

REGULAR SESSION

MARCH 8, 1977

1. PRESIDENT:

2. The hour of one o'clock having arrived, the Senate will
3. please come to order. Prayer will be by Reverend Robert W.
4. Green of the Southside Christian Church of Springfield.
5. Will our guests in the galleries please rise. Reverend Green.

6. REVEREND GREEN:

7. (Prayer by Reverend Green)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. March the 2nd...Wednesday, March the 2nd, 1977, Thursday,
12. March the 3rd, 1977.

13. PRESIDENT:

14. Senator Johns.

15. SENATOR JOHNS:

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

19. PRESIDENT:

20. Senator Savickas, for what purpose do you arise?

21. SENATOR SAVICKAS:

22. Well, if...for a correction on the Journal. On Senate
23. Bill 22 in the Journal, I think it shows that one Senator...
24. Democratic Senator voted against Senate Bill 22, and I think
25. that was a mistake. I think it should be corrected to read
26. that all of the Senators supported it the Democratic
27. Senators. I think Senator Morris was registered as in
28. opposition to that. Is that...is that in error or...

29. PRESIDENT:

30. Senator...Senator Morris is frantically waving his arms,
31. I think, to indicate that it is in error. Senator Morris.

32. SENATOR MORRIS:

33. Thank you very much, Mr. President. No, that is not in

1. error. I did vote No on that bill. I had said all along I
2. didn't want to waste any more taxpayers' money, and I did vote
3. No, Senator Savickas. I wasn't throwing away the State's money.

4. PRESIDENT:

5. Senator Savickas.

6. SENATOR SAVICKAS:

7. Well, then, Mr. President, I think we'll move to reconsider
8. that bill since we haven't...we haven't reconsidered, we just
9. Tabled it. I think there's a legal technicality, and I think
10. that bill will be brought back.

11. PRESIDENT:

12. Well, ...Senator, first we are not on the Order of Motions.
13. Secondly, there was a motion to reconsider which was Tabled, and
14. thirdly, the bill is out of the possession of the Senate and is
15. in the House, so that that motion would not be in order even
16. we were on the Order of Motions, but I think you have graphically
17. pointed out that the Journal is, in fact, correct. Are there
18. any other questions or comments? If not, you have heard the
19. motion of Senator Johns that the Journals be approved. All
20. those in favor signify by saying Aye. Opposed. The Ayes have
21. it. The Journals are approved. Committee Reports.

22. SECRETARY:

23. Senator Donnewald, Chairman of the Committee on the Assign-
24. ment of Bills, assigns...assigns the following bills to committee:
25. Agriculture, Conservation and Energy, Senate Bill 178; Elementary
26. and Secondary Education, Senate Bill 180; Executive, Senate
27. Bill 184; Finance and Credit Regulations, Senate Bill 179;
28. Insurance and Licensed Activities, Senate Bill 181; Pensions,
29. Personnel and Veterans Affairs, Senate Bills 182 and 183;
30. Revenue, House Bill 247.

31. PRESIDENT:

32. Messages from the House.

33. SECRETARY:

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

2. Mr. President - I am directed to inform the Senate
3. that the House of Representatives has passed bills with the
4. following titles in the passage of which I am instructed to
5. ask concurrence of the Senate, to-wit: House Bill 24 and
6. House Bill 284.

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

8. Mr. President - I am directed to inform the Senate
9. that the House of Representatives has adopted the following
10. joint resolution in the adoption of which I am instructed to
11. ask the concurrence of the Senate, to-wit: House Joint
12. Resolution No. 12. What it does it commends the Montgomery
13. County News, and Senator Davidson was going to pick up this
14. resolution.

15. PRESIDENT:

16. For what purpose does Senator Davidson arise?

17. SENATOR DAVIDSON:

18. Mr. President, I'd like...excuse me. I'd like to ask for
19. the suspension of the rules and immediate adoption of this
20. joint resolution in congratulation to the Montgomery County
21. News on eighty-five years of service.

22. PRESIDENT:

23. Senator Davidson, if you could hold that motion until later,
24. that will be the last order of business?

25. SENATOR DAVIDSON:

26. Okay.

27. PRESIDENT:

28. For what purpose does Senator Guidice arise?

29. SENATOR GUIDICE:

30. Mr. President, in light of the fact that the Journal truly
31. reflected Mr...Senator Morris' vote on Senate Bill 22, I would
32. move at this time to take from the Table the motion to reconsider
33. and put that before the Body once again.

1. PRESIDENT:
2. Senator, that...that motion is out of order. The...the
3. motion was made to reconsider. That motion was Tabled. The
4. bill is no longer in the possession of the Senate. Senator Guidice.
5. SENATOR GUIDICE:
6. Mr. President, the...the motion to Table effectively kept
7. before this Body that particular bill, and I think that in the
8. motion to...to reconsider is still before this Body.
9. PRESIDENT:
10. Senator, the...the motion to Table was a motion to Table
11. the motion to reconsider.
12. SENATOR GUIDICE:
13. That's...that's correct, I understand it.
14. PRESIDENT:
15. And that...that has the opposite affect.
16. SENATOR GUIDICE:
17. Well...
18. PRESIDENT:
19. That makes it...
20. SENATOR GUIDICE:
21. ...no in the circumstances...
22. PRESIDENT:
23. ...that makes it final action, and the bill has now...final
24. action has been taken and has left the possession of the Senate
25. and is in the House, and it is not within our jurisdiction.
26. And any motion made here is meaningless.
27. SENATOR GUIDICE:
28. Mr. President, I might point out Roberts Rules of Order,
29. Sections 32 and 33, adequately provide that that bill is...that
30. that motion is still before this Body and can be reconsidered
31. at the next regular meeting which is today.
32. PRESIDENT:
33. Senate Rule 49 provides that no motion for the reconsideration

1. of any vote shall be in order after a bill, resolution, message,
2. report, amendment or motion upon which the vote was taken shall
3. have gone out of the possession of the Senate, and that has
4. occurred, and our rules take precedence over Roberts Rules of
5. Order when there is a...a conflict, so that that bill is out of
6. the possession of the Senate, and is no longer within our
7. jurisdiction, and your motion is out of order.

8. SENATOR GUIDICE:

9. I would make a motion then that we consider the...the Chair
10. and ask for a vote on the ruling of the Chair.

11. PRESIDENT:

12. For what purpose does Senator Knuppel arise?

13. SENATOR KNUPPEL:

14. Well, I don't know just exactly what the purpose of these
15. motions are, but I think it illustrates what...what the people
16. want to make the motion indicate, and that is that one individual
17. who helped hold this Body captive, hold us hostage, then
18. didn't vote for what his people asked for, that's not surprising.

19. PRESIDENT:

20. For what purpose does Senator Vadalabene arise?

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the Senate,
23. I would like at this time to advance Senate Bill 178...

24. PRESIDENT:

25. Senator, there...there is a...a motion pending, so if you...

26. SENATOR VADALABENE:

27. Oh, I'm sorry.

28. PRESIDENT:

29. ...could hold that for just a moment?

30. SENATOR VADALABENE:

31. Sure.

32. PRESIDENT:

33. For what purpose does Senator Buzbee arise?

1. SENATOR BUZBEE:

2. Well, Mr...Mr. President, I am awaiting your ruling on the
3. motion by Senator Guidice concerning the overruling of your...
4. overruling of your ruling. However, my question is, Mr.
5. President, when a rule clearly states...when a rule clearly
6. states an intent and the Chair so rules to fulfill the require-
7. ment of that rule, then what is the guidance that this Body
8. should follow? Can we, in fact, overrule you when you are
9. clearly following the mandates of our rules?

10. PRESIDENT:

11. I think the Body is entitled to vote any way it wishes
12. on a...on a particular motion, and there...there may be a
13. question of interpretation as to whether what I said was correct.
14. For what purpose does Senator Maragos arise?

15. SENATOR MARAGOS:

16. Mr. President and members of the Senate, I respectfully
17. ask Senator Guidice to reconsider his motion to...to appeal
18. the order of the Chair...the ruling of the Chair because of
19. the fact that if you'll look at the rules, the Chair has no
20. alternative but to...to rule the way it did, and I think it
21. would be to the best interest of the Senate that we do not
22. press the issue of this thing at the time...

23. PRESIDENT:

24. Senator Guidice, what is your pleasure? Senator Lemke,
25. for what purpose do you arise?

26. SENATOR LEMKE:

27. I think that any rules subject to being changed by a
28. motion on the Floor I think it can be changed by thirty votes.
29. I think this is a good example of the vote on this since the
30. record was created, and I, at this time, say I think the
31. Senator from Waukegan owes this Body an apology because he
32. said he never was with the members in regards to expand the
33. leadership when I sat at a conference and the first thing he

1. said, if we don't expand the leadership, Bruce is going to get
2. speared. So, I don't know what the hell he's talking about,
3. but I think he's a...prevaricator and a liar, and I think we
4. ought to have an apology in this Body.

5. PRESIDENT:

6. Members of the Senate, I think this debate is getting out
7. of order and I would ask that the Senators confine their remarks
8. to the subject at issue. For what purpose does Senator
9. Morris arise?

10. SENATOR MORRIS:

11. To seek an apology from Senator Lenke for calling me a
12. liar.

13. PRESIDENT:

14. Senator Guidice, what is your pleasure? Senator Guidice
15. has withdrawn the...the motion. Resolutions.

16. SECRETARY:

17. Senate Joint Resolution No. 21 introduced by Senator Roe.

18. PRESIDENT:

19. Executive. For what purpose does Senator Davidson arise?

20. SENATOR DAVIDSON:

21. Mr. President, I'll ask...excuse me. I'd like to ask for
22. the suspension of the rules for the immediate consideration of
23. Joint Resolution No. 12. It is congratulatory. Has to do with the
24. eighty-five years of the publishing family of Bliss in Montgomery
25. County News.

26. PRESIDENT:

27. Senator Davidson moves for the suspension of the rules for the
28. immediate consideration of the resolution. All those in favor
29. signify by saying Aye. Opposed. The Ayes have it. The rules
30. are suspended. Senator Davidson now moves for the adoption of
31. the resolution. Is there any discussion? All those in favor
32. signify by saying Aye. Opposed. The Ayes have it. The
33. resolution is adopted. (machine cut off) bills.

1. SECRETARY:
2. Senate Bill No. 185 introduced by Senators Netsch and Roe.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. Senate Bill No. 186 introduced by Senator Harber Hall.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. Senate Bill No. 187 introduced by Senators Regner,
9. Schaffer, Joyce and Lane.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. Senate Bill No. 188 introduced by Senators Roe, Bloom,
13. Schaffer and Grotberg.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDENT:
17. For what purpose does Senator Buzbee arise?
18. SENATOR BUZBEE:
19. Mr. President, I would like to make a motion at this
20. time, if a motion is in order? Oh! It's a very noncontroversial...
21. PRESIDENT:
22. Would you state your motion...
23. SENATOR BUZBEE:
24. ...motion.
25. PRESIDENT:
26. ...would you state your motion, please.
27. SENATOR BUZBEE:
28. I move to discharge the Committee on Higher Education from
29. further consideration of House Bill 220 and move...and move to
30. recommit House Bill 220 to the Elementary and Secondary Education
31. Committee. It was just...misplaced. The chairman is in agree-
32. ment.
33. PRESIDENT:

1. Is there any discussion on the motion? All right, Senator
2. Buzbee has moved that the Committee on Higher Education be
3. discharged from further consideration of Senate...House Bill
4. 220 and that the bill be re-referred to the Committee on Elementary
5. and Secondary Education. All those in favor of the motion
6. signify by saying Aye. Opposed. The Ayes have it. So ordered.
7. The bill has been referred to the Committee on Elementary and
8. Secondary...there's been a request from...for photographs to be
9. taken of the Senate in operation. Is leave granted? Leave is
10. granted. The lights may be turned on. For what purpose does
11. Senator Vadalabene arise?

12. SENATOR VADALABENE:

13. Yes, thank you, Mr. President and members of the Senate.
14. I would like to ask leave to have Senate Bill 178 discharged
15. from committee and sent to the Floor on 2nd reading. What
16. this bills does it's an emergency bill. In less than thirty
17. days if the bill isn't put into effect, there will be one
18. million totally Federal funds lost. There are no State funds.
19. This is a Federal funded project which will let the Bureau of
20. Mines, ingress and egress...ingress and egress out of the
21. abandoned coal mines. Now, that clearance on both sides of the
22. aisle for this advancement, and I would at this time ask leave.

23. PRESIDENT:

24. Senator, where is the bill presently located?

25. SENATOR VADALABENE:

26. It has never been assigned to a committee.

27. PRESIDENT:

28. It has been read a first time and is...

29. SENATOR VADALABENE:

30. Yes, it has been read a first time, Senate Bill 178.

31. PRESIDENT:

32. It was read a first time earlier today?

33. SENATOR VADALABENE:

1. No. No. I don't think...no, it hasn't been read...it's
2. been assigned.

3. PRESIDENT:

4. What...what committee was it assigned to, Senator?

5. SENATOR VADALABENE:

6. I don't know.

7. PRESIDENT:

8. The bill has been assigned to the Agriculture Committee.

9. SENATOR VADALABENE:

10. Okay.

11. PRESIDENT:

12. All right, and you move that the...for the suspension of
13. the rules for the purpose of discharging the Agriculture
14. Committee from further consideration of this bill and that the
15. bill be brought to the order of 2nd reading and be read a second
16. time. You've heard the motion. Is there any discussion?
17. All those...all those in favor of the adoption of the motion
18. signify by saying Aye. Opposed. The Ayes have it. The bill
19. is on 2nd reading. The bill is now on the order of 2nd reading.
20. Is there any further business to come before the Senate? If not,
21. Senator Rock moves that the Senate stand adjourned until 1:00 p.m.
22. tomorrow. All those in favor of the motion signify by saying
23. Aye. Opposed. The Ayes have it. The Senate stands adjourned
24. until 1:00 p.m. tomorrow afternoon.

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