

82ND GENERAL ASSEMBLY

REGULAR SESSION

JANUARY 13, 1982

1. PRESIDENT:

2. The hour of twelve having arrived the Senate will please  
3. come to order. Will the members please be at their desks, and  
4. will our guests in the gallery please rise. Our prayer this  
5. afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church,  
6. Springfield, Father.

7. REVEREND HUGH CASSIDY:

8. (Prayer given by Reverend Cassidy)

9. PRESIDENT:

10. Thank you, Father. We have a request. With leave of the  
11. Body, Mr. Lindsey from IIS requests permission to video-tape  
12. from the gallery. Roger Varner from Senator Maitland's District  
13. would ask leave to take pictures on the Floor, and Miss Carol  
14. Gillespie, a photo-journalism student from Bradley asks leave  
15. for the same purpose. Is leave granted? Leave is granted.  
16. Reading of the Journal.

17. ACTING SECRETARY: (MR. FERNANDES)

18. Friday, October 30, 1981, 9:30 o'clock a.m.

19. PRESIDENT:

20. Senator Nega.

21. SENATOR NEGA:

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

25. PRESIDENT:

26. You've heard the motion as placed by Senator Nega. Any  
27. discussion? If not, all in favor signify by saying Aye. All  
28. opposed. The Ayes have it. So ordered. Resolutions.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Resolution 364 by Senator Sangmeister, and it's  
31. congratulatory.

32. Senate Resolution 365, same sponsor, congratulatory.

33. Senate Resolution 366, Senator Carroll, congratulatory.

1. Senate Resolution 367, Senator Berning, congratulatory.
2. Senate Resolution 368, Senator Berning, congratulatory.
3. Senate Resolution 369 by Senator Hall, Rock and all
4. members of the Senate. It's congratulatory.
5. Senate Resolution 370 by Senator Savickas, congratulatory.
6. Senate Resolution 371 by Senator Savickas, congratulatory.
7. Senate Resolution 372, Senator Savickas, congratulatory.
8. Senate Resolution 373, Senator Totten, congratulatory.
9. Senate Resolution 374, the same sponsor, congratulatory.
10. Senate Resolution 375, the same sponsor, congratulatory.
11. Senate Resolution 376, the same sponsor, congratulatory.
12. Senate Resolution 377 by the same sponsor, congratulatory.
13. Senate Resolution 378 by Senator Etheredge, congratulatory.
14. Senate Resolution 379 by Senators Lemke, Degnan, Savickas,
15. an all members, congratulatory.
16. Senate Resolution 380, Senator Lemke and all members, con-
17. gr. tulatory.
18. Senate Resolution 381 by Senators Lemke, Degnan, Joyce,
19. Savickas, Taylor and all members, congratulatory.
20. Senate Resolution 382, Senators Lemke, Savickas and all
21. members, congratulatory.
22. Senate Resolution 383, Senators Lemke, Savickas and all
23. members, congratulatory.
24. Senate Resolution 384, Senators Lemke and Degnan, and all
25. members, congratulatory.
26. Senate Resolution 385, Senators Lemke, Degnan and all
27. members, congratulatory.
28. Senate Resolution 386 by Senators Bruce, Rock, Donnewald,
29. and all members, congratulatory.
30. Senate Resolution 387 by Senators Bruce, Rock, Donnewald,
31. and all members, congratulatory.
32. Senate Resolution 388 by Senators...Senator Gitz...I'm sorry,
33. we'll take that one out, it's not congratulatory.

1. Senate Resolution 388 by Senator Davidson. It's a death  
2. resolution.

3. Senate Resolution 389 by Senators Nash, Rock and all  
4. members, death resolution.

5. Senate Resolution 390 by Senators Nash, Geo-Karis, Rock,  
6. and all members, death resolution.

7. Senate Resolution 391 by Senators Nash, Geo-Karis, Rock,  
8. and all members.

9. Senate Resolution 392, Senators Lemke, Nega and Nedza.  
10. It's a death resolution.

11. Senate Resolution 393 by Senators Sangmeister, Lemke, Nash,  
12. Keats, Becker and all. It's congratulatory.

13. Senate Resolution 394 by Senators Egan and Lemke, Executive.

14. Senate...394.

15. PRESIDENT:

16. Alright, 394 to Executive, the rest will go on Consent  
17. Calendar.

18. ACTING SECRETARY: (MR. FERNANDES)

19. Senate Resolution 395, Senator Gitz.

20. Senate Resolution 396 by Senator Savickas.

21. PRESIDENT:

22. 395 and 396, Executive Committee. Message from the House.

23. ACTING SECRETARY: (MR. FERNANDES)

24. A Message from the House by Mr. Leone, Clerk.

25. Mr. President - I am directed to inform the Senate  
26. the House of Representatives has adopted the following Joint  
27. Resolution in the adoption of which I am instructed to ask  
28. concurrence of the Senate, to-wit:

29. House Joint Resolution 63.

30. (Secretary reads HJR 63)

31. PRESIDENT:

32. House Joint Resolution 63 is the resolution sent to us  
33. from the House requesting our presence at a joint session

1. immediately to hear the Governor of the State with respect  
2. to the state of the State. Senator Bruce.

3. SENATOR BRUCE:

4. This is the joint resolution to resolve ourselves in  
5. joint session. I would move for the suspension of the rules at...for  
6. the immediate consideration and adoption of the resolution.

7. PRESIDENT:

8. Senator Bruce has moved to suspend the rules for the  
9. immediate consideration and adoption of House Joint Resolution  
10. 63. Any discussion? If not, all in favor signify by saying  
11. Aye. All opposed. The Ayes have it. The rules are suspended.

12. Senator Bruce now moves the adoption of House Joint Resolution  
13. 63. Any discussion? If not, all in favor signify by saying  
14. Aye. All opposed. The Ayes have it. House Joint Resolution  
15. 63 is adopted.

16. ACTING SECRETARY: (MR. FERNANDES)

17. Senator Johns, Chairman of the Committee on Committees  
18. appoints the following members to wait upon the Governor and  
19. escort him to the House Chambers to deliver his message:

20. Senators Jerome Joyce, Buzbee, Egan, DeAngelis and Keats.

21. Signed, Senator Philip J. Rock.

22. PRESIDENT:

23. Alright. The Escort Committee is Senator DeAngelis, Keats,  
24. Buzbee, Egan and Joyce. They will meet the Governor in the  
25. front door of the House Chamber. Senator Phillip and I now  
26. request that the Senate stand in recess until the hour of two  
27. o'clock, and we will immediately meet at the front door of the  
28. House Chamber for the purpose of the joint session. The House  
29. and the Governor await our presence, so I would ask everybody  
30. to please move immediately across the Rotunda. The Senate  
31. will stand in recess until the hour of two o'clock.

32. RECESS

33. AFTER RECESS

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of two having arrived the Senate will come  
3. to order. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President and Ladies and Gentlemen of  
6. the Senate. I would ask the indulgence of our colleagues  
7. across the aisle and ask for a twenty-five minute recess,  
8. and I would further ask that the members of the Democratic  
9. side meet in my office immediately for about twenty minutes,  
10. and we will reconvene at 2:30 sharp.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. You've heard the request. All in favor indicate by saying  
13. Aye. Motion carries.

14. RECESS

15. AFTER RECESS

16. PRESIDENT:

17. The Senate will please come to order. We are privileged  
18. today to have with us a colleague from a different state, but  
19. one who shares the right political persuasion, and for the  
20. proper introduction, I will yield to Senator John Grotberg.

21. SENATOR GROTBORG:

22. Thank you, Mr. President and fellow members. I know we're  
23. all in a hurry, but being as how there was a man a long time ago  
24. from Springfield, Illinois who mentioned in a speech a house  
25. divided against itself, I would like to present to you my  
26. Democrat Senator brother, Perry Grotberg from the state of  
27. North Dakota. Perry.

28. SENATOR PERRY GROTBORG:

29. (Remarks made by Senator Grotberg)

30. PRESIDENT:

31. Resolutions.

32. ACTING SECRETARY: (MR. FERNANDES)

33. Senate Resolution 397 by Senator Gitz and all members,

1. congratulatory.

2. Senate Resolution 398 by Senator Gitz and all members.

3. And Senate Resolution 399, it's congratulatory, Senator  
4. Lemke and all members.

5. PRESIDENT:

6. Consent Calendar. With leave of the Body WCIA would ask  
7. permission to take some video shots. Is leave granted? Leave  
8. is granted. Message from the Governor.

9. ACTING SECRETARY: (MR. FERNANDES)

10. A Message from the Governor by John Washburn, Director,  
11. Legislative Affairs.

12. Mr. President - The Governor directs me to lay  
13. before the Senate the following message: State of Illinois  
14. Executive Department, Springfield.

15. To the Honorable members of the Senate, 82nd General  
16. Assembly, I have nominated and appointed the following named  
17. persons to the offices enumerated below and respectfully ask  
18. concurrence in and confirmation of these appointments by your  
19. Honorable Body.

20. PRESIDENT:

21. Executive Committee and Executive appointments. Message  
22. from the Secretary of State.

23. ACTING SECRETARY: (MR. FERNANDES)

24. To the Honorable President of the Senate.

25. Sir - In compliance with the provision of the Con-  
26. stitution of the State of Illinois, I am forwarding herewith  
27. the enclosed Senate Bill 1157 which the Governor vetoed in part.  
28. Line item veto and reduced. Respectfully, Jim Edgar, Secretary  
29. of State.

30. PRESIDENT:

31. Senator Bruce moves that we waive the reading of the Veto  
32. Message and it will be properly journalized. Is leave granted?  
33. Leave is granted. Channel 20 also requests permission to take...

1. shoot some film. Is leave granted? Leave is granted. Intro-
2. duction of bills.
3. ACTING SECRETARY: (MR. FERNANDES)
4. Senate Bill 1274 by Senator Schuneman.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. 1275 by Senator D'Arco.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. 1276 by the same sponsor.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. 1277 by the same sponsor.
14. (Secretary reads title of bill)
15. 1279 by the same sponsor.
16. (Secretary reads title of bill)
17. 1280 by Senator D'Arco.
18. (Secretary reads title of bill)
19. 1281 by Senator Ozinga.
20. (Secretary reads title of bill)
21. 1282 by Senator Carroll.
22. (Secretary reads title of bill)
23. 1284 by Senators Simms, Mahar, Schaffer and Rupp.
24. (Secretary reads title of bill)
25. 1285 by Senator Schaffer.
26. (Secretary reads title of bill)
27. 1286 by Senator Jerome Joyce.
28. (Secretary reads title of bill)
29. 1287 by Senator Savickas.
30. (Secretary reads title of bill)
31. 1288 by Senators Schaffer, Nimrod, Earlean Collins, Keats,  
and Demuzio.
32. (Secretary reads title of bill)
33. (Secretary reads title of bill)

HB 65  
Motion in Writing

1. 1289 by Senator Lemke.
2. (Secretary reads title of bill)
3. 1291 by Senator Lemke.
4. (Secretary reads title of bill)
5. 1292 by Senators Simms, Nimrod, Geo-Karis, Maitland, and
6. Davidson.
7. (Secretary reads title of bill)
8. 1293 by Senator Simms.
9. (Secretary reads title of bill)
10. 1294 by Senators Simms, Rupp, and Davidson.
11. (Secretary reads title of bill)
12. 1296 by Senators Marovitz and Carroll.
13. (Secretary reads title of bill)
14. 1297 by Senator Mahar.
15. (Secretary reads title of bill)
16. 1298 by Senator Demuzio.
17. (Secretary reads title of bill)
18. 1299 by Senators Totten and Keats.
19. (Secretary reads title of bill)
20. 1300 by Senator Maitland.
21. (Secretary reads title of bill)
22. 1301 by Senator Coffey.
23. (Secretary reads title of bill)

24. 1st reading of the bills.

25. PRESIDENT:

26. Senators Thomas and Sangmeister, are we ready? With  
27. leave of the Body we'll move to the Order of Motions in  
28. Writing. Mr. Secretary, Motions in Writing. Read the motion,  
29. please.

30. ACTING SECRETARY: (MR. FERNANDES)

31. I move to suspend Rule C and all other appropriate Senate  
32. rules and move that Senate Judiciary Committee be discharged  
33. from further consideration of House Bill 65 and that the bill...



1. and that House Bill 65 be placed on the Order of 3rd reading  
2. for immediate consideration. Signed, Senator Randy Thomas.

3. PRESIDENT:

4. Senator Thomas.

5. SENATOR THOMAS:

6. Thank you, Mr. President and Ladies and Gentlemen of the  
7. Senate. I have caused to be filed with the Secretary, a motion  
8. in writing on House Bill 65. This bill is to be used for  
9. legislation to correct problems raised by Public Act 82-502,  
10. formerly House Bill 32, dealing with the ownership of machine  
11. guns. It is my intention to ask the Body to Table Senate  
12. Amendment No. 1 and Senator Sangmeister will offer Senate  
13. Amendment No. 2, which will delete the contents of the original  
14. bill so that the question before the Senate will only be the  
15. machine gun legislation.

16. PRESIDENT:

17. Alright. Senator Thomas has moved to discharge the  
18. Committee on Judiciary I from further consideration of House  
19. Bill 65 and asks that the bill be placed on the Calendar on  
20. the Order of 3rd reading. Any discussion? If not, all in favor  
21. signify by saying Aye. All opposed. The Ayes have it. The  
22. motion carries. It's so ordered. On the Order of House Bills  
23. 3rd reading is House Bill 65. Senator Thomas seeks leave of  
24. the Body to return House Bill 65 to the Order of 2nd reading for  
25. purposes of an amendment. Is leave granted? Leave is granted.  
26. On the Order of House Bills 2nd reading, House Bill 65. Mr.  
27. Secretary...or Senator Thomas, I guess we have to...move to re-  
28. consider and Table the amendment, whatever it is.

29. SENATOR THOMAS:

30. Yes, Mr. President, having voted on the prevailing side,  
31. I move to reconsider the vote by which Senate Amendment No. 1  
32. to House Bill 65 was adopted.

33. PRESIDENT:

1.           Alright, Senator Thomas, having voted on the prevailing  
2. side seeks to reconsider the vote by which Amendment No. 1 to  
3. House Bill 65 was adopted. Any discussion? If not, all in  
4. favor signify by Aye. All opposed. The Ayes have it. The  
5. vote is reconsidered. Senator Thomas now moves to Table  
6. Senate Amendment No. 1 to House Bill 65. Any discussion?  
7. If not, all in favor signify by saying Aye. All opposed. The  
8. Ayes have it. The amendment is Tabled. Further amendments,  
9. Mr. Secretary.

10. ACTING SECRETARY: (MR. FERNANDES)

11.           Amendment No. 2 offered by Senators Sangmeister and  
12. Bowers.

13. PRESIDENT:

14.           Senator Sangmeister.

15. SENATOR SANGMEISTER:

16.           Thank you, Mr. President and members of the Senate. I  
17. may call to the Chair's attention, Mr. President, that you discharged  
18. Judiciary I. I'm sure you meant Judiciary II Committee in  
19. your comments, so the record is clear on that. As you know,  
20. since we passed Senate Bill...or House Bill 32 there has been  
21. some concern in this State about the authorization of individuals  
22. to purchase and possess machine guns in the State of Illinois.  
23. In order to correct that, I am now offering an amendment to  
24. House Bill 65, Amendment No. 2, which has been placed on your  
25. desks for specific reading. But basically, the important section that  
26. is in there, I think now makes it very explicit as far as  
27. individuals are concerned, and I read that part which says,  
28. under the Exemption Statute, which means these people that are  
29. exempt from the Unlawful Weapons Section now states this exemp-  
30. tion does not authorize, and I repeat, does not authorize the  
31. general private possession of any weapon from which eight or more  
32. shots or bullets can be discharged by a single function of the  
33. firing device, but only such possession in activities which are

1. within the lawful scope of a licensed manufacturing business  
2. described in this paragraph. Now, I would state to you that, after  
3. our having looked at this, that this piece of legislation is  
4. not a panacea to...to correct a lot of problems that we  
5. apparently recognize in this area. I am suggesting, and will  
6. appoint a sub-committee of Judiciary II of the Illinois  
7. Senate, and I would hope that the House Judiciary Committee  
8. would do likewise, a committee to study this whole area and  
9. to correct other problems that we may recognize. Just to  
10. slightly mention one, under the law of Illinois for a long time,  
11. and I just repeated that section, you can have eight or more...  
12. any weapon from which eight or more shots or bullets can be  
13. discharged, and it's my understanding the Federal Law talks  
14. about one bullet or more. We ought to certainly get things  
15. in sync, so where the Federal Law is saying one thing that  
16. Illinois Law is not saying another. But we are not doing  
17. that specifically in this piece of legislation. What does  
18. this piece of legislation do? Briefly, this piece of  
19. legislation and this amendment is limited to the exemption  
20. to only to machine guns. We're not touching anything else  
21. but machine guns. It limits the exemption to only Federally  
22. licensed manufacturers actually engaged in the production of  
23. machine guns or ammunition. It utilizes the same definition of  
24. machine guns that was used in Sub-section 241A, sub-paragraph  
25. 7, which is for example, capable of firing eight or more bullets  
26. with a single function of the firing device which I just alluded  
27. to. It establishes clear, concise and safe guidelines for  
28. transportation of machine guns by the manufacturer. It allows  
29. for the lawful testing of machine guns and ammunition within the  
30. State of Illinois and any other activity incidental to or within  
31. the lawful scope of the manufacturer of such weapons or ammunition.  
32. This amendment reflects the original intent of the General  
33. Assembly and the Governor on this issue which was based on the

1. testimony and debate that we heard at that time on House Bill  
2. 32, which subsequently became Public Act 82-502. It further  
3. makes clear the intent of the General Assembly that possession  
4. of machine guns is limited only, limited only to the enumerated  
5. exceptions. For example, peace officers, wardens, members of  
6. the armed services and Federally licensed manufacturers actually  
7. engaged in the production of machine guns or ammunition. This  
8. Act will become effective immediately upon its becoming law.  
9. And in order for the legislative intent to be perfectly clear,  
10. I'd like to read this into the record. This bill amends the  
11. Deadly Weapon Statute by adding Federally licensed manufacturers  
12. who are actually engaged in the manufacture of machine guns or  
13. ammunitions to the list of persons who are entitled to possess  
14. such weapons prior to January 1st, 1982. The persons exempted  
15. from the absolute prohibition in Illinois against machine gun  
16. ownership will thus now include manufacturers in addition to  
17. peace officers, correctional officers and members of the armed  
18. services. The exemption added by House Bill 32, which this  
19. legislation repeals, allowed anyone who could obtain federal  
20. authorization to possess machine guns and other destructive  
21. devices. The bill was thus inconsistent with the original intent  
22. of the General Assembly. This bill also clarifies the scope  
23. of activities which a licensed manufacturer may perform with  
24. respect to the manufacturer of machine guns, such as transporta-  
25. tion or testing of such weapons. This eliminates the pre-exist-  
26. ing ambiguities of the Deadly Weapons Statute which manufacturers  
27. confronted prior to January 1st, 1982. Frankly, as I stated  
28. earlier, I think it does the job, however, there is further work  
29. to be done in the entire area and we intend to do it. However,  
30. at this time I would move that we adopt Amendment No. 2 to House  
31. Bill 65.

32. PRESIDENT:

33. Senator Sangmeister has moved the adoption of Amendment No.

1. 2 to House Bill 65. Is there any discussion? If not, all  
2. in favor signify by saying Aye. All opposed. The Ayes have  
3. it the amendment is adopted. Are there further amendments Mr.  
4. Secretary?

5. ACTING SECRETARY: (MR. FERNANDES)

6. No further amendments.

7. PRESIDENT:

8. 3rd reading. We will get back to that order of business  
9. after we have intervening business, Senator Thomas, so don't  
10. go too far. Further motions in writing, Mr. Secretary.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Motion in writing. I move to amend temporary Senate Rule  
13. 5 by deleting the following: In even number years all bills  
14. shall be referred to the Rules Committee except those that  
15. implement the State budget or are introduced by standing  
16. committees and inserting in lieu thereof the following.

17. PRESIDENG:

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President. This motion in writing deals  
21. with temporary Rule 5. At the beginning of each session year,  
22. we adopt a new Calendar for Introduction of Bills, considera-  
23. tion by Senate committees, their passage out of Senate committees,  
24. their passage out of the Senate and consideration of House  
25. bills passage out of committee and final day for consideration  
26. of House bills. That is the nature of the motion in writing  
27. which would amend Rule 5. The Republican leadership has re-  
28. viewed it and okayed it. It has been approved by our leadership,  
29. and I would move the adoption...I would move the suspension  
30. of the rules for the immediate consideration and adoption of  
31. the amended Rule 5.

32. PRESIDENT:

33. Alright. Senator Bruce has moved the adoption of the

1. amendment to Rule 5. Is there any discussion? Senator
2. Bloom.
3. SENATOR BLOOM:
4. Question of the sponsor.
5. PRESIDENT:
6. Indicates he will yield, Senator Bloom.
7. SENATOR BLOOM:
8. I think this is somewhat like...I guess what I'm asking
9. is, are we going to have a Rules Committee that functions, that
10. actually does stop some of the stuff that...
11. PRESIDENT:
12. Senator Bruce.
13. SENATOR BRUCE:
14. Yes, you may recall that two years ago that Rules Committee,
15. I think met twenty some times...
16. SENATOR BLOOM:
17. It functioned very well.
18. SENATOR BRUCE:
19. ...yes, and that is the same procedure we will have. Bills
20. that...
21. SENATOR BLOOM:
22. Okay.
23. SENATOR BRUCE:
24. ...we will not prohibit the introduction of bills, but
25. they will go to the Rules Committee and face their considera-
26. tion before they go to...to the substantive committees.
27. PRESIDENT:
28. Senator Bloom.
29. SENATOR BLOOM:
30. Good.
31. PRESIDENT:
32. Alright, Senator Bruce has moved the adoption of the
33. proposed amendment to Senate Rule 5. Those in favor will

1. vote Aye. Those opposed will vote Nay. The voting is open.  
2. Have all voted who wish? Have all voted who wish? Have all  
3. voted who wish? Take the record. On that question, the Ayes  
4. are 47, the Nays are 2, none Voting Present. The motion  
5. prevails and the rule is now amended. With leave of the Body  
6. of Senator...where is Senator Thomas? It's his bill, is it not. Senator  
7. Nimrod, for what purpose do you arise?

8. SENATOR NIMROD:

9. For the purpose of Tabling a bill.

10. PRESIDENT:

11. That motion is always in order, Senator Nimrod.

12. SENATOR NIMROD:

13. ...it's come to my attention that Senate Bill 1217 had  
14. been introduced in my name and had been done so without my  
15. permission. So, at this time, I would like to move that Senate  
16. Bill 1217 be discharged from the Committee on Public Health,  
17. Welfare and Corrections for the purpose of Tabling.

18. PRESIDENT:

19. Alright, Senator Nimrod has moved to discharge the Committee  
20. on Public Health and Welfare from further consideration of  
21. Senate Bill 1217, 1217 for the purpose of Tabling. Any dis-  
22. cussion? If not, all in favor signify by saying Aye. All  
23. opposed. The Ayes have it. Senate Bill 1217 is discharged.  
24. Senator Nimrod now moves to Table Senate Bill 1217. Any dis-  
25. cussion? If not, all in favor signify by saying Aye. All  
26. opposed. The Ayes have it. Motion carries. The bill is  
27. Tabled. Senator Kent, for what purpose do you arise?

28. SENATOR KENT:

29. Mr. President, I'd ask leave of the Body to be removed  
30. as co-sponsor to Senate Bill 1272.

31. PRESIDENT:

32. Alright, Senator Kent seeks leave of the Body to be  
33. disassociated with Senate Bill 1272. Is there any discussion?

1. If not, leave is granted. Alright, with leave of the Body  
2. we'll return to the Order of House bills 3rd reading for the  
3. consideration of House Bill 65. Read the bill, Mr. Secretary.

4. ACTING SECRETARY: (MR. FERNANDES)

5. House Bill 65.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Thomas.

10. SENATOR THOMAS:

11. Thank you, Mr. President. Ladies and Gentlemen of the  
12. Senate, you have heard Senator Sangmeister's Amendment No. 2  
13. to House Bill 65. I would ask for a favorable roll call.

14. PRESIDENT:

15. Is there any discussion? If not, the question is, shall  
16. House Bill 65 pass. Those in favor will vote Aye. Those  
17. opposed will vote Nay. The voting is open. Have all voted  
18. who wish? Have all voted who wish? Have all voted who wish?  
19. Have all voted who wish? Take the record. On that question,  
20. the Ayes are 54, the Nays are none, none Voting Present. House  
21. Bill 65 having received the required constitutional majority is  
22. declared passed. Resolutions.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Joint Resolution No. 68 offered by Senator Schaffer.  
25. It's a Constitutional Amendment.

26. PRESIDENT:

27. Executive Committee. Yes, Senator Rhoads, for what purpose  
28. do you arise?

29. SENATOR RHOADS:

30. Mr. President, apparently my key was turned. I should have  
31. been recorded in the affirmative on the last bill.

32. PRESIDENT:

33. The record will so reflect. Messages from the House.



1. ACTING SECRETARY: (MR. FERNANDES)

2. A Message from the House by Mr. Leone, Clerk.

3. Mr. President - I am directed to inform the Senate  
4. that the House of Representatives has adopted the following  
5. Joint Resolutions, in the adoption of which I am instructed  
6. to ask concurrence of the Senate, to-wit:

7. House Joint Resolution 65, Senator Rock  
8. is the sponsor.

9. House Joint Resolution 66, Senator Weaver  
10. is the sponsor.

11. PRESIDENT:

12. Consent Calendar. They are both congratulatory resolu-  
13. tions. One was Representative Wikoff's. Senator Buzbee.  
14. With leave of the Body, we'll return to the Order of Motions...  
15. Motion in Writing, Mr. Secretary.

16. ACTING SECRETARY: (MR. FERNANDES)

17. Motion in writing. I move to suspend Rule 5 in order  
18. that Senate Bill 1265 can be considered in this session of  
19. the General Assembly. Signed, Senator Kenneth Buzbee.

20. PRESIDENT:

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. This motion pertains to Senate  
24. Bill 1265, which deals with the application of a multiplier by  
25. the State to local counties. This is a very appropriate time,  
26. in my opinion, to bring this motion before the Body, given the  
27. fact that the Governor addressed that in his state of the State  
28. today. I filed this bill last fall at the request of Assessor  
29. Hines of Cook County and the Assessor's Association of the State  
30. of Illinois. And that they are tired, as we are tired of being  
31. hammered over the head with the...with the multiplier as assigned  
32. by the State. And so this bill deals with that, and I would ask  
33. at this time that my motion be considered and passed so that we

1. can consider that bill on the Revenue Committee when it...when  
2. it is set the next time.

3. PRESIDENT:

4.           Alright. Senator Buzbee has moved to suspend Rule 5 for  
5. the purpose of having Senate Bill 1265 assigned to the Committee  
6. on Revenue for its action this coming March and April. Is  
7. there any discussion? Senator Phillip.

8. SENATOR PHILLIP:

9.           Thank you, Mr. President. Of course, we on the other side  
10. of the aisle have no knowledge of this at all. We have a Rules  
11. Committee. I would suggest that it be assigned to the Rules  
12. Committee. We're not going to come back in session 'til the  
13. 3rd. We're not going to be working until after the primary.  
14. And I certainly feel this is out of order.

15. PRESIDENT:

16.           Further discussion? Senator McMillan.

17. SENATOR MCMILLAN:

18.           I too would rise in opposition of that motion. There are  
19. a large number of...of pieces of legislation, either before this  
20. Body or...or that people want to bring before this Body, related  
21. to the whole matter of things related to property taxes and  
22. the whole tax system. And I just feel it's highly appropriate  
23. to single out one piece of legislation, and at a time when when  
24. we convene after...in late March, we'll be taking a look at all  
25. of them. And I would oppose this motion.

26. PRESIDENT:

27.           Alright, further discussion? If I can have your attention,  
28. the UPI has asked permission or asked leave to take some still  
29. photographs. Is leave granted? Leave is granted. Further  
30. discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32.           Well, I would just point out that this bill is already  
33. in the Revenue Committee. It was assigned there last Fall.

1. And all I'm asking is that it be considered when the Revenue  
2. Committee has its regular meeting. And I'm...I'm a little...  
3. I'm a little shocked, horrified and chagrined to find that  
4. the opposition is...is now apparently in...in opposition to  
5. their own Governor. The Governor said today that he wants to  
6. have the...the question of...of the multiplier considered.  
7. I filed this bill last Fall, before...long before the Governor's  
8. Message today. All I'm asking is that the bill be considered  
9. and heard and given its proper due in the Revenue Committee  
10. when the Revenue Committee has its next meeting. That's it.

11. PRESIDENT:

12. Further discussion? Senator Berning.

13. SENATOR BERNING:

14. Thank you, Mr. President. I...I assume that this would  
15. have to be on a point of personal privilege since I under-  
16. stand Senator Buzbee was closing. My question, Senator, is  
17. simply, why is it necessary for action of this Body to direct  
18. the Revenue Committee to hear...hold hearings on a bill  
19. which is already in its possession? I...I just don't quite  
20. follow what it is you feel you are achieving by directing  
21. the committee to hold a hearing on a bill now in it's control.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Because, under our new rule that we just adopted, all  
26. bills that are in committee now have to have permission of  
27. the Body to be acted upon. That's the reason.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. I regret to take issue with  
32. my co-sponsor of the very bill we're talking about. But as  
33. Chairman of Revenue, I would like to assure Senator Buzbee that

1. the subject matter of this bill has already been the subject  
2. of two hearings held by the Revenue Committee and will con-  
3. tinue to be the subject of additional hearings. The multi-  
4. pplier and it's role in the whole property tax scheme is one  
5. of the major items on our agenda. And I...we really don't  
6. need to be directed to do that. We will, in fact, do that,  
7. and we will hold those hearings whether or not we can have  
8. them on this exact bill given the rules that were just  
9. adopted today. So that I do assure you that your subject  
10. matter will be heard as soon as I can have another Revenue  
11. Committee hearing, and we've already had some testimony on  
12. it.

13. PRESIDENT:

14. Further discussion? Senator...I mean Senator Phillip.

15. SENATOR PHILLIP:

16. Thank you, Mr. President. As you know, we've just  
17. adopted new rules at the suggestion from the other side of  
18. the aisle. And basically what it says that all of those  
19. bills go to the Rules Committee, unless they're emergency  
20. nature. I don't think by any stretch of the imagination we can  
21. consider this an emergency measure.

22. PRESIDENT:

23. Alright. Any further discussion? Senator Buzbee may  
24. close.

25. SENATOR BUZBEE:

26. Thank you, Mr. President. Well, to...to garner the  
27. support of my colleague and co-sponsor, Senator Netsch, I  
28. would quote to her from the new rule which we just passed  
29. which says that all bills received by the Senate after  
30. passage by the House in their regular session, and all bills  
31. pending in the Senate which are requested to be considered,  
32. shall be referred to the Rules Committee. So what I'm doing  
33. is asking that that committee be discharged and that the bill

1. be allowed to be heard in the Revenue Committee. In response  
2. to Senator Phillip, I would say to him that if DuPage county  
3. does not consider the multiplier to be an emergency, then  
4. that's your problem, Senator. But in my county, the multi-  
5. plier is an emergency. In Cook county, the multiplier is an  
6. emergency. And in probably ninety-five to one hundred and  
7. one counties in this State, the multiplier is an emergency.  
8. If you don't have that emergency in DuPage, then goody for  
9. you. But I would submit that this is an emergency matter  
10. and that it should be given its due course. The Governor  
11. addressed it loud and long today in his state of the State  
12. Message and I'm just trying to help the Governor. I think  
13. we ought to get this bill heard before the Revenue Committee.  
14. And I would ask for a favorable roll call.

15. PRESIDENT:

16. Alright. Senator Buzbee has moved to suspend Rule 5 for  
17. the purpose of having the Revenue Committee hear and take...or  
18. hear and deal with Senate Bill 1265. Those in favor will vote  
19. Aye. Those opposed will vote Nay. The voting is open. Have  
20. all voted who wish? Have all voted who wish? Have all voted  
21. who wish? Take the record. On that question, the Ayes are  
22. 25, the Nays are 22, none Voting Present. The motion fails.  
23. Further motions, Mr. Secretary.

24. ACTING SECRETARY: (MR. FERNANDES)

25. Motion in writing. I move to discharge the Senate  
26. Executive Committee from further consideration of Senate  
27. Joint Resolution 54, and further move that it be read a  
28. first time. Signed, Senator Donald Totten.

29. PRESIDENT:

30. Senator Totten.

31. SENATOR TOTTON:

32. Thank you, Mr. President and Ladies and Gentlemen of the  
33. Senate. For a number of years this Body and the Body across

1. the Chamber have debated the issue of putting limitations on  
2. State and local taxes. In the Senate Executive Committee  
3. resides such a constitutional amendment. In my mind it has  
4. resided there far too long, and this Body ought to move to  
5. reflect what happened in the referendum in 1978 Statewide,  
6. advising the Senate and House to move on putting limitations  
7. on spending and on local taxes. Most recent escapades by  
8. county assessors...most recent escapades regarding ballooned  
9. levies indicate that no time is more appropriate than the  
10. present for us to start moving on that 78 mandate. I have,  
11. therefore, filed the motion to give the people of Illinois  
12. an indication that this Body would like to start considering,  
13. before the May deadline for constitutional amendments, some  
14. form of limit on State and local taxes. The motion to dis-  
15. charge Senate Joint Resolution is a motion of intent by this  
16. Body that we would "Yes" like to take up that issue when we  
17. come back in March. I would ask your favorable consideration  
18. of the motion so that it can be on 1st reading and we can  
19. move with haste when we get back here after the primary. It  
20. might help a lot of you and me in that primary.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Motion is to discharge the Executive Committee. Further  
23. discussion of the motion to discharge? Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President. I rise in opposition to the  
26. motion to discharge. We have just heard from the other side  
27. of the aisle that they really don't want to suspend the rules  
28. and move along with things, and I think things done in haste,  
29. as the subject matter of Senate Joint Resolution 54 would be  
30. something done in haste, I think this is deserving of a full  
31. and fair hearing in the Executive Committee, and I am sure that  
32. in March and April and May and June and July and August we'll  
33. get to it. So I would ask that the motion to discharge be

1. resisted.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Further discussion? Senator

4. Totten may close.

5. SENATOR TOTTEN:

6. Thank you, Mr. President and Ladies and Gentlemen of the  
7. House. The time is urgent. This Body only has until May to  
8. consider constitutional amendments. Most of us are...are con-  
9. cerned as our constituencies are concerned that we act. I  
10. ask you to join me in providing the people of Illinois with  
11. the intent that "Yes" this Body is going to act. We only have  
12. a short time to do it in.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Motion is to discharge Senate Joint Resolution from further  
15. consideration by the Senate Committee on Executive. It will  
16. require 30 affirmative votes. Those in favor vote Aye. Those  
17. opposed vote Nay. The voting is open. Have all voted who wish?  
18. Have all voted who wish? Take the record. On that question,  
19. the Ayes are 23...25, the Nays are 11, none Voting Present. The  
20. motion to discharge is lost. Is there leave to go to the Order  
21. of Introduction of Bills? Leave is granted. Introduction of  
22. Bills.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 1302 by Senators Sangmeister and Jerome Joyce.

25. (Secretary reads title of bill)

26. Senate Bill 1303 by Senator Sangmeister.

27. (Secretary reads title of bill)

28. Senate Bill 1304 by Senators Sangmeister, Rhoads and Totten.

29. (Secretary reads title of bill)

30. 1305 by Senator Maitland.

31. (Secretary reads title of bill)

32. 1st reading of the bills.

33. Senate Bill 1306 by Senator Nega.

34. (Secretary reads title of bill)

1. 3rd reading of the bill...1st reading of the bill, I'm sorry.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Rules Committee. Is there leave to go to the Order of the  
4. Resolution Consent Calendar? Leave is granted. Mr. Secretary,  
5. have any Senators filed objections to any of the resolutions  
6. contained on the Resolution Consent Calendar?

7. ACTING SECRETARY: (MR. FERNANDES)

8. No objections have been filed.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. No objections having been filed, Senator Sangmeister  
11. moves the adoption of the Resolution Consent Calendar. On  
12. the motion to adopt, discussion? All in favor say Aye.  
13. Opposed Nay. The Ayes have it. Resolution Consent Calendar  
14. is adopted. (machine cut-off)...Senator Gitz arise?

15. SENATOR GITZ:

16. Mr. President and members of the Senate, some of you may  
17. be aware of the fact that Senate Resolution...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. May we have some order please. Senator Gitz.

20. SENATOR GITZ:

21. ...that Senate Resolution 395 has been filed. This  
22. resolution relates to the Dixon Developmental Center in Lee  
23. county. This developmental center has the lowest per patient  
24. cost of any such facility in the State. Recently there are  
25. some indications that this facility is under consideration for  
26. closure, even possibly for a conversion to a correctional  
27. facility. The concern of those of us who support this  
28. resolution is to make sure that this Body, the Senate and the  
29. House of this General Assembly, ratify any proposed course  
30. of action before that course of action is decided upon. Now  
31. I've just been informed about sixty seconds ago of a meeting  
32. that is set up for tomorrow morning with the Governor's office.  
33. I am aware of the fact, for the record, that "yes" there is a



1. court order of sixty days notice before any residents can be  
2. transferred. That does not get us out of the possibility of  
3. the Governor making a decision in January and that process  
4. beginning before this Body either ratifies substantive legisla-  
5. tion or the appropriations. Now Senator Phillip indicated  
6. that he had some concerns about handling this resolution now.  
7. In deference to that, we're willing to wait 'til March. But  
8. I hope it will be taken as an article of faith that this is  
9. not solely a partisan matter, and that certainly this Body,  
10. both sides of the aisle, ought to be consulted with before  
11. one patient, one staff transfer takes place, one iota or  
12. piece of equipment is moved in that institution. Before we  
13. proceed headlong with a conversion process that this Body  
14. has not yet approved. And with that in mind, this resolution  
15. will go to the Senate Executive Committee. But I hope if we  
16. don't have a precipitous action, that this will be before  
17. the Body in March.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Phillip.

20.  
21. (END OF REEL)  
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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Phillip, for what purpose do you arise? Alright.

3. Senator McLendon, do you seek recognition? Senator

4. McLendon.

5. SENATOR MCLENDON:

6. Yes, Mr. President, I rise to make an announcement.

7. The Committee on Judiciary I will please assemble at my

8. desk for about three minutes immediately after the session.

9. The meeting was scheduled for Room 212, but we'll meet here.

10. Thank you very much.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there leave to go to the Order of Resolutions? Leave  
13. is granted. Resolutions, Mr. Secretary. (machine cut-off)...

14. Message from the House? Leave is granted. Message from the  
15. House.

16. ACTING SECRETARY: (MR. FERNANDES)

17. A Message from the House by Mr. Leone, Clerk.

18. Mr. President - I am directed to inform the Senate  
19. that the House of Representatives has adopted the following  
20. Joint Resolution, in the adoption of which I am instructed  
21. to ask concurrence of the Senate, to-wit:

22. House Joint Resolution 64.

23. (Secretary reads HJR 64)

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Rock is recognized.

26. SENATOR ROCK:

27. Thank you, Mr. President and Ladies and Gentlemen of the  
28. Senate. House Joint Resolution 64 is the adjournment resolu-  
29. tion. It calls for us, at the close of business today, to  
30. return to Springfield on March 3rd, at the hour of noon for the  
31. purpose of hearing the Governor's Budget Message. And I would  
32. move for the suspension of the rules and the immediate considera-  
33. tion and adoption of House Joint Resolution 64.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Motion is to suspend the rules. On the motion to suspend,  
3. all in favor say Aye. Opposed Nay. The Ayes have it. Rules  
4. are suspended. On the motion to adopt. Discussion? All in  
5. favor say Aye. Opposed Nay. The Ayes have it and the resolu-  
6. tion is adopted. (machine cut-off)...Rock is recognized.

7. SENATOR ROCK:

8. Thank you, Mr. President. The message with respect to  
9. House Bill 65 has now been sent to the House. I understand  
10. the Speaker will deal with that, and then they too will adjourn.  
11. So if there is no further business or further announcements,  
12. I would move you that the Senate stand adjourned pursuant to  
13. the adjournment resolution until March the 3rd, at the hour of  
14. noon.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Motion is to adjourn 'til March the 3rd, the hour of noon.  
17. On the motion to adjourn, all in favor say Aye. Opposed Nay.  
18. The Ayes have it. The Senate stands adjourned 'til March the  
19. 3rd, twelve o'clock noon.

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