

82ND GENERAL ASSEMBLY

REGULAR SESSION

APRIL 21, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of twelve-thirty having arrived, the Senate will come to the order. Prayer today by Rabbi Joshua Goldstein of the Temple...Temple B'rith Sholom of Springfield, Illinois, and will our guests in the galleries please rise.

RABBI GOLDSTEIN:

(Prayer given by Rabbi Goldstein)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Thursday, April 15, 1982, twelve o'clock, noon.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Heard the motion. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that the reading and approval of the Journal of Tuesday, April the 20th, in the year of 1982 be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

Heard the motion. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it, the motion prevails. Senator Johns, further...further motions?

SENATOR JOHNS:

Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Johns arise?

SENATOR JOHNS:

I don't know whether the business is appropriate, but I'd like to be shown as a co-sponsor of Senate Bill No. 1607.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. For what purpose does Senator Kent arise?

SENATOR KENT:

Point of personal preference.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR KENT:

Mr. President and Ladies and Gentlemen of the Senate, it gives me great pleasure to introduce to you the seventh and eighth grade Little Giants and the cheerleading squad from Ingersol School in Canton, Illinois. They are the 1982 Light-weight State Basketball champions. They have a record of fourteen wins and one loss and they won the championship game with a score of 51 to 47. They tell me that the free throws were real crucial in the last few moments. They are coached by Bob Bennett and B. J. McCollum. Will you please join with welcoming me...welcoming them...to the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Will our State champions please rise and be recognized by the Senate. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. And on behalf of Senator Karl Berning and myself, I have the pleasure and privilege of introducing to you today, Doctor Joseph F. Sonntag, who is not only President of the Lake County Council of Seniors but also the Illinois State Chairman of the Amateur Organists Association International and his wife, Mary Ellen Sonntag, curator...curator, I...I should say, emeritus, both from Highland Park, Illinois. They are sitting in the President's

gallery and I would like to ask everyone to welcome Doctor and Mrs. Sonntag here today.

PRESIDING OFFICER: (SENATOR BRUCE)

Will our guests please rise. If I might have the attention of the Body, Crane's Business...Chicago Business, has requested leave to shoot still photographs from the press gallery. Is there leave? Leave is granted. So we are shooting still photographs. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Rules Committee report. Pursuant to Amended Rule 5, the Rules Committee met at 11:45 a. m., April 21, 1982 and makes the following report: By unanimous vote, the committee rules that the following bills can be considered during this Session of the Senate:

Senate Bills 1449, 1470, 1492, 1503, 1520, 1530, 15...66, 1606, 1609, 1630, 1640 and Senate Bill 1650. The foregoing bills were ordered sent to the Committee on Assignment of Bills.

By unanimous vote, the committee ruled that the following bills can be considered during this Session of the Senate:

Senate Bills 1212, 1264, 1265, 1266, 1267 and House Bill 1891. Signed, Philip J. Rock, Chairman.

Senator Buzbee, the Chairman of the Committee on Appropriations II, reports Senate Bill 1350 and 1388 with the recommendation the bills Do Pass. Senate Bill 1395 and 1669 with the recommendation the bills Do Pass as Amended.

Senator Netsch, the Chairman of the Committee on Revenue, reports Senate Bill 1302 with the recommendation the bill Do Pass.

Senator Donnewald, the Chairman of the Committee on Assignment of Bills, reports the following assignments:

To the Committee on Education, Elementary and Secondary - Senate Bill 1520; Education...Higher Education - Senate Bill 1503; Committee on Executive - Senate Bill 1470, 1530, 1566,

1606, 1609 and 1650; Committee on Insurance, Pensions and Licensed Activities - Senate Bill 1492; Committee on Judiciary I - Senate Bill 1449; Committee on Judiciary II - Senate...Senate Bill 1640; Committee on Local Government - Senate Bill 1630.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

Mr. President - I am directed to inform the Senate that 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 Bill 1244 and 1345.

Mr. President, a Message from the House by Mr. Leone, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed House Joint Resolutions Constitutional Amendment of the following title, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution Constitutional Amendment

No. 2.

House Joint Resolution Constitutional Amendment

No. 8.

House Joint Resolution Constitutional Amendment

No. 15.

And, House Joint Resolution Constitutional Amendment No. 19.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee. If I might have the attention of the Senate for a moment. We have some very special guests with us this morning. Each springtime, approximately eight hundred students from across the State of Illinois come to

Springfield and take over the House and Senate Chambers to involve themselves in the YMCA program, Youth In Government. And we are honored today to have the officers from that group with us, along with their Executive Director, Mr. Allan Moore, who is from Galesburg. The Youth Governor is Miss Peggy Pettit, the Lieutenant Governor...this is Peggy...the Lieutenant Governor is Philip Wyatt...from Chrisman, Illinois, and the President of the Senate is Miss Erin Law and we have consented to let the Youth Governor, Peggy Pettit, have a few moments of the Senate's time. And I would have the attention of Senator Rock that...Senator Rock, we are going to hear from the President of the...the...the Youth Governor and the President of the Senate. I would warn you that both of these young ladies are from my district and they captured two of the State-wide offices and...Erin here is giving me lessons on how to capture the President of the Senate seat, so I'm going to listen to her, while I hope you listen to Peggy Pettit, the Youth Governor.

PEGGY PETTIT:

(Remarks given by Peggy Pettit)

PRESIDING OFFICER: (SENATOR BRUCE)

And with them is an old law school colleague of mine who asked not to be introduced, is Dick Stubblefield. If you'd stand, Dick, Dick has worked a long time in the Youth in Government program. Is there leave to go to the Order of Resolutions? Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 471 offered by Senator Geo-Karis and all members, it's congratulatory.

Senate Resolution 472 offered by Senators Grotberg and Etheredge, congratulatory.

Senate Resolution 473 offered by Senator Lemke and all members, it's congratulatory.

Senate Resolution 474 by Senator Lemke and all members,

it's congratulatory.

Senate Resolution 475 offered by Senator Lenke and all members, congratulatory.

Senate Resolution 476 offered by Senator Lenke, it's congratulatory.

Senate Resolution 477 offered by Senator Simms, it's congratulatory.

Senate Resolution 478 offered by Senator Lenke, it's congratulatory.

Senate Resolution 479 offered by Senators Jerome Joyce and all Senators, it's congratulatory.

Senate...Joint Resolution 83 offered by Senator Lenke, Vadalabene, J. E. Joyce, Nedza, Mega and all members, it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 480 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee. For what purpose does Senator McMillan arise?

SENATOR McMILLAN:

I would like to discharge the Senate Judiciary Committee I from further consideration of Senate Bill 1621 and re-refer it to Senate Revenue. This has the approval of Senator McLendon and Senator Donnewald.

PRESIDING OFFICER: (SENATOR BRUCE)

Heard the motion. It's...discharge the Committee on Judiciary I from further consideration...Senate Bill 1621 and that the bill be re-referred to the Senate Committee on Revenue. On the motion to discharge and re-refer, discussion? All in favor say Aye. Opposed Nay. The Ayes have it and the bill is discharged and re-referred. Senator DeAngelis for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to be removed as Senate sponsor of Senate Bill 1395 and be shown...have Senator Weaver shown as the chief sponsor of that bill. 1395.

PRESIDING OFFICER: (SENATOR BRUCE)

Heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Senator...Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to discharge the Committee on Local Government from further consideration of Senate Bill 1296 and re-refer the bill to the Judiciary I Committee, which has already held subcommittee hearings on the bill, pursuant to a resolution. Senate Bill 1296.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to discharge the Committee on Local Government from further consideration of Senate Bill 1296 and the bill be re-referred to the Committee on Judiciary I. On the...

ACTING SECRETARY: (MR. FERNANDES)

II, wasn't it?

PRESIDING OFFICER: (SENATOR BRUCE)

... I think it's Jude I...that you want, Judiciary I. On the motion to discharge and re-refer, discussion? All in favor say Aye. Opposed Nay. The Ayes have it and the motion prevails. Senator Davidson on the Floor? Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate. I would like to discharge Higher Education from further consideration on Senate Bill 1486 and be reassigned to Elementary and Secondary Education Committee. I think there's agreement. 1486.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to discharge the Committee on Higher Education from further discussion of Senate Bill 1486 and that it be referred to the Committee on Elementary and Secondary Education. Discussion of the motion to discharge and re-refer? On the motion, all in favor say Aye. Opposed Nay. The Ayes have it and the motion prevails. For what purpose does Senator Marovitz arise?

SENATOR MAROVITZ:

Would this be the time for an announcement, Mr. President?

PRESIDING OFFICER: (SENATOR BRUCE)

Yes.

SENATOR MAROVITZ:

Would this be the time for an announcement?

PRESIDING OFFICER: (SENATOR BRUCE)

Go ahead.

SENATOR MAROVITZ:

I would remind the members of the Judiciary I and Judiciary II Committees and the leadership on both sides of the aisle that there's a reception at the Illinois State Bar Association between five and six-thirty...held by those who are considering the...new revisions of the Business Corporation Act which will...have been going on for the past six months and will go on for another six months to perhaps a year. But there is a cocktail reception for all members of Jude I and Jude II and leadership on both sides of the aisle at the Illinois Bar Association between five and six-thirty tonight.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of...Senate Bills 2nd reading? Page 2 of your Calendar, Senate Bills 2nd Reading. Senate Bill 1243. Senator Philip and Rock, do you wish that read? Hold. 1251. Read the bill, Mr. Secretary, please. Senate Bill 1251.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1251.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock on Amendment No. 1.

SENATOR ROCK:

Thank you. Amendment No. 1 is the lengthier one, is it not?

ACTING SECRETARY: (MR. FERNANDES)

Yes.

SENATOR ROCK:

Yes. Committee Amendment No. 1 was the amendment I offered, which virtually rewrote the bill to provide, instead of a new...what was to be termed a Block Grant Agency or Block Grant Board. This sets up merely an advisory committee, not unlike that already in place from the Office of the Governor. What it does is, it makes the Commission on Intergovernmental Cooperation responsible for discharging the duties imposed by Federal rule and regulation with respect to public hearings and recommendations to the General Assembly and to the Executive. And the board is to be...the...the group or the advisory committee that will hear the testimony and report back with respect to Block Grants is composed of both legislative and public members and representatives appointed by the Executive. I think it has met...I know it has met with favor by the Office of the Governor and by the members of the House, and I would urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Committee Amendment No. 1. Discussion of the motion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Rock, if you would. When we were in committee, I

was left with a clear impression that no such consensus had yet been arrived at. Has that consensus since been arrived at? I...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

To this extent, I have heard that the young man who...in the Governor's Office has wholeheartedly agreed, and I was with the Speaker and the Block Grant Task Force this morning in his office and they have agreed. Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Evidently they didn't bother to mention it to anybody over here, but, you know, it's a busy week.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Rock moves the adoption of Committee Amendment No. 1. All in favor say...Senator...Senator Weaver. No. On the motion, all in favor say Aye. Opposed Nay. Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 was offered at the request, frankly, of the Appropriations Committee. It makes it perfectly clear that when we establish this advisory group we are in no way attempting nor do we wish to preclude whatever action the Appropriations Committees of the two Houses see fit to do, and it...all it does is spell that out. I know of no objection. I move the adoption of Amendment No.

2.

PRESIDING OFFICER: (SENATOR BRUCE)

On the motion to adopt, is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1362, Senator Carroll. Metropolitan Fair and Exposition Authority. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1362.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1385, Senator Rock. State Comptroller. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1385.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 1 as offered in committee is a technical amendment at the request of the Legislative Reference Bureau. It...it merely deletes any reference to the 81st General Assembly because it's no...no longer applicable. I know of no objection. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it, Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1394, Senator Thomas. Senate Bill 1516, Senator Carroll. United Press International has sought leave to shoot still photographs. Is there leave? Leave is granted. Okay. (Machine cutoff)...Philip.

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to show that Senator Keats is in Germany on official business and that Senator Becker is home from the hospital, convalescing.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further business to come before the Senate? Any motions? Senator Rhoads.

SENATOR RHOADS:

Yes, Mr. President, I have a motion in writing on the Secretary's Desk.

PRESIDING OFFICER: (SENATOR BRUCE)

Right. We did not plan to get the motions in writing today, perhaps we can get to it tomorrow, Senator Rhoads.

SENATOR RHOADS:

...I just spoke with the President, I...I think we...I think we can get this matter disposed of without any controversy. I'd like to explain it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is...is there leave to go to the Order of Motions in Writing? Is there leave? Leave is granted. Motions in writing, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Motion in writing. I move that the Senate Executive Committee be discharged from further consideration of Senate Joint Resolution 51 and further move that it be read a first time. Signed, Senator Mark Q. Rhoads.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

The purpose, Mr. President, is to get this amendment out on the Calendar. I will hold it there until there is agreement by all four leaders in both parties regarding a tie-breaker provision over in the...House. As it...as it is written, this would provide for a hundred and nineteenth member nominated by the two State parties. And I would ask that we get this out on the Calendar so that we can take a look at it, and there would still be time to pass it by May the 2nd.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to discharge. On the motion to discharge, is there discussion? Discussion? Senator Rhoads requests a roll call. It would take 30 affirmative votes to discharge. On the motion to discharge, those in favor will vote Aye, those opposed will vote Nay. The voting is open...is just tired this morning, it's the first time out of the box, so give it time. Warm it up. Are we ready, Ed? The motion is to discharge. Those in favor will vote Aye. Those opposed

will vote Nay. The voting is open. It takes 30 affirmative votes to discharge. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are none, 14 voting Present. The motion to discharge is lost. Any further business to come before the Senate? Senator Netsch.

SENATOR NETSCH:

May I make an announcement, Mr. President?

PRESIDING OFFICER: (SENATOR BRUCE)

Go ahead, Senator.

SENATOR NETSCH:

Is that appropriate?

PRESIDING OFFICER: (SENATOR BRUCE)

It is.

SENATOR NETSCH:

The...I had indicated earlier that the Revenue Committee would reconvene immediately upon adjournment to hear two out of town witnesses who did not get heard this morning. I...I've worked it out with them and we will not reconvene immediately after adjournment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. There will be no meeting of the Senate Revenue Committee after Session. Further announcements? Further business? Senator Rock moves that the Senate stand adjourned until noon tomorrow. On the motion to adjourn, all in favor say Aye. Opposed Nay. Ayes have it. Senate...Senate stands adjourns until noon tomorrow.

SENATOR D'ARCO:

Mr. President, I have to make an announcement. The Insurance Committee will meet at two o'clock promptly. It'll take about ten minutes and we'll be done with our business. So, if everybody is there at two we'll get...get it adjourned right away. A-1...A-1.