

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 13, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of ten having arrived, the Senate will come to order. Prayer today will be by Reverend Anthony Tzortzis of St. Anthony's Hellenic Orthodox Church. And will our guests in the galleries please rise.

REVEREND ANTHONY TZORTZIS:

(Prayer by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move the reading and approval of the Journals of Thursday, May the 6th; Friday, May the 7th; Tuesday, May the 11th and Wednesday, May the 12th, in the year of 1982 be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

Senator Carroll, the Chairman of the Committee on Appropriations I, reports Senate Bills 1423 and 1424 with the recommendation the bills Do Pass. Senate Bills No. 1285, 1363, 1374, 1386, 1391, 1396, 1398, 1399, 1400, 1402, 1403, 1404, 1405, 1407, 1408, 1411, 1412, 1413, 1415, 1416, 1418, 1419, 1420, 1421, 1425, 1426, 1445, 1514 and 1678 with the recommendation the bills Do Pass as Amended.

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 of the following titles, in the passage of which I am instructed to

ask concurrence of the Senate, to-wit:

House Bills 1955, 2041, 2077, 2091, 2116, 2135, 2146, 2164 and 2171. Passed the House May 12, 1982. Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rupp arise?

SENATOR RUPP:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR RUPP:

We have in the President's gallery a group of fine youngsters from Pana. They are the American Government students, and Tom Foster and Jim Hefner brought them up to visit, and I'd like to have their presence acknowledged.

PRESIDING OFFICER: (SENATOR BRUCE)

Would they please rise and be recognized, and Mr. Foster is a longtime good friend of mine, also. (Machine cut-off)...Bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 468, Senator Bruce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1053.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1772, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1776, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1777, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1779, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1780, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rupp arise?

SENATOR RUPP:

Mr. President,...sort of an apology plus an announcement. I'd failed to recognize the fact that on the Floor is a Senator who is a graduate of Pana High School, Senator Sam Vadalabene.

PRESIDING OFFICER: (SENATOR BRUCE)

There he is, right there next to you, isn't he?

SENATOR VADALABENE:

I just want to say, "Hello" to all the people from the Pana High School and to all the citizens of Pana. It was through the efforts of that high school that I got my political savvy to run for office. I'm the Democratic, he's a Republican.

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, but we never pay any attention to that down here most of the time. Sam, you want to tell them when your birthday is, so in case there not here when...we're out of Session?

SENATOR RUPP:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, continue with 1st reading, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1781, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1782, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1783, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1784, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1845, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1847, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1848, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1849.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1850.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1851.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1852.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1921, Senator Maitland.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1998, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2038, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2156, Senator Johns.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2249, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2266, Senator J. J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2356, Senator...House Bill 2356, Senator Gitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2288.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2369.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2464.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Leave to go to the Order of Resolutions? Leave is granted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolutions 524, offered by Senators Simms and Schaffer. It's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar. Is there leave to go to the Order of Senate Bills 2nd Reading? Leave is granted. We'll go right down, Senate Bills 2nd reading. First five Senators are Senators Chew, Maitland, Sangmeister, Philip and Egan. Senate Bill 1202, Senator Chew. Senate Bill 1212, Senator Maitland. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1212.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would take the Corn Marketing Act out of the Administrative Procedures Act and...and circumvent that procedure. It's the same procedure we followed last year with the lamb and wool people. And the Joint Committee on Administrative Rules has recommended this process for all the checkoffs and I would move for it's adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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 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. 1231, Senator Sangmeister. 1243, Senator

Philip. 1266, Senator Egan. 1296, Senator Marovitz. 1299, Senator Totten. 1318, Senator Berning. 1319, Senator Netsch. 1324, Senator Grothberg. 1350, Senator Taylor. 1352, 1353, Senator Weaver. Senator Carroll, do you wish to hold all of those Appropriation Higher Ed? We'll just skip all the way down then to 1366, Senator Lemke. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1366.

(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 Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is tightens up the language as to what it considered a religious institution, and also, it adds in there the utility...public utility section of the code...was electric not...this takes care of electric and...gas for those private schools.

PRESIDING OFFICER: (SENATOR BRUCE)

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. 1368, Senator Friedland. 1379, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1373.

(Secretary reads title of bill)

2nd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

We're sharp, we'll catch the amendments.

ACTING SECRETARY: (MR. FERNANDES)

The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1379 provides that...requires written verification of those who are in custody of the county sheriff, as well as those who are incarcerated and convicted of a felony with respect to reimbursement for medical expenses.

PRESIDING OFFICER: (SENATOR BRUCE)

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 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. Senate Bill 1383, Senator Collins. 1393, Senator Schaffer. Senator Schaffer, while we're at you, there's only one House Bill on 2nd reading, could we get rid of that? Later. You weren't on the Floor and we hoped to get that one out of the way. All right. 1430, Senator Gitz. 1436, Senator Gitz. 1449, Senator Bloom. 1490, Senator Davidson. 1492, Senator Marovitz. 1496, Senator DeAngelis. 1501, Senator Nedza. 1502, 1516, Senator Carroll. 1520,

Senator Degnan. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1520.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan on Committee Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. I've been advised that Amendment No. 1 is technically flawed. I'd like to move to Table that amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to Table Amendment No. 1. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 corrects that technical flaw and puts the bill in a form that does not in anyway relate to what's in your printed Calendar. Amendment No. 2 simply offers the same opportunities for nonpublic school teachers for advanced certification that public school teachers enjoy now. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. On 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. 1521, Senator Nimrod. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1521.

(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. 1522, Senator Carroll. 1534, Senator Netsch. Senator Netsch, controlled substances manufacture distribution. All right. 1560, Senator Berman. 1566, Senator Etheredge. 1588, Senator Schaffer. Don't you want to call this either? 1597, Senator Berman. 1601, Senator Chew. 1609, Senator Egan. 1613, Senator Newhouse. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1613.

(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. 1624, Senator D'Arco. 1627, Senator Nimrod. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1627.

(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. 1632, Senator Taylor. 1643, Senator Gitz...45, rather. 1651, Senator Bloom. 1654, Senator Schaffer. 1670, Senator Schaffer. 1671, Senator Simms. 1681, Senator Philip. Senator Schaffer, are you ready to go on House Bills 2nd, now? Tell me when you're ready, would you?

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 93, offered by Senators Philip and Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee. Senator Ozinga, did you have an announcement?

SENATOR OZINGA:

Yes, as soon as we get to know where we're at. There will be a Republican caucus in the Minority Leader's Office the minute we recess. Immediately.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Rock, did you have an announcement?

SENATOR ROCK:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, we have some rather serious matters that await our disposition. I, too, am per-

fectly willing to conclude our business today, and it is in my judgment not necessary for us to be here tomorrow. But I will suggest that until this matter is resolved, we will be here tomorrow and Saturday and Sunday. So, I have been in continuing discussions with the Executive and with the leadership of the House, and I think in an effort to spur that along, I would move that the Senate stand in recess until the hour of noon.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is that the Senate stand in recess 'til the hour of noon. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like the record to show that I filed a motion in regards to House Bill 1373, and I just want the record to indicate that. I filed that motion yesterday.

PRESIDING OFFICER: (SENATOR BRUCE)

The Secretary indicates that...that your motion in writing is on file, Senator Philip. Motion is to recess until the hour of noon. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Senate stands in recess 'til the hour of noon, and Senator Ozinga has already announced a Republican caucus immediately in the Minority Leader's Office.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of noon having arrived, the recess is concluded. The Senate will come to order. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

HB 2211  
2nd Reading

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 of the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 2088, 2095, 2167 and 2181. Passed the House May 12, 1982. Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of House Bills 2nd Reading, on page 10 of your Calendar? Leave is granted. The bill has already been read a second time and...page 10 on your Calendar. Well, we'll take it up with the Secretary. We'll make sure that the Governor's Office provides you with all the page 10 you need. Senator Schaffer, are there any...Mr. Secretary, are there amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized on Amendment No. 2.

SENATOR SCHAFFER:

I believe this is the supplemental for the General Assistance line item in the Department of Public Aid for 19.7 million. It funds the General Assistance line for the rest of this year, I...at the one forty-four level.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is adopt Amendment No. 2. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3, offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a supplemental for the Department of Revenue for one million two hundred and ninety-six thousand two hundred and forty-three dollars for additional auditors and collectors. There's a small transfer item in for additional salaries for supervisor of assessments for twenty thousand, and there's a hundred thousand dollars in here in a transfer for the lottery for reimbursement to banks and former ticket agents whose services have been discontinued in 1981.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Discussion of the motion? 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)

All right. 3rd reading. Now, Mr. Secretary,...for intervening business...we will be back to 2211 in just a moment. For intervening business, are there any House...is there leave to go to House Bills 1st reading? We have three bills that have been picked up. House Bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1924, Senator Nedza.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2460, Senator Philip.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2609, Senator Savickas.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of House Bills 3rd Reading? Leave is granted. House Bills 3rd reading, House

AB 2211  
3rd Reading

Bill 2211.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Channel 20, Senator Schaffer, has sought leave to film the proceedings, I'm sure you won't object. Is there any other objection? Leave is granted. And we are being filmed. Senator Schaffer is recognized.

SENATOR SCHAPPER:

Mr. President and members of the Senate, House Bill 2211 transfers twelve thousand dollars from the Medical Student Scholarship Program to the Dental Student Scholarship Program and the two amendments we just put on. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. While it was a voice vote on the amendment, I hope the recordings showed my voice as No on the revenue agents. I think it is at least smart that the Governor has now acquiesced to splitting the issues by way of amendments so that the House can, hopefully, adopt the general assistance one and defeat the revenue agents one. The reason I believe that is important is I think the Governor has shown his desire to attach a patronage army onto the backs of the people who need general assistance. I think every member of the General Assembly understands that the Department of Revenue, in this particular instance, decided that they did not care how many employees they were authorized to hire, and for whatever reasons they did it, patronage or not, decided to hire another hundred and thirty-nine people even though

they had ninety-eight vacancies all year. If they needed these revenue collectors, why all the vacancies? And then, very arbitrarily, they decided that they don't care if they have enough money to pay their employees all year. Let's put on a hundred and thirty-nine, and you know full well that paying those people for four or five months means they would have to layoff seven hundred for the last month. They didn't care, and you're talking about six weeks, nobody's talking about the next fiscal year. If they needed these people, they could surely be put into an appropriation bill, the budget of the Department of Revenue and it be decided whether or not these people were cost effective and therefore hired. But where does the Governor or the Department of Revenue have the right to say, we don't care what we told you our head count was going to be, we don't care what head count you authorized, we're going to go out and hire people anyway, and then we'll find some poor people in need and we'll make you pay for them by tacking it on to there. I think that shows us the philosophy of this administration, and hopefully, there will be wisdom enough in the General Assembly to oppose that.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Channels 3, 17, AP and UPI has sought leave to film the proceedings. Leave is granted. Senator Carroll, if you have anything to add, perhaps now...

SENATOR CARROLL:

No, I don't think I'll have to repeat it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR HALL:

Senator, of the two amendments you put on, which is...on...who's on first and who's on second on those?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I remember that monologue and as tempted as I am to get into it, the first amendment is the general assistance amendment, and the second one is the supplemental for the Department of Revenue. I believe both of them are critical to the continued operation of State Government.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 2211 as amended. This is an issue...that discharges, I think, fully our responsibility. There are, in fact, over a hundred thousand general assistance recipients who absent this kind of responsible action simply would have their benefits interrupted. This is not something we should play politics with, and I applaud the Senate for dealing with it responsibly. We will now send it to the House, and I would ask the members to please stay in their seats while we wait for the House to react. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

Roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 2211 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

44, the Nays are 5, 1 Voting Present. House Bill 2211 having received the required constitutional majority is declared passed. Senator Rock for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have a committee schedule to meet commencing at one o'clock. We...as you know, the Secretary will expedite the message over to the House. I have been in contact, as has Senator Philip, with both the Speaker and the Minority Leader, we have asked them to handle this as a top priority item. In the meantime, however, it is required that we stay put. I have an adjournment resolution filed with the Secretary calling for us to leave today and return at next Tuesday at the hour of two o'clock, but in the meantime, until the House reacts it is absolutely essential that we remain. So I would suggest, Mr. President, that we stand in recess until the hour of two-thirty and ask everyone to come back and, hopefully, we'll be able to adjourn for the week.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to recess. Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President, the Appropriations II Committee will meet at one o'clock in Room 212.

PRESIDING OFFICER: (SENATOR BRUCE)

Further announcements? Motion is that Senate stand in recess until the hour of two-thirty. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in recess until the hour of two-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. We will stand in recess until the hour of four o'clock. The Senate will stand in recess until the hour of four o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

Recess having concluded, the Senate will come to order. Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 524, offered by Senators Newhouse and Davidson.

Senate Resolution...it's congratulatory. Senate Resolution 525, Senator Gitz and all members. Congratulatory.

Senate Resolution 526, Senator Gitz and all members. Congratulatory.

Senate Resolution 527, Senator Gitz and all members...it's congratulatory.

Senate Resolution 528, Senators Hall, Rock and all Senator. Congratulatory.

Senate Resolution 529, Senator Johns. Congratulatory.

And Senate Resolution 530, Senators Rock, Degnan, Philip and all members. Congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

The Resolution Consent Calendar. For what purpose...Senator Vadalabene, if you won't mind my doing one other business, Channel 3 has sought leave to film the proceedings. Is there leave? Leave is granted. Now, Senator Vadalabene, you're recognized.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate and Channel 3. The meeting tomorrow morning on Executive Appointments and Administration in Room 212 will be cancelled until a later date. No meeting tomorrow morning.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer, we have a message back from the House, are you ready? Is there leave to go to the Order of Messages from the House? Leave is granted. Messages 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 concurred with the Senate in the adoption of their amendment to a bill of the following title:

House Bill 2211 with Senate Amendment No. 2.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment, Senate Amendment No. 3 to House Bill 2211. Action taken by the House May 13, 1982, Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAPPER:

In an effort to show that at least one Chamber can act with some dispatch, I'd like to just move to refuse to recede from the amendment and request a Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Savickas.

SENATOR SAVICKAS:

I'd like to call for a caucus at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

There's been a request for a caucus, that is usually...all right, Senator Johns.

SENATOR JOHNS:

Is 212 vacant now, Senator Buzbee? I suppose that's as good a room as any. Room 212, Democratic caucus.

PRESIDING OFFICER: (SENATOR BRUCE)

Been request for a Democratic Caucus in 212. For what...Senator...Senator...Senator Schaffer. Senator Schaffer.

SENATOR SCHAPPER:

Would you take the bill out of the record and let us have a caucus, too?

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, sure. We'll remove Senator Schaffer's motion from the record. And is the request for...Democratic Caucus immediately in Room 212? Senator Philip,...when will we be coming...Senator Rock. Senator Rock.

SENATOR ROCK:

I would expect that probably five o'clock is time enough. The...the issues are very small. Big in...big and momentous, but...Yes or No is all it takes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip, did you wish a caucus? Senator...Senator Ozinga.

SENATOR OZINGA:

Caucus...Republican caucus in Pate Philip's office immediately.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Democratic caucus, Room 212. Republican caucus, Senate Minority Leader. Senate...Senator Rock moves that the Senate stand in recess, the hour of five o'clock. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Senate stands in recess until the hour of five.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer on the Floor? The Senate will come to order. The hour of five having come and gone, the Senate will...yes, let's see, UPI, AP, Channel 3, Channel 17, and Channel 20 seeks leave of the Body to film the proceedings. Is there leave? Leave is granted. At the time of the recess, the Senate was on the Order of Messages from the House. The Message has been read in. The Message was not removed from the record, but Senator Schaffer had made a motion relative to that Message and that has been removed. So,...Senator Schaffer, do you have a motion relative to the House Message?

SENATOR SCHAFFER:

I move that the Senate refuse to recede from Amendment No. 2 and request the Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer has made the motion that the Senate refuse to read...recede from Senate Amendment No. 3 to House Bill 2211 and a Committee of Conference be appointed. Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I think it is important for us to recognize exactly what this motion does at this time in these proceedings and what the Governor and his party is doing at this time. A motion to recede would remove the jobs in the Department of Revenue from this bill and allow the checks for general assistance to be issued. By making the motion to refuse to recede, a Conference Committee...will have to be appointed and Senator Schaffer, and his party, and his Governor is in effect playing Russian Roulette with the general assistance checks for thousands of Illinois citizens. The House has taken a position that they will not vote for

this bill this day, with the jobs for the Department of Revenue being in this bill. There are plenty of other bills and plenty of other vehicles to provide those jobs if this Legislature sees fit to do so, and in fact, this Senate saw fit to do so to provide the jobs as well as the general assistance checks by our passage of this bill with forty plus votes, but the House has taken a different position. We cannot reverse the action of the House this time, at this moment, but we could have allowed the needs of the people that are waiting for those checks to be addressed by making a motion to recede. We don't have...the Democratic party on this side of the aisle does not have sufficient votes at this time to pass that kind of a bill and motion alone, and I'm not sure that we should. I think that there are strong arguments on both sides of the question regarding the jobs for the Department of Revenue, but we don't have control of that issue anymore. It has been taken out of our hands by the vote of the House that could not accept the jobs for the Department of Revenue, they could not get eighty-nine votes, and therefore, it has been the policy determination of the Republican party to tie the jobs in the Department of Revenue to the checks for the general assistance. I think that's unforgivable. I think that they should have separated the issues, I think the motion should have been to recede, and I think that everybody that...sees fit to do so which I am sure is more than thirty on this Floor, would have passed the bill for general assistance. I think it's deplorable that you continue to tie the jobs in the Department of Revenue which it does not have to be decided tonight, but the checks for general assistance is imminent and must be decided immediately. And I think it is deplorable that you continue to tie those two issues together.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would like the record to reflect...the Journal to reflect in...in he sends all of us his best wishes that Senator Donnewald is hospitalized in Breese, Illinois. He had a little trouble with some blood and he is hospitalized, hopefully, will be back with us next week, and I'd like the Journal to reflect that his absence is not deliberate. Further, I would like to remind everyone that the World's Fair Committee for 1992 is in town, and they would dearly love to see all of us, and thirdly, I would move once the motion carries, to adjourn 'til nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion before the Body is to refuse to recede from Senate Amendment No. 3 to House Bill 2211. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to have the record reflect that Senator Becker, also, has been convalescing in the hospital for the last two days. He is resting with ease, hopefully, he'll get out sometime tomorrow.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is on the motion...Senator Schaffer.

SENATOR SCHAPPER:

Well, I should echo Senator Rock's tempered remarks, I think they're highly appropriate.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is refuse to recede to Senate Amendment No. 3 to House Bill 2211 and a Committee of Conference be appointed. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Senate stands...on the motion to adjourn, all in favor say Aye.

Opposed Nay. The Ayes have it. The Senate stands adjourned  
until 9:00 a.m. tomorrow morning.