

80TH GENERAL ASSEMBLY

APRIL 19, 1978

REGULAR SESSION

1. PRESIDENT:

2. The hour of 12:00 o'clock having arrived the Senate
3. will please come to order. Prayer will be by Father Hugh
4. Cassidy of the Blessed Sacrament Church of Springfield.
5. Will our guests in the galleries please rise.

6. FATHER CASSIDY:

7. (Prayer by Father Cassidy)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. April...Wednesday, April the 11th, 1978.

12. PRESIDENT:

13. Senator Hall.

14. SENATOR KENNETH HALL:

15. Mr. President, I move that the Journal just read by
16. the Secretary be approved unless some Senator has additions
17. or corrections to offer.

18. PRESIDENT:

19. You've heard the motion by Senator Hall. Is there any
20. discussion? If not, all those in favor signify by saying Aye.
21. Opposed. The Ayes have it. The Journal is approved. Senator
22. Hall.

23. SENATOR KENNETH HALL:

24. Mr. President, I move that reading and approval of the
25. Journal of April 13 and Friday, April 14th in the year 1978
26. be postponed pending arrival of the printed Journal.

27. PRESIDENT:

28. You've heard the motion by Senator Hall. Is there any
29. discussion? If not, all those in favor signify by saying Aye.
30. Opposed. The Ayes have it. So ordered...Message from the House.

31. SECRETARY:

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

33. Mr. President - I am directed to inform the

1. Senate the House of Representatives has passed House Joint
2. Resolution Constitutional Amendment with the following title
3. in the passage of which I am instructed to ask concurrence of the Senate
4. to-wit: House Joint Resolution Constitutional Amendment 15.

5. PRESIDENT:

6. Executive.

7. SECRETARY:

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

9. Mr. President - I am directed to inform the
10. Senate the House of Representatives refused to concur with the
11. Senate in the adoption of their amendment to a bill with the
12. following title: House Bill 1468.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Rules. Senator Hynes.

15. SENATOR HYNES:

16. Mr. President and members of the Senate. I rise for
17. the purpose of making a motion with respect to Rule 5 dealing
18. with the introduction of bills. Friday was our deadline for
19. the introduction of bills and I'm happy to report that all
20. went well with one minor exception. It seems that through a
21. misunderstanding four bills that had been completed were in
22. the Reference Bureau on time and out of the Reference Bureau
23. on time were brought up five minutes after the Session had
24. closed. Due to a misunderstanding these bills, I believe,
25. should be introduced and we should allow them to be
26. introduced into this Body and there...the Rules Committee
27. this morning discussed the matter and felt that it would not
28. violate the spirit of the deadlines that we adopted. And I,
29. therefore, intend in just a moment to make a motion to suspend
30. the rules so that they can be introduced and referred to the
31. Rules Committee. But it is also our joint agreement that this
32. will be the only exception and that there are extenuating
33. circumstances involved here that make it a matter of fairness

1. that we allow this. So Mr. President, I would, therefore,
2. move to waive Rule 5 for the purpose of...allowing the
3. introduction of the four bills on the Secretary's Desk
4. presented by Senator Lane and to then have those bills
5. referred to the Rules Committee.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Motion by Senator Hynes to suspend Rule 5. Those in
8. favor indicate by saying Aye. Those opposed. The Ayes have
9. it. The motion carries. Senator Hynes now moves that...moves
10. that the bills referred to...Senator Lane be read a first time
11. and referred to Rules Committee. Those in...by number a first
12. time. Those in favor indicate by saying Aye. Those opposed.
13. The Ayes have it. The motion carried. Introduction of bills.

14. SECRETARY:

15. Senate Bill 1873 offered by Senator Lane.

16. Senate Bill 1874 offered by Senator Lane.

17. Senate Bill 1875 offered by Senator Lane.

18. Senate Bill 1876 offered by Senator Lane.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Rules. Senator Hynes. You wish to proceed with 1602
21. on the Order of 2nd reading? Senate bills, 2nd reading?

22. SENATOR HYNES:

23. Yes.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senate bills, 2nd reading. Senate Bill 1602.

26. SECRETARY:

27. Senate Bill 1602.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No committee amendments.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Are there amendments from the Floor? 3rd reading.

32. ...stand at ease.

33. PRESIDENT:

1. The Senate will please come to order. On the Order
2. of Constitutional Amendments, 2nd reading. Senator Shapiro
3. or Senator Graham, is there desire for a Republican caucus?
4. Senator Graham.

5. SENATOR GRAHAM:

6. Yes, Mr. President, I'd like to call a Republican
7. caucus in Room 400 immediately.

8. PRESIDENT:

9. Senator, how long would you...Would 1:15 be an
10. appropriate time to return?

11. SENATOR GRAHAM:

12. I would hope so...the bill...have...have each other
13. pretty well banged up by then.

14. PRESIDENT:

15. The Senate will stand in recess for a Republican
16. caucus until 1:15.

17. (RECESS)

18. (AFTER RECESS)

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The Senate will come to order. Is there leave to go
21. to the Order of the Secretary's Desk for resolutions? Leave
22. is granted. Resolutions...Harber Hall on the Floor? Senator
23. Harber Hall, is Senate Resolution 211...did you wish to have
24. that considered at this time? Senator Berning. Senate
25. Resolution 211. Senate Resolution 283, Senator Hynes. Did
26. you have an amendment? Senator Hynes is recognized.

27. SENATOR HYNES:

28. Mr. President, I would simply like to have this called
29. for purpose of offering an amendment and the amendment would
30. change the reporting date from June 1 to provide that the...
31. the preliminary report would be forthcoming on June 1 and a
32. final report on October 1. And I would...that amendment was
33. adopted in committee. I would move for the adoption of the

1. amendment.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Hynes moves the adoption of...Amendment No. 1
4. to Senate Resolution 283. Is there discussion? All in favor
5. say Aye. Opposed Nay. The Ayes have it and...amendment is
6. adopted. Further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Hynes, did you wish to consider that resolution
11. at this time? Senate Resolution 300. Senator Mitchler. Senator
12. Mitchler is recognized. Could Senator Schaffer and...

13. SENATOR MITCHLER:

14. Mr. President, there's a...a committee amendment to
15. Senate Resolution No. 300 and I would like to just briefly
16. explain it. It adds on the distribution of the amendment in
17. addition to the Village of Skokie officials to the president
18. of the Illinois Chapter of the National Socialist Party of
19. America. I move for adoption of the amendment. Committee
20. amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. You've heard the motion to adopt the Committee Amendment
23. No. 1 to Senate Resolution 300. Is there discussion? All in
24. favor say Aye. Opposed Nay. The Ayes have it. The amendment
25. is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Mitchler, did you wish to consider that amendment...

30. SENATOR MITCHLER:

31. Yeah.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. ...at this time. Senator Mitchler is recognized on Senate

1. Resolution 300.

2. SENATOR MITCHLER:

3. Mr. President and members of the Senate. Senate
4. Resolution No. 300 that has been voted out of the Executive
5. Committee resolves that the Senate condemns the planned Nazi
6. demonstration in Skokie and that we condemn the hatred and
7. prejudice which the American Nazi Party epitomizes and that
8. we condemn the planned abuse of the sacred rights guaranteed
9. to all by the United States Constitution. It further resolves
10. that we encourage the American Nazi Party to desist in their
11. planned demonstration and encourage the local government in
12. Skokie to continue to search for ways to prevent the demonstration
13. in view of the damage to human life and property that is sure to
14. occur as a result of the demonstration, if held. A copy of the
15. resolution would be sent to the village officials of the Village
16. of Skokie and to the...President of the Illinois Chapter of the
17. National Socialist Party of America. Mr. President, I move for
18. adoption of Senate Resolution 300.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. ...Senator Mitchler has moved the...the adoption of
21. Senate Resolution 300. Is there discussion? Senator, they...
22. they are on the Calendar. This is not on the Consent Calendar.
23. Is there discussion? On the motion to adopt. All in favor
24. say Aye. Opposed Nay. The Ayes have it. The resolution is
25. adopted. Is Senator Berman on the Floor? Senator Lemke is
26. not on the Floor. Senator Berning, SJR 55 on Secretary of
27. Transportation. Did you wish to have that considered at this
28. time? Would a page please take the amendment from Senator
29. Berning and bring it to the Secretary's Desk?

30. SECRETARY:

31. Amendment No. 1 offered by Senator Berning.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berning is recognized for the purpose of

1. explaining the amendment.

2. SENATOR BERNING:

3. The amendment, Mr. Chairman and members of the Senate...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Excuse me, Senator Berning. Could we have some order
6. please. Senator Berning.

7. SENATOR BERNING:

8. The amendment simply changes the reporting date from
9. that contained in the original resolution, which is April 1
10. now expired to October 1, 1978. I would like to have that
11. amendment adopted and then the resolution considered, Mr.
12. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berning has moved the adoption of Amendment
15. No. 1. Is there discussion? All in favor say Aye. Opposed
16. Nay. The Ayes have it. The amendment is adopted. Further
17. amendments.

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning, you wish to take this up at this time?
22. Would you please briefly explain the resolution?

23. SENATOR BERNING:

24. Yes, Mr. President and members of the Senate. Each and
25. every one of us daily as we drive down the highway can't help
26. but be impressed with the fact that the fifty-five mile an hour
27. speed limit is something that is not universally observed. As
28. a matter of fact, I think it's safe to say that ninety-five
29. percent of...ninety-five percent of the operators of our motor
30. vehicles are lawbreakers. That in itself is unfortunate and it
31. appears to me that the time has come to review the advantages,
32. if any, as well as the disadvantages, both economic and personal,
33. which this fifty-five mile an hour speed limit imposes. So

1. Senate...Joint Resolution 55 asks the Director of the Department
2. of Transportation and the Director of the Department of Business
3. and Economic Development to conduct a joint investigation into
4. the effect of the fifty-five mile an hour speed limit in Illinois,
5. including its effectiveness, the economic impact and report
6. back to the Senate and that's all it does, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Grotberg.

9. SENATOR GROTBORG:

10. Will the sponsor yield?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Indicates he will yield. Senator Grotberg.

13. SENATOR GROTBORG:

14. Senator Berning, assuming that they've studied and done
15. all of these things, what possible impact could they have on a
16. Federal law?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Berning.

19. SENATOR BERNING:

20. Senator, you may not recall but there is no Federal law.
21. The fifty-five mile an hour is a club that is utilized as a
22. threat to withhold Federal funding for essentially interstate
23. highway construction. That's for all intents and purposes
24. completed here in Illinois and I submit might not have any
25. impact at all for us. But this is what the Director of the
26. Department of Transportation as well as the Department of
27. Economic and...BED would determine for us. That's part of the
28. objective of the resolution.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Grotberg.

31. SENATOR GROTBORG:

32. Well, that...it may be in your district that all of the
33. Federal highway money is gone, but it still accounts for about

1. fifty to seventy-five and some cases ninety cents on the dollar
2. of everything that's going on in my district through the Depart-
3. ment of Transportation. It seems to me that this is the first I've
4. heard of this resolution, Senator and it'll cost money to do it...
5. Well, thanks for everything.

6. SENATOR BERNING:

7. Okay.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion? Senator Berning may close
10. the debate. Senator Kenneth Hall. Senator Hall, I saw your
11. light, but you were off the Floor.

12. SENATOR KENNETH HALL:

13. Yeah.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Kenneth Hall.

16. SENATOR KENNETH HALL:

17. Will the sponsor yield to a question?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Hall.

20. SENATOR KENNETH HALL:

21. Senator, I'm sorry...Did I understand you correctly to
22. say that there was no law passed on this, that...Would you
23. rephrase that again, please?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berning.

26. SENATOR BERNING:

27. The question was whether there's Federal law. Senator,
28. we do have "yes" in Illinois. The fifty-five mile an hour
29. speed limit and its objective was to control you and me and
30. other drivers so that the fifty-five mile an hour limit would
31. help the State of Illinois qualify for Federal funding and it's
32. my understanding that the regulations for the distribution
33. of Federal money indicates that a state must have this law, but

1. there is no Federal law to the best of my unstanding. Now,
2. whether or not we are accomplishing the objectives or any or
3. all of the objectives is what I would like to have these two
4. gentlemen from these departments determine for us so that we
5. may then decide to either reaffirm our commitment to the
6. fifty-five mile an hour and you and I observe it or perhaps,
7. let's get rid of it.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Well, Senator...if I can remember correctly when this
12. came up I was on the Transportation Committee. My understanding
13. was that if a state did not comply that the Federal Government
14. would withdraw the money that they're drawing from the Federal
15. Government. Now, if your resolution passes or if they find
16. out this is not accomplishing what it...Are you advocating
17. that we lose this money that's coming to the state by this
18. resolution?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berning.

21. SENATOR BERNING:

22. Senator, I'm not advocating that we lose any money or
23. that we give up anything. You may recall that it didn't cause
24. us to lose any money when we eliminated the Helmet Act. I happen
25. to believe that the Federal Government would not withhold monies
26. from the State of Illinois. But that would be one of the things
27. that would be the end result of the report and recommendation
28. by the directors of these...two departments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Kenneth Hall.

31. SENATOR KENNETH HALL:

32. Well, I'm just trying to get a clarification of this.
33. In other words, if I read this correctly now. You're asking

1. if this does not do what it's intended to do, then you're saying
2. that we either do away with the fifty-five mile an hour speed limit,
3. which will and you...are you under the impression that the
4. Federal Government will allow the State of Illinois to do it
5. when everybody else has to comply with it without losing
6. Federal funds?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berning and the gentleman's time has expired.

9. SENATOR BERNING:

10. Senator, all I am suggesting is that we review the matter.
11. I am not saying that we ought to abandon the fifty-five mile an
12. hour at this point. But let's have some additional information
13. in order to make a determination. It's a pure and simple fact
14. that most people are not abiding by the law and I just would
15. suggest that perhaps, if a toll or record were kept of all of
16. the members of this General Assembly we would find that most if
17. not all are violators and why should we be if it's producing
18. no good. I'd like to know that it is producing some good, this
19. fifty-five mile an hour speed limit and whether we would be
20. penalized if we did eliminate it. That's what I hope to find
21. out by this simple little investigation. It costs us nothing
22. and imposes no mandate on us.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Graham.

25. SENATOR GRAHAM:

26. Just two things. First of all, on a point of personal
27. privilege. I'd like to introduce...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. State your point, Senator.

30. SENATOR GRAHAM:

31. ...to the Senate, Doctor and Mrs. Hess from Elgin. Roger
32. and Mary, will you stand and be recognized...

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Would you please stand and be recognized by the Senate.

2. SENATOR GRAHAM:

3. Secondly of all, Mr. President, it seems like if this
4. sort of a resolution...is going to precipitate a lot of
5. argument, don't we have a committee to handle that?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Yes, Senator. Further discussion? Senator Ozinga.

8. SENATOR OZINGA:

9. Mr. President, I'm a little fearful of this resolution
10. for two reasons. Number one, we know what the answers going to
11. be before we even ask the question because they are going to
12. eulogize what a great thing it is to have so many less deaths
13. and so much this and so much that, which will be just a lot
14. of rhetoric. But, secondly, this might arise the ire
15. of the state troopers to the extent when I go fifty-six miles
16. an hour I might get pinched.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Graham.

19. SENATOR GRAHAM:

20. I...I'm not going to break a rules and I won't do it
21. to ask that the Senate please recognize Miss Savoy and her
22. class from Barrington in the gallery behind the President.
23. Have them please stand and be recognized.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would the class please...please stand and be recognized.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. And thank you, Senator Graham for not breaking our rules.
28. Is there further debate on this matter? Senator Mitchler.

29. SENATOR MITCHLER:

30. Just a quick question of the sponsor...What type of
31. clout do you have with the Secretary of the Senate to have this
32. Senate Joint Resolution No. 55?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berning.

2. SENATOR BERNING:

3. That was part of the strategy. It affects the fifty-five

4. mile an hour speed limit and primarily effects highway fifty-

5. five. And sixty-five...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senators...

8. SENATOR BERNING:

9. As...as one parting comment...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Senator Berning...just to answer his question. Now

12. if we may go on with the debate. In fact introduce...

13. SENATOR BERNING:

14. Oh, I thought that was it, Sir.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. No, Senator Soper is seeking recognition. Senator Soper.

17. SENATOR SOPER:

18. I think we've heard enough of this gem. I move the

19. previous question.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Soper has moved the previous question. Is there...

22. is there debate on the motion. All in favor say Aye. Opposed

23. Nay. That question is on the main motion. Senator Berning has

24. moved that the adoption of Senate Joint Resolution 55. All in

25. favor say Aye. Opposed Nay. There's been a request for a roll

26. call. The question is on the adoption of Senate Joint Resolution

27. 55. Those in favor vote Aye. Those opposed vote Nay. The

28. voting is open. Have all voted who wish? (Machine cutoff)

29. voted who wish? Take the record. On that question the Ayes are

30. 32, the Nays are 19 and 1 Voting Present. Senate Joint Resolution

31. having received the majority of those voting on the issue is

32. declared passed. Senator Harber Hall on SJR 59. Did you wish

33. to have that heard today, Senator Hall? Senator Harber Hall is

1. recognized. Gentlemen and Ladies, can we...can we have some
2. order please. Senator Harber Hall.

3. SENATOR HARBER HALL:

4. Mr. President and fellow Senators. Senate Joint
5. Resolution 59 memorializes the Congress to enact legislation
6. that will better help the states enforce tax statutes that
7. have joint coordination with the Federal. Right now we are
8. not, for example, in Illinois permitted to audit returns of the
9. Federal returns to compare those with our own Revenue Statutes
10. so that we get the same results and the same relative income
11. from the revenue involved because of Federal Statutes prohibiting
12. people from access to those records. I would point out that
13. the Auditor General is under strict...and his...all his
14. personnel are...under strict statutory confidentiality
15. restrictions the same as Federal employees are. So, I think
16. this is a good bill. It's been requested by the Audit
17. Commission and the Auditor General and I would like to send
18. this over to the House for their ratification, too.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Knuppel.

21. SENATOR KNUPPEL:

22. This is a...invades the confidentiality of the IRS. The...
23. that is the Internal Revenue Service return that you file for
24. whom? How wide a group of people?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. No one would have access to those records except through
29. the audit process and only the audit...Auditor General and his
30. staff would have access to those records. And only where
31. necessary by specific statutory revenue requirements of this
32. state that have coordination possibilities with the Federal:

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well then the only people that it really deals with is...
4. is probably state officials because the Auditor General wouldn't
5. be auditing the average non-official citizen in the State of
6. Illinois. Is that correct?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Harber Hall.

9. SENATOR HARBER HALL:

10. No, that is not exactly correct. For example, in the
11. audit of cigarette taxes, for example, that...that...there
12. would be occasion to audit the...the returns of companies...
13. doing business in...in Illinois and show that the Department
14. of Revenue's records of collection of revenue corresponds with
15. the income tax records of the IRS. And only in that audit
16. would...would that exchange be permitted. But there are many
17. others, of course. There...there are other areas in the
18. Statutes in other taxes that the same might apply. But I
19. just give the cigarette as an example.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, I personally feel that after the Watergate
24. situation that...and the audits that were prompted by likes
25. or dislikes of your political enemies that this is a very
26. dangerous procedure, even though it is only for the Auditor
27. General. I don't think that was the purpose of creating
28. the Auditor General's Office and I personally would...would
29. oppose any further breakdown of the confidentiality that I
30. have in my income tax return. I think it's bad enough that
31. we have to file as many reports and you have almost have...
32. have to have an accountant now to keep up with the ethics
33. legislation. But I don't see why the Auditor General should have

1. any right to audit my Federal income tax and further breakdown
2. that confidentiality. Next time it will be somebody else and some-
3. body else. I...I'm going to have to vote against it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Daley.

6. SENATOR DALEY:

7. Will the sponsor yield to a few...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield.

10. SENATOR DALEY:

11. ...questions.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Daley.

14. SENATOR DALEY:

15. Senator, I had a bill last year which provided written
16. notice to any Illinois taxpayer whereby the Federal Government
17. is coming in and looking at their returns. Will this give the
18. Illinois taxpayer the right to some notice that a Federal agency
19. is looking at their tax returns?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Harber Hall.

22. SENATOR HARBER HALL:

23. Well, the Federal agency has...already has that. This
24. would be a state agency. I recall your bill and I recognize
25. what you're trying to do. This...this wouldn't pertain to...
26. to that. It...it enables...it doesn't give any additional
27. warning. It couldn't because the warning you or the twelve
28. day notice that you were asking for, as I recall it, would
29. only apply to the Internal Revenue system. This provides that
30. through our audit required⁰ in the Constitution and supplemented
31. by Statutes that we, right now, cannot really perform the
32. required function of...of the audit if we can't take the records
33. submitted by the Department of Revenue and audit them against

1. soemthing. And we cannot audit them against the reports of the
2. IRS. We can audit them against other things, but we can't
3. compare them with the...the IRS at the present time because of
4. the Federal Statutes. But to answer your question, it wouldn't
5. change as that.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Daley.

8. SENATOR DALEY:

9. Yeah, but what you...you're trying to do is to look at
10. someone's Federal return. Correct? Without giving any notice
11. whatsoever. I...I again I put my bill in it. Last year it
12. was victorious in the House and the Senate and the Governor
13. vetoed the bill. It passed the Senate but,of course, the House
14. stalled the bill. Again I put the bill in and I firmly believe
15. that taxpayers should have a right to a notice whatever agency,
16. a...a township, a city, a county, a state or the Federal
17. Government who looks into someone's return. They should have a
18. notice that state agencies are looking at their returns and...
19. and I oppose this resolution.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? Senator Nimrod.

22. SENATOR NIMROD:

23. Yes, Mr. President, a question to the sponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield.

26. SENATOR NIMROD:

27. Does this mean that the Department of Revenue already
28. has this means of exchanging information within the state?
29. Do they not?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Yes. The Illinois Department of Revenue presently has

1. access to Federal income tax returns, as you know. They are
2. all qualified through...confidentiality of the Statutes to
3. treat this in strict confidence as the same as the Federal
4. IRS personnel have. This would expand that availability
5. of records to our Auditor General who has a...a very small
6. staff, but they are very necessary in the proper audit of
7. state funds and all state agencies. They cannot properly,
8. at this time, audit the Illinois Department of Revenue because
9. there's nothing to check against.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Yes. Well, thank you, Senator Hall. The...the reason
14. I asked that question is then we should not have any concern,
15. or fear is, that this information on our personal income tax
16. is going to be expanded because it's already there for the
17. Department of Revenue in that area and what this is doing
18. is giving the...the Auditor General the powers on his investigations
19. to make some comparisons that...in fact the incomes that are
20. reported Federally and State-wide, are in fact, in balance. And
21. it seems to me that this would be a proper extension.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Graham.

24. SENATOR GRAHAM:

25. Mr. President and members of the Senate. This resolution
26. is, in fact, a product of the Legislative Audit Commission and
27. is...was bipartisanly supported in that commission and after
28. some hearings and some discussion it was thought by the
29. Legislative Audit Commission that this was a good proposition
30. and so as we start debating the pros and cons of it, debating
31. with fellows who have put in a lot of time on it realizing the
32. complications of it and realizing it is not as bad as a lot of
33. people think it might be. I just want you to know that the

1. Legislative Audit Commission recommends this to you and so do
2. I.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Question is on the adoption
5. of Senate Joint Resolution 59. All in favor say Aye. Opposed
6. Nay. There's been a request for a roll call. Roll call is on
7. the adoption of Senate Joint Resolution 59. Those in favor will
8. vote Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Take the
10. record. On that question, the Ayes are 24, the Nays are 22.
11. 1 Voting Present. Senate Joint Resolution 59 is declared
12. adopted. For what purpose does Senator Bower arise? Senator
13. Bower.

14. SENATOR BOWER:

15. Point of personal privilege.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. State your point, Senator.

18. SENATOR BOWER:

19. I'd like to like Senator Graham and not violate the rules,
20. but we have from our district one of the finest commissioners
21. that ever graced the Illinois Commerce Commission and I'd like
22. to introduce Commissioner Helen Schmitt in the Presidents
23. gallery, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would she please stand and be recognized. Senator Hynes,
26. announcements?

27. SENATOR HYNES:

28. Mr. President and members of the Senate two announcements.
29. First, there will be a meeting of the Rules Committee in the
30. President's Office at 11:00 a.m. tomorrow morning. Rules Committee
31. meeting at 11:00 a.m. and secondly, since our deadline for
32. introduction of bills was last Friday and the deadline for
33. committee action is fast approaching we will have some administrative

1. problems in getting out notices of committee meetings for next
2. week and therefore, the joint leadership has decided that the
3. best way to expedite the committee hearings next week is to waive
4. in part the Six Day Notice requirement for posting. So that any
5. notice that is sent out by Friday of this week will be effective
6. for purposes of committee hearings next week. Therefore, the
7. committees will post the notices of bills as soon as they are
8. ready, of course, but if they are posted by Friday on the
9. board and...and the notices are mailed out that will be effective.
10. So I, therefore, Mr. President move to suspend the rules for the
11. purpose of waiving the Six Day Notice requirement for the
12. committee hearings next week to the extent that the notices will
13. be timely if, in fact, they are sent out and...and posted by
14. Friday of this week.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. You've heard the motion. Is there discussion? Is there
17. leave? Leave is granted. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. By way of announcement
20. Appropriations I will meet immediately after adjournment in
21. Room 212. Appropriations I in Room 212 immediately.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, as Chairman of the Democratic caucus I
26. want to call all the Democratic Senators together tomorrow
27. morning at 10:00 o'clock. 212. That's following...Sir. That's
28. immediately...Sir. Didn't you hear me? All right. Ten o'clock
29. tomorrow morning, Room 212. Democratic caucus. That's following
30. the Prayer Breakfast. Right, Senator Davidson?

31. SENATOR DAVIDSON:

32. Okay.

33. SENATOR JOHNS:

34. Ten o'clock.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Democratic caucus. Ten o'clock. Room 212. Senator
3. Donnewald for what purpose do you seek recognition?
4. SENATOR DONNEWALD:
5. Yes, Mr. President, I'd like to have leave of the
6. Body to re-refer Senate Bill 1483 from Appropriations II
7. to Appropriations I.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Is there leave? Leave is granted. Senator Davidson
10. for what purpose do you arise?
11. SENATOR DAVIDSON:
12. Yes, purpose of announcement, Mr. President. I want
13. to remind all the members of the Senate who are going to
14. the Governor's Prayer Breakfast tomorrow morning. It is
15. tomorrow morning. Holiday Inn East at 7:45 a.m. And if
16. you don't have tickets, don't come. We're sold out.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Further announcements. Senator Berning:
19. SENATOR BERNING:
20. Mr. President, I'd like to ask leave of the Body to
21. be shown as a cosponsor of Senate Bill 1865.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Is there leave? Leave is granted. Further announcements?
24. Resolutions.
25. SECRETARY:
26. (Machine cutoff) Resolution 24...24...324 offered by
27. Senator Harber Hall. It's congratulatory.
28. Senate Resolution 325 offered by Senator Berman. It's
29. a Death Resolution.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Consent Calendar. Further business to come before
32. the Senate? Resolutions.
33. SECRETARY:

1. Senate Resolution 326 offered by Senators Hickey, Hynes,
2. Rock and others.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Executive. Further business to come before the Senate?
5. Senator Knuppel moves that the Senate stand adjourned until the
6. hour of 12:00 o'clock tomorrow. All in favor say Aye. Opposed
7. Nay. The Ayes have it. The Senate stands adjourned until
8. 12:00 o'clock.

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