

83RD GENERAL ASSEMBLY

REGULAR SESSION

MAY 8, 1984

RESIDING OFFICER: (SENATOR BRUCE)

...of one-thirty having arrived, the Senate will come to order. Prayer today will be by Reverend James Johnson of the Monroe Street Christian Church in Springfield, Illinois, and will our guests in the galleries please rise.

REVEREND JAMES JOHNSON:

(Prayer given by Reverend Johnson)

RESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

SECRETARY:

Monday, April the 30th, 1984 and Tuesday, ...May the 1st, 1984.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

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

RESIDING OFFICER: (SENATOR BRUCE)

Are there additions or corrections? The motion is to approve the Journals. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the Journals are approved. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, May the 2nd; Thursday, May the 3rd, in the year of 1984, be postponed pending arrival of the printed Journal.

RESIDING OFFICER: (SENATOR BRUCE)

Heard the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Committee reports.

SECRETARY:

Senator Marovitz, vice-chairman of Public Health, Welfare

and Corrections Committee, reports out the following Senate bills: 1429, 1840, 1861, 1866, 1879, 1880, 1882, 1883 and 1905 with the recommendation Do Pass.

1481, 1660, 1797 and 1935 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bills 551, 598, 762, 1069, 1123, 1587, 1594, 1734, 1818, 1935, 2291, 2328, 2359, 2420, 2460, 2475, 2507, 2524, 2525, 2569, 2575, 2578, 2584, 2590, 2596, 2617, 2619, 2658, 2666, 2752, 2798, 2803, 2816 and 2887.

PRESIDING OFFICER: (SENATOR BRUCE)

Leave to go to the Order of Resolutions? Resolutions.

SECRETARY:

Senate Resolution 580 offered by Senator Kustra. It's congratulatory.

Senate Resolution 581 offered by Senator Geo-Karis, Markhausen, Schaffer and...and Keats. It's congratulatory.

Senate Resolution 582, by Senator Kelly and...Senators Kelly and Jeremiah Joyce. It's congratulatory.

Senate Joint Resolution 110, by Senators Bloom and all Senators, and it's congratulatory.

Senate Resolution 583, by Senator Demuzio and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar. With leave of the Senate, we'll go to Senate Bills 2nd reading. On page 2 of your Calendar, we'll go down the list. I would alert you to look at the deadlines

SB 509  
2nd Reading

of the Senate and the fact that we'll have to be moving these bills along to make our deadlines. We will go through so that the Secretary of the Senate's staff can have a chance to prepare the amendments you have with you and that are adopted. We'll go down the list starting with...Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Just before we get into that order of business, would I have leave of the Body to be shown as a hyphenated cosponsor of Senate Bill 1705?

RESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senate Bill 31, Senator Collins. All right, Senator Collins, that bill was...was on the Calendar from last year and so it will not be called. It has not been discharged by Rules Committee. Senate Bill...508, Senator Sangmeister. Hold. House Bill 509. Read the bill, Mr. Secretary, please. Senate Bill 509.

SECRETARY:

Senate Bill 509.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

RESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister is recognized.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. We did two things with this bill, we put in the word "knowingly" before the offense and we took out the Attorney General's authority in the bill and just left in the States Attorney. This was the recommendation in committee, and I move for adoption of Committee Amendment No. 1 to Senate Bill 509.

RESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1 to Senate Bill 509. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further Floor amendments?

SECRETARY:

No further amendments.

RESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 510, Senator Sangmeister. Senator Sangmeister on Senate Bill...510. 720, Senator Hall. Senate Bill 1179, Senator Lenke. House...Senate Bill 1217, Senator Degnan. 1223, Senator Maitland. 1363, Senator Brothberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1363.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

RESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No...no Floor amendments.

RESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Any further business to come before the Senate? Any further business? Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

The Appropriations II Committee will meet in about fifteen minutes after we adjourn.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

I want to remind all the members of the Senate that the message I gave on your desk for getting tickets to the Governors' Prayer Breakfast on Thursday, May the 17th, your dead-

line is approaching. I need your money and the number of tickets you want by Thursday so I can put you down and reserve seats in the front part of the auditorium. So, if you're going to go, please contact me or my office with money in hand, seven-fifty a ticket, between now and Thursday. Thank you.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

An inquiry of the Chair...did you move that bill to 3rd  
of...

RESIDING OFFICER: (SENATOR BRUCE)

Yes, I did, Senator.

SENATOR GROTBERG:

I...I was not listening. Okay. Thank you.

RESIDING OFFICER: (SENATOR BRUCE)

3rd reading on that bill. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Virginia Macdonald is home with a strep throat.

RESIDING OFFICER: (SENATOR BRUCE)

The Journal will indicate Senator Macdonald is absent due to illness. Senator Grotberg. May we have some order, please. Senator Grotberg.

SENATOR GROTBERG:

Yes, only to be allowed as a cosponsor of House Bill 1689.

RESIDING OFFICER: (SENATOR BRUCE)

All right, all...all you have to do, Senator, is just tell the Secretary of the Senate. For what purpose does Senator Smith arise? Senator Smith. All right. Senator Sommer, for what purpose do you seek recognition?

SENATOR SOMMER:

Mr. President, I'd move to discharge the Rules Committee of House Bill 2679...89 and place it on the Order of 2nd Reading. This is apparently a...an emergency supplemental appropriation bill, and when it's out here we can discuss it but the other side is aware of it, I think.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 2689, Senator? All right, Senator Buzbee, on the motion to discharge.

SENATOR BUZBEE:

Yes, Mr. President, I object. I have a bill that was discharged by the Rules Committee, was forwarded and through a clerical error it was not on the list. I requested last Thursday that it be added to the list and there was objection. So, I object because they said we don't want to open up Rules; we're going to let everything go flying out of here if we open up the Rules Committee. So, I object to this because somebody objected to letting my bill which had been approved to be let out by the Rules Committee but through a clerical error it was not, so...

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Weaver.

SENATOR WEAVER:

Well, I think that the understanding was that all appropriation bills would automatically come out. The bill you referred to, Senator Buzbee, was not an appropriation bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

That's absolutely correct, Senator, but it also...you, as a member of the Rules Committee, apparently there was a majority and perhaps you voted for it also, I don't know, to let my bill out of Rules and then through a clerical error, it was not let out of Rules. So, I made the simple request,

since it was a clerical error, let's just go ahead and add it to the group and let it be...let...take it out of Rules. There was objection to that, so I object to this one.

RESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Sommer.

SENATOR SOMMER:

All right, I'd simply speak to the content of the supplemental that was sent over here from the House. It...the Teachers' Retirement System will be out of money within a few days and so the teachers...retired teachers won't be paid, the...the income tax refunds will end...that's what you're doing.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, you know, fair is fair. My bill was voted to be let out of Rules Committee and somewhere a clerk someplace did not get it on the list, and all I'm asking is that the clerical error be corrected by putting my bill out the way it was voted out of Rules. That's very simple.

RESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver, might...might the Chair make a suggestion that both bills could be discharged and we would not take any further time of the Senate and work out clerical errors versus appropriations at a later date? Senator Weaver.

SENATOR WEAVER:

Well, I was just going to point out to Senator Buzbee, I...I searched my records and...and the discussion in Rules and I had no agreement on your bill...or no notations. So whether or not we voted on it, it's possible, but I certainly don't remember it, Senator Buzbee.

RESIDING OFFICER: (SENATOR BRUCE)

Well, gentlemen, let's...let's get on with the business. The motion is to discharge House Bill 2689 from the Committee

in Rules. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Well, I want to include my bill on the...on the same motion. I just was...informed just a very few minutes ago, in fact less than one minute ago, that this was going to happen and I'd like to include my bill on the same motion. I...I don't see anything out of the ordinary about that whatsoever. The bill number is Senate Bill 1666, and I would like to amend the motion to include Senate Bill 1666 to discharge the Rules Committee.

RESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Buzbee, I'll have to rule your proposal out of order and that we have, under the Senate Rules, not allowed amendments to main motions. You may put the motion and I will recognize you right after this one, for...for the purpose of a motion. We have not allowed amendments of...of the main motion in the State Senate, unless Senator Sommer wishes to...all right, Senator Buzbee.

SENATOR BUZBEE:

Very well, I will accept your ruling, but I would point out that the synopsis that is printed...Legislative Synopsis and Digest as of May 4th, 1984, shows that House Bill 2689 is a supplemental appropriation for the Department of Public Aid of eleven million dollars; Department of Revenue, fifty million dollars; Department of Energy and Natural Resources, five hundred thousand; Department of Commerce and Community Affairs, one hundred and fifteen thousand, and then it goes on with House amendments reflecting...Department of Labor and the Waukegan Port District and I don't see anything in here about teachers' retirement.

RESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...Senator Sommer, the motion has been placed and we're bogging down here. Senator Sommer.

SENATOR SOMMER:



Well,...Senator Buzbee is incorrect. The bill was amended again over in the House and the things you have talked about are in a House bill called 2711, I believe. This...the things I talked about are now in this particular number. I know it's confusing and the Digest don't keep up, but it...it is indeed these items.

RESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Buzbee.

SENATOR BUZBEE:

Well, I would...I would submit to you then that we have no business voting on this at all, because we have absolutely no record anywhere printed in front of this Body that shows us what that bill does because the latest synopsis that is available reflects exactly what I said and doesn't say one word about what Senator Sommer said. So, I would submit to you that...that this is a good place to just slow the process down and...

RESIDING OFFICER: (SENATOR BRUCE)

Motion is to discharge House Bill 2689 from the Committee on Rules. Senator Buzbee.

SENATOR BUZBEE:

We have a rule in this Body, Mr. President...

RESIDING OFFICER: (SENATOR BRUCE)

All right.

SENATOR BUZBEE:

...that says that the members have a right to know what they're voting on. We don't have any idea that...what we're voting on because the only piece of paper that has been distributed in this Body does not show what Senator Sommer described and that is the Legislative Synopsis. So I would submit to you that this vote cannot be taken at this time.

RESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Buzbee, the motion is...is on whether or not to discharge the bill number, 2689, without regard to its

substantive content. The Chair has historically allowed discussion of content of legislation so as to really help the process flow through, but technically, the motion is to discharge the bill without regard to whatever the content might be and...and the motion was properly put. Is there further discussion? Further discussion? The question is, shall...Senate Bill 2689...House Bill 2689 be discharged from the committee...Senate Committee on Rules. Those in favor vote Aye. Those opposed vote Nay. The voting is open. It will require thirty affirmative votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? I take the record. On that question, the Ayes are 33, the Nays are 5, 6 voting Present. The motion to discharge prevails. Any further business to come before the Senate? Resolutions.

SECRETARY:

Senate Resolution 584 offered by Senator Vadalabene, Hall and Newhouse. It's a death resolution.

RESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar.

SECRETARY:

Senate Resolution...

RESIDING OFFICER: (SENATOR BRUCE)

Resolutions.

SECRETARY:

...Senate Resolution 585 offered by Senator Bruce and all Senators, and it's commendatory.

RESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar. Any further business to come before the Senate? All right, the...when we adjourn today, we will come back on...tomorrow at noon because the Appropriations Committee is going to be meeting this afternoon, and if they get out early enough we'd like to read in their committee report. We will Recess subject to the call of the Chair but when we...the only purpose we will come back

for is the purpose of reading then that committee report if they get done in time to help the Secretary of the Senate. Any further business to come before the Senate? Senator Luft moves that the Senate stand in Recess subject to the call of the Chair for the purpose of a committee report. On the motion to Recess, those in favor say Aye. Opposed Nay. The yeas have it. The Senate stands in Recess. We will be in at session noon tomorrow. Noon tomorrow.

RECESS

AFTER RECESS

RESIDING OFFICER: (SENATOR DENUZIO)

The Senate will come to order. Any further business to come before the Senate? No further business to come before the Senate, Senator Rock moves that the Senate stand adjourned until tomorrow morning...till...till tomorrow at the hour of noon, May 9th.