

80TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 13, 1978

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 Blessed Sacrament Church in Springfield. Will  
5. our guests in the galleries please rise.

6. FATHER CASSIDY:

7. (Prayer by Father Cassidy)

8. PRESIDENT:

9. Reading of the Journal. Senator Hickey.

10. SENATOR HICKEY:

11. Mr. President, I move that reading and approval of  
12. the Journal of Wednesday, April 12, 1978 be postponed pending  
13. arrival of the printed Journal.

14. PRESIDENT:

15. You've heard the motion. Is there any discussion?  
16. If not all those in favor signify by saying Aye. Opposed.  
17. The Ayes have it. So ordered. Committee Reports.

18. SECRETARY:

19. Senator Wooten, Chairman of the Committee on Executive  
20. reports out Senate Resolution 283 and Senate Resolution 300  
21. with the recommendation for adoption as amended.

22. Senator Joyce, Chairman of Local Government Committee  
23. reports out House Bill 562 with the recommendation...Do Pass  
24. as amended.

25. PRESIDENT:

26. Introduction of bills.

27. SECRETARY:

28. Senate Bill 1642 introduced by Senator Donnewald.

29. Senate Bill 1643 introduced by Senators Hickey, Netsch,  
30. Wooten, Leonard and others.

31. Senate Bill 1644 introduced by Senator Davidson and Glass.

32. Senate Bill 1645 introduced by Senators Weaver and Hynes.

33. PRESIDENT:

1. Rules Committee. The Secretary's Office is preparing  
2. the Resolutions Consent Calendar. Any member having a  
3. resolution that would qualify for addition to that Calendar  
4. please bring it to the Secretary's Desk immediately.  
5. Constitutional Amendments. 1st reading. House Joint  
6. Resolution Constitutional Amendment 29. Senator Maragos.  
7. SENATOR MARAGOS:  
8. Mr. President and members of the Senate. I wish  
9. at this time to move Senate Joint Resolution Constitutional  
10. Amendment 29 to 2nd reading with the caveat that I...  
11. PRESIDENT:  
12. Senator Maragos, this...this is the resolution dealing  
13. with veteran's...  
14. SENATOR MARAGOS:  
15. Oh...  
16. PRESIDENT:  
17. ...pensions.  
18. SENATOR MARAGOS:  
19. ...the House resolution. Yes. All right. 1st reading.  
20. I, at this time, move for the adoption of that resolution  
21. 1st reading without any amendments at this time, Mr. President.  
22. PRESIDENT:  
23. Read the resolution.  
24. SECRETARY:  
25. House Joint Resolution Constitutional Amendment No. 29.  
26. (Secretary reads HJRCA No. 29)  
27. 1st reading of...House Joint Resolution Constitutional Amendment  
28. No. 29.  
29. PRESIDENT:  
30. 2nd reading. Joint Resolution 9. Senator Wooten.  
31. Read the resolution.  
32. SECRETARY:  
33. Senate Joint Resolution 29 Constitutional Amendment.

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1. ...No. 9, rather.  
2. (Secretary reads SJRCA No. 9)  
3. 1st reading of Senate Joint Resolution 9 Constitutional  
4. Amendment.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. 2nd reading. Constitutional Amendments, 2nd reading.  
7. HJR's 22. Senator Graham, you wish to hold that today and...  
8. 22, House Joint Resolution 22. Hold that. All right. Senate  
9. Joint Resolution 29, Senator Maragos. Read the constitutional  
10. amendment a second time, Mr. Secretary.  
11. SECRETARY:  
12. Senate Joint Resolution No. 29 Constitutional Amendment.  
13. (Secretary reads SJRCA No. 29)  
14. 2nd reading of Senate Joint Resolution 29 Constitutional  
15. Amendment.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Senator Maragos.  
18. SENATOR MARAGOS:  
19. Mr. President, I wish to announce at this time that this  
20. has been read through third...second time and would like to  
21. have move it to 3rd reading with the understanding that an  
22. opportunity be given in the early part of next week for any  
23. amendments be brought back to 2nd reading.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Senator Soper, for what purpose do you arise?  
26. SENATOR SOPER:  
27. Parliamentary inquiry.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. State your point. If I can hear it.  
30. SENATOR SOPER:  
31. If you can hear it. Okay. I believe that when the  
32. Secretary read Section C, instead of "may" he said "shall".  
33. Now, you may have the bill there in its original form when...

1. when "may" was put in instead of "shall." Now if that's...  
2. if...you'll have to take and read that tape 'cause that could  
3. be...  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Mr. Secretary.  
6. SECRETARY:  
7. Senator Soper, if I did say "shall" it is in the  
8. resolution by law "may" abolish. So I apparently read  
9. it incorrectly. But it is in the resolution "may."  
10. SENATOR SOPER:  
11. Well, that's what I thought. Now, if you...It's  
12. got to be read correctly. Does he have to read that whole  
13. section over or do you just...  
14. PRESIDING OFFICER: (SENATOR BRUCE)  
15. No.  
16. SENATOR SOPER:  
17. Well, it's not funny. You know some high class  
18. lawyer that gets thirty dollars a half-hour or something,  
19. I think, or fifteen minutes will come up with this thing and  
20. say, well that's not what the tape reads.  
21. PRESIDING OFFICER: (SENATOR BRUCE)  
22. The Secretary has read it. If the...if the tape is  
23. incorrect, he's now corrected it and made sure that the word  
24. "may" is...  
25. SENATOR SOPER:  
26. That's your ruling.  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. It's not a ruling. It's just an understanding that  
29. that's what he has stated on the record.  
30. SENATOR SOPER:  
31. Well, it's got to be a ruling, not an understanding.  
32. You understand it and I understand it, but if you make a  
33. ruling you'll say that that's sufficient. To correct the  
34. tape. Correct, Sir? Mr. President.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Soper, the Secretary has read it. He has  
3. stated that if, in the event he said "shall" he had intended  
4. to say "may" and I think in most courts of law that would...  
5. that would apply and I...  
6. SENATOR SOPER:  
7. And it's understood that we'll bring that back next  
8. week when we hear this thing again, then back to 2nd reading.  
9. I've got an amendment. I had the agreement with Senator  
10. Maragos.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Maragos has so stated.  
13. SENATOR SOPER:  
14. Maragos. Thank you very much, Sir.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Call the attention of the members. We have a  
17. distinguished mayor among our...3rd reading...Senator  
18. Maragos.  
19. SENATOR MARAGOS:  
20. Mr. President, I'd like for the record to show that  
21. you are now moving Senate Joint...Resolution Constitutional  
22. Amendment 29 as amended to 3rd reading.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. That is correct, Senator Maragos.  
25. SENATOR MARAGOS:  
26. Thank you.  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. 3rd reading. On the Floor is Senator Bill Morris standing  
29. behind Phil Rock. Senator Morris. Mayor Morris. Senator Netsch  
30. is recognized.  
31. SENATOR NETSCH:  
32. I was just pointing out, Mr. President, that I would  
33. have given him a...a much more, and this is an old joke,

1. fulsome introduction including calling attention to the fact  
2. that if the members had not already heard Mayor Morris was  
3. on the Floor.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5.           ...Introduction of bills. If any Senator wishes to  
6. add a resolution to the Resolutions Consent Calendar now  
7. is the time. The Secretary is now sending it to be printed.  
8. And it will be distributed and placed on your desks.  
9. Introduction of bills.  
10. SECRETARY:  
11.           Senate Bill 1646 introduced by Senators Davidson,  
12. Shapiro, Glass and Schaffer.  
13.           Senate Bill 1647 introduced by Senators Lemke, Daley,  
14. Savickas, D'Arco and others.  
15.           Senate Bill 1648 introduced by the same sponsors.  
16.           Senate Bill 1649 introduced by Senator Knuppel.  
17.           Senate Bill 1650 introduced by Senators Nimrod, Harber  
18. Hall, Shapiro, Graham and others.  
19.           Senate Bill 1651 introduced by Senators Lane and Moore.  
20.           Senate Bill 1652 introduced by Senators Lane and Philip  
21. and Merlo.  
22.           Senate Bill 1653 introduced by Senator Coffey.  
23.           Senate Bill 1654 introduced by Senator Coffey.  
24.           Senate Bill 1655 introduced by Senator Coffey.  
25.           Senate Bill 1656 introduced by Senator Coffey.  
26.           Senate Bill 1657 introduced by Senator Coffey.  
27.           Senate Bill 1658 introduced by Senator Coffey.  
28.           Senate Bill 1659 introduced by Senator Coffey.  
29.           Senate Bill 1660 introduced by Senator Coffey.  
30.           Senate Bill 1661 introduced by Senator Coffey.  
31.           Senate Bill 1662 introduced by Senator Coffey.  
32.           Senate Bill 1663 introduced by Senator Coffey.  
33.           Senate Bill 1664 introduced by Senator Coffey.

1. Senate Bill 1665 introduced by Senators Hickey and Netsch.
2. Senate Bill 1666 introduced by Senator Rhoads.
3. Senate Bill 16...67 introduced by Senator Glass.
4. Senate Bill 1668 introduced by Senator Glass.
5. Senate Bill 1669 introduced by Senator Glass.
6. Senate Bill 1670 introduced by Senator Glass.
7. Senate Bill 1671 introduced by Senators Davidson, Shapiro,
8. Glass and Weaver.
9. Senate Bill 1672 introduced by Senator Shapiro, Weaver,
10. Soper, Glass and others.
11. Senate Bill 1673 introduced by Senator Vadalabene.
12. Senate Bill 1674 introduced by Senator Vadalabene.
13. Senate Bill 1675 introduced by Senators Nimrod, Shapiro,
14. Carroll and others.
15. Senate Bill 1676 introduced by the same sponsors.
16. Senate Bill 1677 introduced by Senators Graham and
17. Schaffer.
18. Senate Bill 1678 introduced by Senators Donnewald,
19. Joyce, Buzbee and Sangmeister.
20. Senate Bill 1679 introduced by Senator Donnewald.
21. Senate Bill 1680 introduced by Senator Rock.
22. Senate Bill 1681 introduced by Senator Rock.
23. Senate Bill 1682 introduced by Senators Grotberg, Berning
24. and others.
25. Senate Bill 1683 introduced by Senators Grotberg, Berning
26. and others.
27. Senate Bill 1684 introduced by Senators Grotberg, Berning
28. and others.
29. Senate Bill 1685 introduced by Senators Daley, Clewis,
30. Carroll and Vadalabene.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Rules Committee. Senator Hynes.
33. SENATOR HYNES:

1. Thank you, Mr. President. Two announcements if I can  
2. have the attention of the membership. The first is that...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hynes.

5. SENATOR HYNES:

6. The first is that a schedule is being distributed to  
7. each member by the pages outlining committee meetings and the  
8. time of Session for the next two weeks. I would urge you to  
9. take...take careful note of the schedule of committee hearings  
10. because we are approaching the deadline for Senate bills and  
11. for House bills from 1977. Secondly, there will be a meeting  
12. of the Rules Committee in the President's Office immediately  
13. after the adjournment today. A meeting of the Rules Committee  
14. immediately after adjournment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. For what purpose does Senator Shapiro arise?

17. SENATOR SHAPIRO:

18. Mr. President, if...if it's proper I would like to have  
19. leave to have my name removed as a cosponsor of Senate Bill  
20. 1539.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there leave? Leave is granted...Senator Collins.  
23. rise? Senator Collins.

24. SENATOR COLLINS:

25. Mr. President, I'd like leave of the Body to have my  
26. name added as cosponsor to Senate Bill 1...311 with permission  
27. of the sponsor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senate Bill 311. Is there leave? Leave is granted.  
30. For what purpose does Senator Netsch arise?

31. SENATOR NETSCH:

32. Thank you, Mr. President. While we're on that order  
33. of business I would like leave to have my name and that of

1. Senator Hickey who are members of the Commission on Children  
2. added as cosponsors of Senate Bill 1470, which is the appropriation  
3. for that commission.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Is there leave? Leave is granted. For what purpose does  
6. Senator Berman rise?  
7. SENATOR BERMAN:  
8. Mr. President, I would ask for leave to add Senators  
9. Washington and Lemke as cosponsors to Senate Bill 1635.  
10. PRESIDING OFFICER: (SENATOR BRUCE)  
11. Is there leave? Leave is granted. For what purpose does  
12. Senator Carroll rise?  
13. SENATOR CARROLL:  
14. To ask leave of this Body to add certain Senators  
15. as cosponsors to...to Senate Bill 1526, the Board of Governors  
16. appropriation. I've been asked to add Senators Chew, Coffey,  
17. Bruce, McMillan and Sangmeister to 1526 and we're to ask  
18. leave.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Is there leave?  
21. SENATOR CARROLL:  
22. And Newhouse. Excuse me.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. And Newhouse. Is there leave? Leave is granted.  
25. SENATOR CARROLL:  
26. Thank you.  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Senator Berman.  
29. SENATOR BERMAN:  
30. Mr. President, also as cosponsors to Senate Bill 1635  
31. please add Senator Collins and Senator Newhouse.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. On 1635 Senator Collins and...

1. SENATOR BERMAN:  
2.           Newhouse.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4.           Newhouse. Is there leave? Leave is granted. For  
5. what purpose does Senator McMillan arise?  
6. SENATOR McMILLAN:  
7.           I'd like permission of the Body to have my name stricken  
8. as one of the cosponsors of Senate Bill 1539 and I would like  
9. the record to show that I did not in any way consent to have  
10. my name listed as a sponsor and that I sincerely regret and  
11. resent whoever caused that to...to come about.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13.           Senate Bill 1539. Is there leave? Leave is granted.  
14. Senator Rupp.  
15. SENATOR RUPP:  
16.           Mr. President, Senate Bill 1482 would like to add  
17. Senator Moore and Senator Bruce as cosponsors of that bill.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19.           On Senate Bill 1482, is there leave? Leave is granted.  
20. Senator McMillan. May we go to the Order of Resolutions.  
21. Resolutions. Resolutions Consent Calendar has been placed  
22. on...upon your desk. No Senator has filed objection to those.  
23. And the question is on the adoption of those resolutions on  
24. the Consent Calendar, Senate Resolutions 318, 319, 320, 321  
25. and 322. All in favor say Aye. Opposed Nay. The Ayes have  
26. it and the resolutions just named are deemed passed. Resolutions.  
27. Mr. Secretary.  
28. SECRETARY:  
29.           Senate Joint Resolution No. 73 offered by Senator Rock.  
30.                           (Secretary reads SJR No. 73)  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32.           Senator Rock moves the adoption of the joint resolution.  
33. Is...is there discussion? All in favor say Aye. Opposed Nay.  
34. The Ayes have it. Joint resolution is adopted. Senator Rock,

1. did you seek recognition? Senator Rock.

2. SENATOR ROCK:

3. Thank you. That...that was the Adjournment Resolution

4. which calls for us,when we leave tomorrow,to come back next

5. Wednesday. Additionally, I might add that I am informed by

6. the Reference Bureau that they are grinding out bills as

7. quickly as humanly possible and I might suggest, Mr. President,

8. that when we purport to adjourn which should be very shortly

9. that we just recess until the call of the Chair to give the

10. members an opportunity to introduce bills today and tomorrow.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Timely suggestion. Is there further business to come

13. before the Senate? Resolutions.

14. SECRETARY:

15. Senate Resolution 323 offered by Senators Graham,

16. Weaver, Mitchler and others.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Executive. Introduction of bills.

19. SECRETARY:

20. Senate Resolution 1685 introduced by Senators Bloom,

21. Graham, Roe and Shapiro.

22. Senate Bill 1687 introduced by Senators Carroll, Hynes,

23. Rock, Donnewald and others.

24. Senate Bill 1688 introduced by Senators Newhouse, Collins,

25. Kenneth Hall and others.

26. Senate Bill 1689 introduced by Senators Egan, Maragos and

27. Walsh.

28. Senate Bill 1690 introduced by Senators Collins, Chew and

29. others.

30. Senate Bill 1691 introduced by Senators Leonard, Rock,

31. Hynes, Donnewald and others.

32. Senate Bill 1692 introduced by Senator Coffey.

33. Senate Bill 1693 introduced by Senator Coffey.

1. Senate Bill 1694 introduced by Senator Coffey.  
2. Senate Bill 1695 introduced by Senator Coffey.  
3. Senate Bill 1696 introduced by Senator Coffey.  
4. Senate Bill 1697 introduced by Senator Coffey.  
5. Senate...Senate Bill 1699 introduced by Senators Davidson,  
6. Shapiro, Weaver and others.  
7. Senate Bill 1700 introduced by Senator Hickey.  
8. Senate Bill 1698 introduced by Senators Egan, Washington  
9. and Rock and others.  
10. Senate Bill 1700 introduced by Senator Hickey.  
11. Senate Bill 1701 introduced by Senator Roe.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Harber Hall, did you seek recognition? Is there  
14. further business to come before the Senate? The Senate will  
15. stand in recess subject to the call of the Chair.  
16. (RECESS)  
17. (AFTER RECESS)  
18. PRESIDING OFFICER: (SENATOR HALL)  
19. The Senate will come to order. Committee Reports.  
20. SECRETARY:  
21. Pursuant to amended Temporary Rule 5, the Rules Committee  
22. met at 1:30 p.m. April 13, 1978 and makes the following report:  
23. By unanimous vote the committee rules that the following  
24. bills can be considered during the Spring Session of the Senate:  
25. Senate Bills 1421, 1436, 1472, 1475, 1604, 1608, 1609,  
26. 1611, 1618, 1619, 1620, 1627 and 1641.  
27. PRESIDING OFFICER: (SENATOR HALL)  
28. Reading bills of the Senate a first time.  
29. SECRETARY:  
30. Senate Bill 1421.  
31. (Secretary reads title of bill)  
32. Senate Bill 1436.  
33. (Secretary reads title of bill)

1. Senate Bill 1472.
2. (Secretary reads title of bill)
3. Senate Bill 1475.
4. (Secretary reads title of bill)
5. Senate Bill 1604.
6. (Secretary reads title of bill)
7. Senate Bill 1608.
8. (Secretary reads title of bill)
9. Senate Bill 1609.
10. (Secretary reads title of bill)
11. Senate Bill 1611.
12. (Secretary reads title of bill)
13. Senate Bill 1618.
14. (Secretary reads title of bill)
15. Senate Bill 1619.
16. (Secretary reads title of bill)
17. Senate Bill 1620.
18. (Secretary reads title of bill)
19. Senate Bill 1627.
20. (Secretary reads title of bill)
21. Senate Bill 1641.
22. (Secretary reads title of bill)
23. 1st reading of the foregoing bills.
24. PRESIDING OFFICER: (SENATOR HALL)
25. Committee Reports.
26. SECRETARY:
27. Senator Donnewald, Chairman of the Assignment of Bills
28. Committee assigns the following House bills to committee:
29. Pensions, Personnel and Veteran's Affairs: House Bills 706
30. and 2219. And Senate bills, Appropriations I: 1604, 1609,
31. 1611, 1618, 1619, 1620, 1627, 1641. Executive: 1421, 1472,
32. 1608. Judiciary I: 1436. Revenue: 1475.
33. PRESIDING OFFICER: (SENATOR HALL)

1. Resolutions.
2. SECRETARY:
3. Senate Joint Resolution 74 offered by Senators Egan,
4. Hynes, Rock and others.
5. PRESIDING OFFICER: (SENATOR HALL)
6. Executive. Introduction of bills.
7. SECRETARY:
8. Senate Bill 1702 introduced by Senators Daley, Moore
9. and D'Arco and others.
10. Senate Bill 1707 introduced by Senators Wooten, McMillan
11. and others.
12. Senate Bill 1704 introduced by the same sponsors.
13. Senate Bill 1705 introduced by Senators Egan, Maragos
14. and Walsh.
15. Senate Bill 1706 introduced by Senators Rhoads, Roe and
16. Grotberg.
17. Senate Bill 1707 introduced by Senators Bloom, Glass...
18. excuse me, Schaffer and Rupp.
19. Senate Bill 1708 introduced by Senator Rhoads.
20. Senate Bill 1709 introduced by Senator Sangmeister.
21. Senate Bill 1710 introduced by the same sponsor.
22. Senate Bill 1711 introduced by Senator Shapiro.
23. Senate Bill 1712 introduced by Senators Hickey and Netsch.
24. Senate Bill 1713 introduced by Senators Egan and Rock.
25. Senate Bill 1714 introduced by the same sponsors.
26. Senate Bill 1715 introduced by Senators Carroll, Buzbee
27. and Regner.
28. Senate Bill 1716 introduced by Senator Kenneth Hall.
29. Senate Bill 1717 introduced by Senator Vadalabene.
30. Senate Bill 1718 introduced by the same sponsor.
31. Senate Bill 1719 introduced by Senator Leonard.
32. Senate Bill 1720 introduced by the same sponsor.
33. Senate Bill 1721 introduced by Senator Berning.

1. Senate Bill 1722 introduced by the same sponsor.
2. Senate Bill 1723 introduced by Senator McMillan, Coffey,
3. Shapiro and others.
4. Senate Bill 1724 introduced by Senator Bloom and Knuppel.
5. Senate Bill 1725 introduced by Senators Philip, Shapiro,
6. Weaver and others.
7. PRESIDING OFFICER: (SENATOR HALL)
8. Rules Committee. Any further business to come before the
9. Senate? Senator Rock moves that the Senate adjourns until
10. 10:00 a.m. Friday, the 14th. The Senate is adjourned.
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