

81ST GENERAL ASSEMBLY

REGULAR SESSION

MARCH 2, 1979

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of eleven having arrived, the Senate will come
3. to the order. Prayer will be by Rabbi Barry A. Marks of
4. the Temple Israel on South Lincoln and Governor Street, Spring-
5. field, Illinois. Will our guests in the Gallery please stand.

6. RABBI MARKS:

7. (Prayer given by Rabbi Marks)

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. I move that reading and approval
12. of the Journal of Thursday, March the 1st, in the year 1979
13. be postponed pending arrival of the printed Journal.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You heard the motion. Those in favor indicate by saying
16. Aye. Those opposed. The Ayes have it, the motion is adopted.

17. Committee reports.

18. SECRETARY:

19. Senator Donnewald, Chairman of the Assignment of Bills
20. Committee,...assigns the following bills to Committee:

21. Agriculture, Conservation and Energy - Senate Bill 175;
22. Appropriations I - Senate Bills 157, 160 and 161; Appropri-
23. ations II - Senate Bill 164; Elementary and Secondary Education -
24. Senate Bill 167; Higher Education - Senate Bill 168; Elections
25. and Reapportionment - Senate Bills 155, 163 and 173; Executive -
26. Senate Bill 159 and 162; Judiciary I - Senate Bill 156; Judiciary
27. II - Senate Bill 165; Local Government - Senate Bill 174; Pensions,
28. Personnel and Veterans Affairs - Senate Bill 169; Public Health,
29. Welfare and Corrections - Senate Bill 170; Revenue - Senate
30. Bills 166 and 172; Transportation - Senate Bills 158 and 171.

31. Senator Wooten, Chairman, Executive Committee reports out
32. Senate Bill 74 with the recommendation Do Pass. House Joint
33. Resolution 4 with the recommendation Do Adopt. Senate Bill 13

1. with the recommendation Do Not Pass.

2. Senator Jerome Joyce, Chairman of Local Government Committee,
3. reports out Senate Bills 26, 50, 58, 59 and 113 with the recom-
4. mendation Do Pass. Senate Bills 65 and 150 with the recommendation
5. Do Pass as Amended.

6. Senator Washington, Chairman of Public Health, Welfare and
7. Corrections Committee, reports out Senate Bill 29 with the
8. recommendation Do Not Pass. Senate Bill 91 with the recommendation
9. Do Not Pass as Amended.

10. Senator Buzbee, Chairman of Appropriations II Committee,
11. reports out Senate Bill 92 with the recommendation Do Pass as
12. Amended.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Messages from the House.

15. SECRETARY:

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

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

21. House Joint Resolution 10 and 12.

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

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

27. House Bills 35, 40, 43, 48, 50, 51, 52, 53, 54,
28. 56, 57, 59, 61, 64, 72, 75 and 88.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The UPI has requested permission to take still photos.
31. Is permission granted? Permission is granted. Senator Egan.

32. SENATOR EGAN:

33. Thank you, Mr. President. I would like to be request...

1. I would like to request leave of the Body to be listed as a
2. cosponsor of Senate Bill 74.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Is leave granted? Leave is granted. Senator Sangmeister.
5. SENATOR SANGMEISTER:
6. Mr. President, at this time, I would like to move that
7. Senate Bills 97 and 98 be discharged from the Committee on
8. Transportation and reassigned to Judiciary II. I've discussed
9. this with...leadership on this side and with Senator Chew and
10. there's no objection to that being done.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. You heard the motion. All those in favor indicate by
13. saying Aye. Those opposed. The Ayes have it, the motion
14. carries. Senator Donnewald.
15. SENATOR DONNEWALD:
16. No, I was going to make the same motion, but Senator
17. Sangmeister beat me to it. It's all right.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. House Bills 1st reading.
20. SECRETARY:
21. House Bill 9, Senator Ozinga is the Senate sponsor.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. Senate Bill 172 sponsored jointly by Senators Knuppel
25. and McMillan.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. Senate Bill 240, or House Bill 242 sponsored by Senator
29. Wooten.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Berning.

1. SENATOR BERNING:
2. Thank you, Mr. President. I ask leave of the Body to be
3. shown as a cosponsor of Senate Bill 54, 5-4.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. You've heard the motion. Is leave granted? Leave is granted?
6. Senator Bloom.
7. SENATOR BLOOM:
8. I too would like to be shown as a cosponsor of Senate
9. Bill 54. I'd like leave.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. You've heard the request. Is leave granted? Leave is
12. granted. Senator Nash.
13. SENATOR NASH:
14. Mr. President, Ladies and Gentlemen of the Senate. I
15. ask for leave. I ask that we suspend the rules and adopt
16. Senate Joint...Resolution No. 4. House Joint Resolution No. 4.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. You've heard the motion. The motion is to suspend the
19. rules for the immediate consideration and adoption of House
20. Joint Resolution No. 4. Is leave granted? Leave is granted.
21. Now Senator Nash moves for the immediate adoption of House
22. Joint Resolution No. 4. Senator Berning.
23. SENATOR BERNING:
24. Can we just have a bit of explanation.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. You sure can, Senator Nash. Senator Nash has indicated
27. that House Joint Resolution No. 4 is the extension of the
28. Commission on the Richard J. Daley Memorial Statute. They
29. are asking for an extension in time on reporting that they
30. had a difficulty in choosing the artist and they have now
31. concluded it. Any further discussion? If there's no further
32. discussion, Senator Nash moves that Senate...House Joint
33. Resolution No. 4 be adopted. Those in favor indicate by

1. saying Aye. Those opposed. The resolution is adopted.
2. Senator Nash.
3. SENATOR NASH:
4. Mr. President, Ladies and Gentlemen of the Senate. I
5. ask for leave and ask that I be added as a cosponsor of Senate
6. Bill 71.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. You've heard the motion. Senator Nash and Senator Nega
9. request to be added as cosponsors of Senate Bill 71. Any
10. opposition? Leave is granted. Senator Netsch.
11. SENATOR NETSCH:
12. Mr. President, is it an appropriate moment to ask to
13. leave to be removed as a sponsor of a bill?
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Yes.
16. SENATOR NETSCH:
17. Senate Bill 1. I was somewhat surprised to find myself
18. as a sponsor of it and I would like my name removed.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. You've heard the motion. Is there leave to have Senator
21. Netsch removed as cosponsor of Senate Bill 1? Leave is
22. granted. Resolutions.
23. SECRETARY:
24. Senate Resolution 56 offered by Senator Mitchler, it's
25. congratulatory.
26. Senate Resolution 57 offered by Senator Berman, it's
27. congratulatory.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Resolutions Consent Calendar. Messages from the House.
30. SECRETARY:
31. A Message from the House by Mr. O'Brien, Clerk.
32. Mr. President - I am directed to inform the Senate
33. that the House of Representatives has adopted the following

1. Joint Resolution in the adoption of which I am instructed to
2. ask the concurrence of the Senate, to-wit:

3. House Joint Resolution 14. Senator Donnewald
4. will handle this resolution.

5. (Secretary reads HJR 14)

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Donnewald.

8. SENATOR DONNEWALD)

9. Yes, Mr. President and members of the Senate. This is
10. the Adjournment Resolution and I would move that the rules
11. be suspended for the immediate consideration.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The motion is for the suspension of the rules and the
14. immediate consideration and adoption of the...Adjournment
15. Resolution, House Joint Resolution 14. All those in favor
16. indicate by saying Aye. Those opposed. The Ayes have it.
17. The motion is adopted. Senator Donnewald.

18. SENATOR DONNEWALD:

19. Well, of course, that was the suspension of the rules,
20. the motion is to adopt the resolution itself and I therefor
21. make that motion.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The motion now before us is the adoption of House Joint
24. Resolution 14. Those in favor indicate by saying Aye. Those
25. opposed. The Ayes have it. The motion to adopt is prevailing.
26. Introduction of bills.

27. SECRETARY:

28. Senate Bill 176 introduced by Senator Sangmeister.

29. (Secretary reads title of bill)

30. Senate Bill 177 introduced by Senator Regner.

31. (Secretary reads title of bill)

32. Senate Bill 178 introduced by Senators Regner, Buzbee and
33. others.

1. (Secretary reads title of bill)
2. Senate Bill 179 introduced by Senators Rhoads and Netsch.
3. (Secretary reads title of bill)
4. Senate Bill 180 introduced by Senator Schaffer and Sangmeister,
5. Joyce and others.
6. (Secretary reads title of bill)
7. Senate Bill 181 introduced by the same sponsors.
8. (Secretary reads title of bill)
9. Senate Bill 182 introduced by the same sponsors.
10. (Secretary reads title of bill)
11. Senate Bill 183 introduced by Senator Schaffer.
12. (Secretary reads title of bill)
13. Senate Bill 184 introduced by Senator Grotberg.
14. (Secretary reads title of bill)
15. Senate Bill 185 introduced by the same sponsor.
16. (Secretary reads title of bill)
17. Senate Bill 186 introduced by Senators Berman, Merlo.
18. (Secretary reads title of bill)
19. 1st reading of the foregoing bills.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Rock.
22. SENATOR ROCK:
23. Thank you, Mr. President and Ladies and Gentlemen of the
24. Senate. Senator Ozinga has indicated that he has a bill on
25. 3rd reading which he wishes to address and present to the Body.
26. I would point out that we are coming back on Wednesday of next
27. week and the Adjournment Resolution, which was just successfully
28. passed by Senator Donnewald, calls for us to be here at 11:45.
29. I would hope everybody bends their best effort to arrive. A
30. committee to escort the Governor into the House Chamber has
31. been appointed by myself and the Minority Leader and that is
32. Senator Gitz, Senator Nash, Senator Nega, Senator Martin and
33. Senator Geo-Karis. So I would hope that those five members

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3-2-79

1. of the Senate will make a special effort to be here so that
2. they can properly escort the Governor into the House Chambers
3. so that he can address us next Wednesday.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senate Bills 3rd reading. Senate Bill 71. Read the bill.

6. SECRETARY:

7. Senate Bill 71.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Mr. President, Ladies and Gentlemen of the Senate. For
14. fear that the snow might have left us and there would be no
15. traces or everybody have forgotten the disasters of '79, this
16. bill merely, and I guess we could classify it as a merely
17. bill, all that this bill does, it takes away the civil liability
18. of a person that cleans his walks, except for willful and
19. wanton conduct. I believe that during the last seige of snow
20. and ice, et cetera this bill...or this subject matter was
21. reiterated too often. Therefore in order to clarify the
22. Supreme Court decisions I would ask for a favorable roll call
23. on this vote...this bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any further debate? Senator Ozinga.

26. SENATOR OZINGA:

27. Just...just one more thing. Anybody that wishes to join
28. in the cosponsor...cosponsorship of this bill is welcome to
29. it.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Those...those who wish to join as a cosponsor please
32. indicate to the Secretary of the Senate. If there's no
33. further debate, the question is shall Senate Bill 71 pass?

1. Those in favor vote Aye. Those opposed vote Nay. And the
2. voting is open. Have all voted who wish? Take the record.
3. On that question the Ayes are 49, the Nays are 0, those
4. Voting Present are 0. And Senate Bill 71 having received
5. a constitutional majority is declared passed. Senator
6. Mitchler.

7. SENATOR MITCHLER:

8. Mr. President and members of the Senate. I would ask
9. leave to be added as a cosponsor to Senate Bill 74 sponsored
10. by Senator Sangmeister. I've requested that from him and
11. he has granted that.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. You have heard the request. Leave granted? Leave is
14. granted. Senator Hall.

15. SENATOR HALL:

16. Thank you, Mr. President. I'd like to...for the record
17. to show that Senator Newhouse is absent today is that there
18. was a court case that had been set over numerous times and they
19. demanded his presence today and I'd like for the record to
20. show why he's absent.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The record will show and...indicate. Senator Donnewald.

23. SENATOR DONNEWALD:

24. Yes, Mr. President, I would ask leave that Senate Bill 172,
25. which now reposes in Revenue, be re-referred to the Executive
26. Committee.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there leave? Leave is granted. Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yeah, thank you, Senator, or...or Mr. President. I just
31. want to inform the members of the Senate that my license
32. plates are now on my car.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Walsh.

2. SENATOR WALSH:

3. Mr. President, may the record show that Senator Philip
4. was absent yesterday and is absent today because of illness.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The record will so...so indicate. Senator Nash.

7. SENATOR NASH:

8. Mr. President, Ladies and Gentlemen of the Senate. Let
9. the record show that Senator Richard Daley has been absent
10. yesterday and today because of illness of his son.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The record will so indicate. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President, Ladies and Gentlemen of the
15. Senate. I will cause shortly to have distributed a copy of
16. the Senate Rules which we adopted yesterday. And this is the
17. Reference Bureau copy so that I would hope that those who
18. intend to proffer amendments next Wednesday, will so amend
19. their amendments so that they will conform to this form.
20. Otherwise the Reference Bureau gets upset and everybody
21. gets upset, I guess. But if you can, attempt at least, to
22. proffer your amendments in the proper form so that we can
23. adequately deal and discuss them on next Wednesday.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Netsch.

26. SENATOR NETSCH:

27. I would like to address a question to Senator Rock, I
28. didn't hear his initial thing, but we had discussed this
29. somewhat before hand. When you say in proper form, we had
30. had a question about just how sticky the rule was to be
31. observed in that respect. These are not bills, they are
32. amendments to rules and, for example, one of the...couple
33. of the rules are very, very long and now have subdivisions

1. and so when I drafted my amendments, instead of repeating the
2. entire rule in every single amendment, I would address only
3. that particular subsection that was being amended. I assume
4. that that is adequate, it's just an awful waste of time
5. and paper otherwise.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. I would assume so too, but Senator Phil Rock indicates
8. that he wishes to discuss this with you and clarify the
9. position.

10. SENATOR ROCK:

11. Yes, thank you, Mr. President, whatever Senator Netsch
12. does certainly is adequate. We will address the matter next
13. wednesday.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The Chair asks leave to go to the Order of Resolutions
16. and Consent Calendar. Is there leave granted? Leave is
17. granted. Mr. Secretary, has any objections been filed
18. against the resolutions on the Consent Calendar?

19. SECRETARY:

20. No objections have been filed, Mr. President. We did
21. add two Resolutions, 56 and 57. They were congratulatory.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is on the adoption of the resolutions on
24. the Consent Calendar. All those in favor indicate by saying
25. Aye. Those opposed. The Ayes have it, the resolutions are
26. adopted. Introduction of bills.

27. SECRETARY:

28. Senate Bill 187 introduced by Senators Bloom, Joyce and
29. I...I might say that if we have one of our Senators, Joyce,
30. added to a bill, will you please put down whether it is
31. Jeremiah or Jerome because it causes us confusion then
32. whenever we're down in the office to know exactly which Joyce
33. it is. And on this particular bill, Senator Bloom, which Senator

1. Joyce is it? Senator Bloom?
2. SENATOR BLOOM:
3. Jerome.
4. SECRETARY:
5. Senate Bill 187 introduced by Senators Bloom, Jerome Joyce,
6. Sommer and Walsh.
7. (Secretary reads title of bill)
8. Senate Bill 188 introduced by Senators Sangmeister and
9. Bloom.
10. (Secretary reads title of bill)
11. Senate Bill 189 introduced by Senator Grotberg.
12. (Secretary reads title of bill)
13. Senate Bill 190 introduced by Senator Lenke.
14. (Secretary reads title of bill)
15. Senate Bill 191 introduced by Senator Grotberg.
16. (Secretary reads title of bill)
17. Senate Bill 192 introduced by the same sponsor.
18. (Secretary reads title of bill)
19. 1st reading of the foregoing bills.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Is there any further business to come before the Senate?
22. If not, Senator...Donnewald moves...Senator Donnewald moves
23. pursuant to House Joint Resolution 14 that the Senate stands
24. adjourned until Wednesday, March 17th at 11:45 a. m. March 7th.
25. The Senate stands adjourned.
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