82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 12, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of ten-thirty having arrived the Senate will come to order. Prayer today by the Reverend Victor Kaltenbach of St. Patrick's Catholic Church of Springfield.

And will our guests in the galleries please rise.

REVEREND VICTOR KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Davidson arise?
SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to you, in the President's gallery, the current events class from the Hillsboro High School and their teacher, Mrs. Sandy Allen. And for the rest of you people who got to get votes, I want you to also eat your heart out, Mrs. Allen also happens to be one of my Republican precinct committeemen in Montgomery County. Would you please rise so we can acknowledge you.

PRESIDING OFFICER: (SENATOR BRUCE)

Will the class please rise and be recognized by the Senate. Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Thursday, May the 6th; Friday, May the 7th, and Tuesday, May the 8th, in the year of 1982 be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Buzbee, the Chairman f the Committee on Appropriations II reports Senate Bill 1352, 1353, 1354, 1355, 1356, 1357 and 1359 with the recommendation the bills Do Pass as Amended. Senate Bill 1627 with the recommendation the bill Do Pass.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the Governor.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the Governor addressed to Mr. Kenneth Wright, Secretary of the Senate.

Dear Mr. Wright - I wish to withdraw the name of H. Gene Silverberg, to be a member of the Lottery Control Board from my April 30th message. Sincerely, James R. Thompson, Governor.

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 1053, 1772, 1776, 1777, 1779, 1780, 1781, 1782, 1783...1784, 1784, 1845, 1847, 1848, 1849, 1850, 1851 and 1852. House Bills 1998, 2156, 2249, 2266, 2369, 2460, 2464, 2589 and 2609. Passed the House May 11th, 1982. Anthony J. Leone, Clerk of the House.

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

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

Rouse Joint Resolution 83.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive. Senator Johns, for what purpose do you arise? SENATOR JOHNS:

Mr. President and members of the Democratic Party and Senate, there will be a caucus immediately in Room 212...immediately, 212.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Ozinga.

SENATOR JOHNS:

We're getting up in the world.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Ozinga, for what purpose do you arise?

SENATOR OZINGA:

I don't know yet.

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, alright. There'll be a Democratic caucus immediately in Room 212. Senator Kent.

SENATOR KENT:

I rise on a point of personal preference.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR KENT:

With us today in the Senate...or the President's gallery, we have some visitors from the great State of Missouri. They are from the Zion Lutheran School, from Palmyra, Missouri which is just right across the river from Quincy.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the gallery please rise and be recognized by the Senate. Senator Ozinga.

SENATOR OZINGA:

I guess we're to twiddle our thumbs until eleven-thirty, and then eleven-thirty will be a Republican caucus in the Minority Leader's Office.

Alright, Democratic caucus immediately in Room 212, a Republican caucus in the Minority Leader's Office at eleven-thirty. The Senate will come back in at noon, we hope. Senator Joyce moves that the Senate stand in recess until the hour of noon. On the motion, all in favor say Aye. Opposed Nay. The...Senate stands in recess until the hour of noon.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 517 offered by Senators Lemke, Becker and all members.

Senate Resolution...it's congratulatory.

Senate Resolution 518, by Senator Lemke and all members, congratulatory.

Senate Resolution 519, by Senator Lemke and all members, it's congratulatory.

Senate Resolution 520, Senators Bloom and Rock, congratulatory.

Senate Resolution 521, Senator Sangueister, congratulatory.

Senate Resolution 522, Senators Geo-Karis and Berning, congratulatory.

Senate Joint Resolution 92, Senator Schaffer, it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, up in the President's gallery, we have a group from the Bethlehem Lutheran School from the 30th Legislative District

with their parents and teachers, and I'd like to recognize them.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. We do have committees scheduled for one o'clock. We are...have been in negotiations with the House. We will stand in recess until the hour of 4:00 p.m. And I would ask the members to please return at 4:00 p.m. The Senate will stand in recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Netsch, Chairman of the Committee on Revenue reports House Bill 1373 with the recommendation the bill Do Not Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Senate Bills on 2nd Reading? Leave is granted. Senate bills 2nd reading. Senate Bill...on Page 2 of your Calendar, the first five sponsors will be Senators Chew, Maitland, Sangmeister, Philip and Egan. Senate Bill 1202, Senator Chew. Senate Bill 1212, Senator Maitland. Senate Bill 1231, Senator Sangmeister. 1243, Senator Philip. 1266, Senator Egan. 1296, Senator Marovitz. 1299, Senator Totten. 1318, Senator Berning. 1319, Senator Netsch. 1321, Senator Netsch. 1324, Senator Grotberg. 1350, Senator Taylor. 1360, Senator Delingelis. 1366, Senator Lemke. 1368, Senator Friedland. 1379, Senator Jeremiah Joyce. 1383, Senator Collins. 1393, Senator Schaffer. 1430, Senator Gitz. 1436, Senator Gitz. 1449, Senator Bloom. Not everybody at one time now. 1487, Senator Maitland. Parmland Protection Act. Want to be the first one? Senate Bill 1487, Mr. Secretary, read the bill a second 12 153789 M3 153389 M3 153389 Jud Market

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time.

ACTING SECRETARY: (MR. PERNANDES)

Senate Bill 1487.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Ploor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland is recognized on Amendment No. 1.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlem 1 of the Senate. Amendment No. 1 to Senate Bill 1487, the Farmland Preservation Act, makes numerous technical and spelling changes. It also has reference to the preservation law rather than Protection Act to be consistent with the Governor's Executive Order No. 4 on farmland protection which is what this bill tracks. And there are a number of other changes that the other side of the aisle has agreed to.

PRESIDING OFFICER:

The motion is to adopt Amendment No. 1. 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)

3rd reading. Senate Bill 1490, Senator Davidson. 1492, Senator Marovitz. 1496, Senator DeAngelis. 1501, Senator Nedza. 1516, Senator Carroll. 1520, Senator Degman. 1521, Senator Nimrod. 1522, Senator Carroll. 1534, Senator Netsch...1537, Senator Jeremiah Joyce. One committee amendment. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 15...1537.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce moves the adoption of Amendment No. 1.

Discussion of the motion? All in favor say Aye. Opposed

Nay. The Ayes have it. Amendment No. 1 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 amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1538, Senator Joyce. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1538.

(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 amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1539, Senator Joyce...Jeremiah Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. PERNANDES)

Senate Bill 1539.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Ploor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1540, Senator Jeremiah Joyce. Bead the bill, Mr. Secretary. There are two committee amendments.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1540.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JERENIAH JOYCE:

They're both technical, aren't they? Technical amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Senator Joyce now moves the adoption of Amendment No. 2. 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 amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1560, Senator Berman. 1566, Senator Etheredge. 1577, Senator Collins. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. PERNANDES)

Senate Bill 1577.

(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 amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1588, Senator Schaffer. 1593, Senator DeAngelis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1593.

(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)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis on...definition of rules. Senator

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 offered to Senate Bill 1593 contains two provisions that were inadvertently left out of the Secretary of State's merit system and they parallel what is in the State Personnel Code. It would allow the Merit Commission under the Secretary of State to have the authority to hear or conduct investigations of appeals or of layoffs of employees appointed under Jurisdiction B, and secondly, it would...allow any employee reinstated because he was improperly suspended, discharged or laid off to receive back pay with write-offs for any money earned during that period. These...these two provisions are technically in the Personnel

Code, they should have been in, I suspect, the Merit Code for the Secretary of State's Office. I know of no objection, I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. PERNANDES)

No further amendments from the Floor. Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized.

SENATOR DEANGELIS:

Amendment No. 2 is a technical amendment. It changes the word "qualified."

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 1597, Senator Berman. 1601, Senator Keats...Senator Chew and Keats. 1609, Senator Egan. 1613, Senator Newhouse. Senator Newhouse. 1624, Senator D'Arco. 1632, Senator Taylor. 1645, Senator Gitz. 1651, Senator Bloom. 1654, Senator Schaffer. Don't you want to call any of your bills today? 1657, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1657.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

Are there amendments from the Floor?

ACTING SECRETARY: (MR. PERNANDES)

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is recognized.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. This amendment has been requested by the beauty culture industry. For the past several years the Auditor General has been writing up R and E for an inadequate fee structure, for not covering the cost of processing. Insofar as the beauty culture industry is concerned, this would cover the cost of processing. I'd answer any questions you may have, otherwise, I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. On...on the motion, is there 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)

3rd reading. 1670, Senator Schaffer. 1671, Senator Simms. 1681, Senator Philip. Well. (Machine cut-off)...purpose does Senator Etheredge arise?

SENATOR ETHEREDGE:

Mr. President, I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR ETHEREDGE:

Seated in the President's gallery, we have a group of political science students from Waubonsee Valley High School. They are accompanied by a member of the faculty, Gary Shepard and by their sponsor, Mary Price. I would like for them to

stand and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests please stand and be recognized by the Senate. (Machine cut-off)...bills that are presently...Senate bills that are presently on the Order of 3rd Reading, the sponsors indicated they would like to recall to the Order of 2nd Reading for the purpose of an amendment. Senator Lemke, you have Senate Bill 1289, is that correct? Yeah, and Senator Maitland, you'll be the next one on 1663. Alright. Senator Lemke seeks leave of the Senate to return Senate Bill 1289 to the...to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary, please?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Lemke and Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this does, is...is takes...we thought it was in the original one, but this takes out the objectionable line about confiscating gambling devices in bingo parlors without a search warrant. This takes out that language. They have to have a search warrant to confiscate the gambling devices. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3 to Senate Bill 1289. On the motion to adopt, is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1663, Senator Maitland. Sena-

tor Maitland asks leave of the Senate to return Senate Bill 1663 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When the staff was critiquing the bill, they noticed a...a typo where there was reference to "purchaser" and that language should have said "lessee", and that's all the amendment does, simply deletes "purchaser" and inserts, thereof, "lessee." I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion of the motion? 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)

3rd reading. Senator Hall and Senator Geo-Karis, and Senator Jeremiah Joyce. On Page 9 and 10 of our Calendar are three House bills that under our rules we cannot consider, and it would be...it would save us some printing time if we could recommit those bills to committee or at least Table the bills and so that we could clear up our Calendar. Alright, we'll just leave them on and have the taxpayers bear the expense of printing bills that we're not going to consider. Senator Rhoads, I don't suppose you want to Table 1902 either. Fine. Senator Schaffer, did you want to call 2211 while we're at that order of business? (Machine cut-off)...purpose does Senator Gitz arise?

SENATOR GITZ:

Mr. President, Senator Simms has indicated he wished to be the Senate sponsor of House Bill 1889, and I'd like leave of the Body for that to be so recorded.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 1889. Senator Gitz asks leave of the Senate to show Senator Simms...Senator Simms as the Senate sponsor of House Bill 1889. Is there leave? Leave is granted. UPI is asking leave of the Body to have permission to shoot still photographs. Is there leave? Leave is granted. For what purpose does Senator Totten arise?

SENATOR TOTTEN:

Mr. President, apparently you're looking for something to do. I have...

PRESIDING OFFICER: (SENATOR BRUCE)

I'm talking to Senator Schaffer...

SENATOR TOTTEN:

... I know, but you do have...

PRESIDING OFFICER: (SENATOR BRUCE)

...he's got a couple of bills we'd like to talk about.
SENATOR TOTTEN:

...I do have a motion filed that I would like to take up.

PRESIDING OFFICER: (SENATOR BRUCE)

When we get to the Order of Motions, I'll get back to you.

SENATOR TOTTEN:

Can we get to the Order of Motions?

PRESIDING OFFICER: (SENATOR BRUCE)

I don't think so today. We're pretty pressed for time.

(Machine cut-off)...Senator Degnan arise?

SENATOR DEGNAN:

I'd like to make a motion we go to the Order of Motions in Writing.

Abricanourones

We'll get back to you, just in a second. Is there leave to go to the Order of Secretary's Desk on the Order of Concurrences? We have two nonconcurrences we can get rid of today. Is there leave? Leave is granted. Is Senator Philip on the Floor?...he's indicated that he wished to nonconcur on Senate Bill 512. If you can talk, we've got one other one perhaps some...some other person can handle that nonconcurrence. Senator...on Page 13 of your Calendar is Senate Bill 1193. Senator Grotberg, do you have a motion in relation to that bill? (Machine cut-off)...Grotberg.

Thank you, Mr. President. I move to nonconcur in House Amendments 3, 4 and 9 to Senate Bill 1193 and ask the House to recede.

PRESIDING OFFICER: (SENATOR BRUCE)

On Senate Bill 1193, Senator Grotberg has asked that the Senate nonconcur with House Amendments 3, 4 and 9. On the motion to nonconcur, is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails and the Secretary shall so inform the House. (Machine cut-off)...Senator Grotberg arise?

SENATOR GROTBERG:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR GROTBERG:

In the President's gallery to my right in the top row, Mr. and Mrs. Roy Paeth, Rosemarie and Roy Paeth. Roy is the township supervisor of Winfield...Wayne Township in one of my new many townships in my district, and we're just honored that they're down here to find out how it really goes. And, of course, they reside in President...President—elect Philip's county, and I could spend the next half hour talking about these fine people.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, why don't you just introduce them and...
SENATOR GROTBERG:

...but as long as they're here, why don't you rise and be recognized. Rosemarie and Roy.

PRESIDING OFFICER: (SENATOR BRUCE)

...would our guests in the gallery please rise and be recognized by the Senate. (Machine cut-off)...what purpose does Senator Bock arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Apparently, the House does not consider this matter of the same urgency that the Senate does, so I would move that we stand adjourned until ten o'clock tomorrow morning. PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that the Senate stands adjourned until 10:00 a.m. On the motion to adjourn, discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned until 10:00 a.m. tomorrow morning. Senator Davidson, you had an announcement.

SENATOR DAVIDSON:

Mr. President, remind those who did buy the tickets, the Prayer Breakfast is tomorrow morning, seven forty-five at Holiday Inn East. We'll see you all there who bought the tickets. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.