:

27. Senator Ozinga moved for the suspension of the rules for the
28. immediate consideration of this resolution. All in favor, say Aye.
29. Opposed Nay. The resolution is on consideration. Senator Ozinga
30. moves for the immediate adoption of this resolution. All in
31. favor say Aye. Opposed Nay. The resolution is adopted.

32. SECRETARY:

33. Senate Resolution 161 introduced by Senator Newhouse, it's

1. congratulatory.

2. PRESIDENT:

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Thank you, Mr. President. This is congratulatory and I'd like to
6. be joined in by all members. It's to Earl B. Dickerson, who was
7. born in Canton, Mississippi and came to Chicago and has a life of
8. a great deal of achievement. He's eighty-four years old. Among
9. other things, he's a founder of the American Legion, he's been a
10. past Alderman of the City of Chicago and so forth. I would move for
11. the suspension of the rules for the immediate adoption of this
12. resolution.

13. PRESIDENT:

14. Senator Newhouse moves for the suspension of the rules for
15. the immediate consideration of this resolution. All in favor will
16. say Aye. Opposed Nay. The rules are suspended. Senator Newhouse
17. moves for immediate adoption of this resolution. All in favor
18. say Aye. Opposed Nay. The resolution is adopted.

19. SENATOR NEWHOUSE:

20. All Senators?

21. PRESIDENT:

22. All Senators will be shown as cosponsors.

23. SECRETARY:

24. Senate Joint Resolution No. 53 introduced by Senator Davidson
25. and all members.

26. PRESIDENT:

27. Executive. Senator Davidson.

28. SENATOR DAVIDSON:

29. Mr. President, I would humbly ask that we consider this now
30. because this has to do with the Lincoln Post Road for the Bi-
31. Centennial from Athens, Illinois to Springfield on Route 29. They
32. want to get the signing done so they can have the stagecoach on
33. Lincoln's Birthday for the Bicentennial Celebration on February

1. 12th, 1976.

2. PRESIDENT:

3. Well, Senator the only reason I said Executive, is because
4. the Department of Transportation is normally involved in this
5. function and I wanted to check it with them, and we could do it next
6. week, well...

7. SENATOR DAVIDSON:

8. Fine. I...I came with this because the Department of Trans-
9. portation said...asked us to do it this way. They have no objection
10. to it, but if you want to wait until next week, I'll do it.

11. PRESIDENT:

12. If you've already cleared it with them, Senator Davidson moves
13. for the suspension of the rules for the immediate consideration of
14. this resolution. All in favor say Aye. Opposed Nay. The motion
15. carries. Senator Davidson now moves for the immediate adoption
16. of the resolution. All in favor will say Aye. Opposed Nay. The
17. resolution is adopted. Message from the House.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate that
21. the House of Representatives has adopted the following Joint Res-
22. olution, in the adoption of which I am instructed to ask the con-
23. currence of the Senate, to-wit:

24. House Joint Resolution 72.

25. (Secretary reads HJR No. 72)

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you Mr. President and Ladies and Gentlemen of the Senate.
30. This is...this House Joint Resolution calls for us to return when
31. we adjourn today on November 3rd at one o'clock. I would move
32. for the suspension of the rules for the immediate consideration and
33. the adoption of this House Joint Resolution.

1 PRESIDENT:

2 You heard the motion. All in favor say Aye. Opposed Nays.
3 Senator Rock moves for the adoption, immediate adoption of this
4 resolution. All in favor say Aye. Opposed Nay. The resolution is
5 adopted. If you will just be at ease for one moment, there is one
6 further resolution which should be delivered here momentarily and
7 we can dispose of that and we can go to our other business. For
8 what purpose does Senator Nudelman arise?

9 SENATOR NUDELMAN:

10 Inquiry...parliamentary inquiry, Mr. President.

11 PRESIDENT:

12 Senator Nudelman.

13 SENATOR NUDELMAN:

14 Upon arrival in Springfield, I in a very general way learned
15 that we were having a Special Session of this Legislature. I never
16 received any direct notice or...or anything that might even...approx-
17 imate direct notice and I am wondering what the procedure is re-
18 quired, what the required procedure is in calling such a Session and
19 then if, in fact, such a Session legally exists. If the Parliamentarian
20 would care to comment on that, I would be relieved in my mind to
21 know that we either are or are not in ... in Special Session.

22 PRESIDENT:

23 Senator...for what purpose does Senator Bruce arise?

24 SENATOR BURCE:

25 Well, in the hopes of perhaps clarifying the situation for
26 Senator Nudelman, I asked the same question of the Governor's Office
27 and clarified it in my own mind, that is the Governor can call
28 a Special Session of the General Assembly and then he files that
29 with the Secretary of State. Notice then would come from the
30 Secretary of State and that is the person from whom I got the
31 official notice. It did not come out exactly the day that the
32 Governor filed it, but the Governor's obligation is to call it
33 and file that call with the Secretary of State which I understand

1. was done, at least according to the stamp on the Secretary of
2. State's copy that he sent me illustrated that it had been filed.

3. PRESIDENT:

4. Yes, I think in addition to that you will find from yesterday's
5. Journal that the Proclamation itself was read and the message from
6. the Secretary of State with reference to having mailed it. We
7. received...I received mine in the mail, Senator, from the Secretary
8. of State.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Weaver.

11. SENATOR WEAVER:

12. Thank you, Mr. President. I would like to just under announce-
13. ments make the fact known that the Republicans will have a caucus
14. at 9:00 a.m. on the 3rd of November. 9 a.m.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Republican caucus at 9:00 a.m. on November 3, 1975. May I
17. ...may I have the attention of the Body, please. The Chair...the
18. Chair requests leave to come back at 3 or 3:30 to have a Perfunctory
19. in order that we can properly close the Session. Do I have leave?
20. Leave is granted. Senator Vadalabene, for what purpose do you arise?

21. SENATOR VADALABENE:

22. Yes, for the purpose of an announcement.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. State your announcement.

25. SENATOR VADALABENE:

26. All right. Mr. President and members of the Senate. There will
27. be a meeting of the Executive Committee on Appointments on Tuesday,
28. November 4 at 10:00 o'clock and we'll be sending you a notice in
29. the mail where the room...where the room is going to be for the
30. Executive meeting. Mr. President, did you get that?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is that on the 4th, Senator?

33. SENATOR VADALABENE:

1 November 4th at 10:00 o'clock. It's on Tuesday at 10:00
2 o'clock in the morning, prior to the convening of the Senate.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 The Parliamentarian advises me that we convene at 10:00
5 o'clock, Senator, on...on the 4th.

6 SENATOR VADALABENE:

7 Would you...would you advise the Parliamentarian that it's going
8 to be 11:00 o'clock.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 We'll...we'll make the appropriate arrangements. Senator Partee.

11 SENATOR PARTEE:

12 Senator Vadalabene is correct. We will be going into Session
13 at 11:00 and his meeting is scheduled for 10:00.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 So be it. Senator McCarthy, for what purpose do you arise?

16 SENATOR MCCARTHY:

17 Just for the purpose of making an announcement that's heretofore
18 been posted and delivered and that is the Senate Committee on
19 Financial Institutions and Credit Regulations will meet on Tuesday,
20 November 4 at 8:00 a.m., in Room 400, I believe, but the room is post-
21 ed.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Thank you. Resolutions. Senator Partee.

24 SENATOR PARTEE:

25 Mr. President, yesterday I introduced Senate Joint Resolution
26 51 and asked that it be held today so that Senator Harris could be
27 present when I presented it. I now have, after consultation with
28 Senator Harris, an amendment which I would offer to Senate Joint
29 Resolution 51, as filed and I would move first the adoption of the
30 amendment and let me explain what the amendment does. If you'll recall
31 yesterday, the committee was to be composed of various persons from
32 both Houses, in that fashion it was a Senate Joint Resolution. The
33 amendment would alter that Senate Joint Resolution 51 and make it
34 now Senate Resolution, instead of it being a Joint Resolution, it

1 is now a Senate Resolution. The only other difference is the com-
2 position, of course, of the membership. Now the members are only from
3 the Senate and there will be but eight members. There will be four
4 Democrats and four Republicans. It will be absolutely bipartisan
5 investigating commission. It will be composed of the Chairman and
6 Minority Spokesman of the Committees of Appropriation and Revenue,
7 together with one person to be designated by each of those Chairmen
8 and Minority Spokesmen which would make it eight people total and
9 I would move the adoption of the amendment.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Is there discussion? Senator Bruce.

12 SENATOR BRUCE:

13 Well, parliamentary inquiry, first of all Mr. Chairman. I'm... I
14 wonder about the propriety, at least in a... bookkeeping sense of
15 taking a Senate Joint Resolution which has been numbered and put in
16 our Journal and change that to Senate Resolution 51, if there is, in fact
17 Senate Resolution 51, how do we... how do we handle amending the numbers?

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 I ... I understand that Senator Partee is going to ask leave of the
20 Body to have it renumbered as a Senate Resolution. It would
21 be Senate Resolution 162.

22 SENATOR BRUCE:

23 Well, then my question is we're actually then introducing a
24 new Resolution 162. Would that not be better for our rules and re-
25 cords to show that in fact, Senate Resolution 162 was adopted and
26 Senate Joint Resolution 51 has just gone into evanescence?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Partee.

29 SENATOR PARTEE:

30 There's certainly two ways of doing it. One is to amend Senate
31 Joint Resolution 51 and make it a Senate Resolution, or to abandon
32 Senate Joint Resolution 51 and introduce a new resolution. I've
33 chosen the form of course. I don't see how it makes any difference,
34 it's certainly understood by everybody here that the gentleman who

1 remarked about it understands it, so what is the problem with it...
2 doing it that way?

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Bruce.

5 SENATOR BRUCE:

6 Well, I'm always worried about details. The question is in
7 our Journal, Senate Joint Resolution 51, by our Journal will be
8 shown to be amended. At that point, I don't know what happens to
9 it. No Senate Joint Resolution 162 has been introduced, not from
10 this Floor as I hear it. So, Senate Joint Resolution 162 not having
11 been introduced and Senate Joint Resolution being amended, where do
12 we go with the number 162 and what happens to 51. It's just a
13 question of...

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Partee...

16 SENATOR BRUCE:

17 ...or bookkeeping.

18 SENATOR PARTEE:

19 The Journal will show that yesterday, Senate Joint Resolution
20 51 was filed, that it was deferred from hearing until today. The
21 Journal will further show that Senate Joint Resolution 51 was amended,
22 and that that amendment took the form, in its final form of Senate
23 Resolution 152, and there following will be the language of Senate
24 Resolution 152. It's just that simple.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Partee's point is well taken. Is there further dis-
27 cussion? All in favor of Amendment No. 1 to Senate Joint Resolution
28 51, indicate by saying Aye. Those opposed. The Ayes have it. The
29 amendment is adopted. Senator Partee. Senator Partee now moves...

30 SENATOR PARTEE:

31 Now I move the adoption of Senate Resolution...

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 You...you would now move to renumber...

34 SENATOR PARTEE:

To renumber Senate Joint Resolution 51 to Senate Resolution 162.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 ...162. All in favor indicate by saying Aye. Those opposed No. The
3 Ayes have it. Senator ParTEE.

4 SENATOR PARTEE:

5 Now I move the adoption of Senate Resolution 162.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Is there further discussion? Senator Bruce.

8 SENATOR BRUCE:

9 Well, at one time it was said by a wag that a committee is composed
10 of people who individually can decide nothing. The committee is then a
11 group of those individuals who can jointly decide that nothing should
12 be done. I just...I will support this resolution, but I would call the
13 attention of the members a June 9th press release, which stated that the
14 alleged legitimate experts of this State had made their estimates and
15 those estimates were, in fact, correct. We now review again the revenue
16 estimates of the State. I've had a chance to talk to the Bureau of the
17 Budget as late as this morning. I asked them what new data will be
18 available to any committee, commission, or member, that is not presently
19 available to that committee, commission or member between now and
20 November 6th. The gross national product figures for this month have
21 been released on Thursday by the Federal Government. The quarterly
22 estimates by the Federal Government were released last week. On October
23 the 16th, the Economic and Fiscal Commission issued their last report
24 before November the 6th, when this commission is to report back. The
25 Bureau of Budget's quarterly report was issued last week. I don't
26 know what other figures you're going to get. You're not going to
27 get additional sales tax, inheritance tax, income tax, any of the
28 tax receipts have been received and duly noted in every report.
29 Now I am, like any other member, I am thrilled to death to get
30 additional information. But if this is going to be a way of the
31 Legislature telling the public one more time, that we want to create
32 another commission or committee to study a problem rather than doing some

1 thing about it, I would think that I would be opposed. I am confident
2 that the President would not put in that type of resolution, that
3 these eight members will, in fact, meet and have some sort of new
4 approach either in a way of new taxes to be proposed or in a way
5 of new revenues that will be coming into the State. But I want to
6 point out to the members that I think that we should be very care-
7 ful that the public sometime is going to get very disturbed with this
8 General Assembly, that when everytime we have a problem, we create
9 yet another commission. It's time to solve the problem, not to
10 create more commissions.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Is there further discussion? The question is...Senator Morris.

13 SENATOR MORRIS:

14 I have just one question. We have...I've got a letterhead
15 here from the Illinois Economic and Fiscal Commission, and all of
16 the names on that letterhead are Legislators and I just wonder why,
17 you know, why don't they do this or I got a report from them
18 yesterday, but what new is this committee of legislators going
19 to do that that committee of legislators hasn't already done. I
20 think that gives us our control that we're concerned about. If
21 we don't want to believe the Comptroller and if we don't want to
22 believe the Bureau of the Budget, we, in fact, have a Legislative
23 Commission that is...come out with many statements on this economic
24 situation. It seems like we're just being redundant. I...I'd
25 like to know why, what the justification is, Senator Partee.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Partee.

28 SENATOR PARTEE:

29 Is your first question, if I will yield to a question?

30 SENATOR MORRIS:

31 Yes, my first question is would you yield to a question?

32 SENATOR PARTEE:

33 Yes, I will yield. Now, having heard your question, you don't
have to repeat it. I would only suggest to you, and I don't want to

1 take a long time doing this, that I have become a little disen-
2 chanted with the Economic and Fiscal Commission. I almost consider
3 myself one of its parents, because that idea of having an Economic
4 and Fiscal Commission, I saw germination a few years ago and we
5 worked hard to have it. We thought that they would be an independent
6 arm of the Legislature. We find that that is no longer true. They
7 are in concert on a daily basis with the Bureau of the Budget and
8 their figures do not always reflect any independence at all. But
9 rather it's like two men who are playing in a golf tournament and one
10 says if I win first prize and you win second, we'll put the money
11 together and we'll split it right down the middle. They're not an
12 independent arm anymore and I just think it's time that the Legislature
13 itself, eight members of this Legislature made some kind of in-depth
14 study themselves so that we can know what the financial picture of
15 this State is, and that's the only reason for the resolution.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Regner. Oh, Senator Morris.

18 SENATOR MORRIS:

19 Just an observation. Some of the members of this...who are
20 going to appoint the new members of this new committee are ... I see
21 Senator Hynes is a member of this Economic and Fiscal Commission,
22 so the people...some of the people who are going to appoint our
23 new committee are, in fact, members of this non-independent agency.
24 As a sidelight I'd just like to point out that maybe the solution
25 is to solve problems in the State of Illinois and abolish the com-
26 missions, which seem to spend a lot of time putting out reports,
27 printing a lot of paper and not doing the job. So I would hope
28 that you would, Senator Partee, join me and Senator Daley, who's
29 indicated his interest, and Senator Nudelman and next Spring I
30 hope to introduce a bill to abolish the commissions in the State
31 of Illinois and I hope I will get support from that. Thank you.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Regner.

1 SENATOR REGNER:

2 Yes, Mr. President and members of the Senate. Just to reiterate
3 some of the things Senator Partee said in regards to the report, but
4 I would just like to add that that report that Senator Morris refers
5 to is a staff report from the Economic and Fiscal Commission, not
6 a legislative report. And I do think the intent of this Senate
7 Resolution 162 is to create a ... a legislative report on the Fiscal con-
8 dition of the State and I'd urge its adoption.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further discussion? The question is, all those in
11 favor of the adoption of Senate Resolution 162 indicate by saying
12 Aye. Those opposed. The Ayes have it. The resolution is adopted.
13 The Chair wishes to announce that Senator Course, Dougherty, Smith,
14 Mitchler and Hall are in attendance of our former member, Senator
15 Thaddeus Kusibab. Senator Hall, for what purpose do you arise?

16 SENATOR KENNETH HALL:

17 I just wanted to know when...when was I sent there? I'm sitting here

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Oh, I'm sorry, Senator Harber Hall was in attendance. He has
20 returned with Senator Mitchler. Now, Senator Partee.

21 SENATOR PARTEE:

22 I just wanted to remind everybody that we're due in the well
23 of the House at noon and those members of the Space Needs Committee,
24 we can go now, we're going to adjourn so we can take care of that...

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 We...we will recess Senator until 3:30 this afternoon as per
27 earlier announcement.

28
29
30 (RECESS)

1 (AFTER RECESS)

2 PERFUNCTORY SESSION

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 The hour of 3:30 having arrived the Senate is in Session. Is
5 there any further business to come before the Senate? Senator Rock
6 moves that the Senate stand adjourned until November 3rd at 1:00 p.m..
7 All in favor say Aye. All opposed Nay. The Ayes have it. The
8 Senate stands adjourned.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33