

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 17, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of noon having arrived the Senate will come to order. The prayer today will be by Reverend Michael Jacsy, the Assistant Pastor of the Winnetka Bible Church in Winnetka, Illinois. And will our guests in the galleries please rise.

REVEREND JACSY:

(Prayer given by Reverend Michael Jacsy)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

SECRETARY:

Tuesday, June the 8th, 1982 and Wednesday, June the 9th, 1982.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nega.

SENATOR NEGA:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Heard the motion. Are there additions or corrections? On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Journals are adopted. Senator Nega.

SENATOR NEGA:

Mr. President, I move that reading and approval of the Journals of Thursday, June the 10th; Friday, June the 11th; Monday, June the 14th; Tuesday, June the 15th; and Wednesday, June the 16th, in the year 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Senator Buzbee, the Chairman of Appropriations II Committee, reports out the following House Bills: 2455, 2456, 2458 and 2459 with the recommendation Do Pass. 2196, 2205, 2206, 2209, 2210, 2213, 2217, 2218, 2399 and 2457 with the recommendation Do Pass as Amended.

Senator Carroll, Chairman of Appropriations I Committee, reports out the following House Bills: 2191, 2222, 2223 and 2345 with the recommendation Do Pass. 2190, 2193, 2194, 2195, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2207, 2208, 2212, 2214, 2215, 2216, 2219, 2220, 2247, 2279, 2283, 2339, 2370, 2393, 2422, 2441 and 2558 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions.

SECRETARY:

Senate Resolution 594 offered by Senator Geo-Karis...Senators Geo-Karis and Berning. It's congratulatory.
PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to place it on the Resolution Consent Calendar? Leave is granted. If I might have the attention of the Body just for a moment to make this announcement. The Illinois Guidance and Personnel Association of the Illinois Counselor's Group is offering relaxation sessions in Room 122B. The sessions are twenty minutes in length, every half hour until four o'clock. And if we start off like we did yesterday, we'll adjourn to 122B. Relaxation sessions in 122B. The Senate is honored to have with us today the 4-H Report to the State Team and they will be introduced by...Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the fourth year I've had the privilege of introducing this fine group...this fine group to the Illinois Senate. We have the group again today,

and yesterday you acted upon Senate Resolution 591 which commends once again 4-H in Illinois for their outstanding activities. I'd like then, at this point, to present to you the 4-H Report to the State Team, their spokesman will be Mr. Glenn Hagley and he has a few comments that he would like to make, but before doing that, I would like also to recognize in the gallery the Cook County Report to the State Team, which is also a part of this group but they only have one representative down here, so would that group please stand and be recognized, please. There they are up there, thank you, very much. And now Glenn, if you'd come forward, I'd like to present to you this resolution and congratulate you once again on an outstanding 4-H year and ask you to make a few comments, if you would, please.

MR. GLENN HAGLEY:

(Comments made by Glenn Hagley)

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Philip arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just would like to acknowledge, in particular, Lisa Walters, who is from DuPage County. Her father is a Republican Judge, and it is always nice to have her down here in...in Springfield, and you know, most people don't think of DuPage County as a very rural county, but we have a great bunch of 4-Hr's.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Lenke arise?

SENATOR LENKE:

Since the...the eminent Pate Philip has to get up there and acknowledge, we in our area, the southwest side of Chicago, have one of our representatives too, Mike Herman. And the 4-H clubs in Chicago will be celebrating their twenty-fifth anniversary, and I think it's an accomplishment

to have a great 4-H program like we have in the City of Chicago by these groups.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. If I might have the attention of the Senate, Senator Johns has also brought us a guest from his district that he would like to introduce.

SENATOR JOHNS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we had a tornado in Marion and there's quite a heavy dark cloud, but out of every cloud there's a silver lining. And I'd like to start this program by introducing to you a very, very dear friend of mine, Mr. and Mrs. Harry Crisp, the mother and father of the young lady I'm about to introduce, and Martha Smith, head of the Illinois National Teenager Pageant. Harry is President of the United States Pepsi-Cola...Pepsi-Cola Bottling Association Members. And now, if I might, today we have a special guest, Ladies and Gentlemen, Cheryl Crisp from Marion, Illinois, Miss Illinois National Teenager. She won her local pageant and then she competed against one hundred girls for the title. Can I have your attention please, show the respect that you should for a queen. Senator Weaver is behaving very nicely back there and as one of the leaders of the Minority, he should set a precedent for us all. The purpose of the Illinois National Teenager Pageant is to recognize locally and nationally the scholastic and leadership achievements of America's teenagers and to pay special honor once a year to that girl who best exemplifies those qualities. Cheryl's honors range from co-captain of the varsity cheerleading, senior student council member, swing choir member and leads in musicals, and to CYO membership. Her titles include Delta Queen, Princess Flame, homecoming and prom queens. She was named Who's-Who in America in high school students, she was on the honor roll, this is something I never had, for four years. Cheryl's

versatility has given her opportunity for experience in a number of realms including music, acting, writing and sports. Now, I'm going to ask you once again, would you settle down out there, and listen to this young lady's statement to you, the Illinois members of the...of the General Assembly of the Senate. Thank you. Cheryl.

MISS CHERYL CRISP:

(Comments by Miss Cheryl Crisp)

SENATOR JOHNS:

And now to conclude this, you the members of the Senate, voted unanimously to present her with this resolution, and I now do so with great pride. On behalf of the Illinois State Senate, Cheryl, I present this to you. And thank you, Senator Bruce and all concerned. And I'd like to introduce Sue Long over here who's been a great help and assistant in preparing this program. Thank you. Senator Bruce, I thank you, and Ladies and Gentlemen, I might tell you that Harry has five other children and four of them are girls, and you'll probably see them up here in the future.

PRESIDING OFFICER: (SENATOR BRUCE)

All right...very good. Is there leave to go to Messages from the House? Leave is granted. For what purpose does Senator Hall arise? Senator Kenneth Hall.

SENATOR HALL:

There is an amendment being passed around to House Bill 579 that has...that doesn't have the...sponsors name on them, I think he should check it. 579.

PRESIDING OFFICER: (SENATOR BRUCE)

The Chair would remind the membership, and this occurred yesterday, and evidently again today, that under Senate rules, if you are...distributing an amendment, you are to put...put your name on it so we know who is having the amendment circulated. For what purpose does Senator Grotberg arise? May we have some order, please. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I think today I'm the culprit. Is that the senior citizen amendment for referendum on 579, LRB8202224?

PRESIDING OFFICER: (SENATOR BRUCE)

He indicated it is, Senator Grotborg.

SENATOR GROTBORG:

Thank you, if you'll just insert my name, and yesterday, I was the one who was complaining. Thank you, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment Numbers 1 and 2 to a bill with the following title:

Senate Bill 423. Senator Grotborg is the Senate sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotborg on 423. Senator Grotborg moves that the...the Senate accede to the request of the House and a Conference Committee be appointed. Is there leave? Leave is granted.

SECRETARY:

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

Mr. President - I am direct to inform the Senate the House of Representatives refused to recede from their Amendment's 1 and 2 to a bill with the following title, to-wit:

Senate Bill 623. Senator DeAngelis is the Senate sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis moves that the Senate accede to the

request of the House that a Conference Committee be appointed. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Motion prevails.

SECRETARY:

A like message on Senate Bill 740 with House Amendments 1 and 2. Senator Jerome Joyce is the Senate sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

In Senator Joyce's absence, Senator Donnewald moves that the Senate accede to the request of the House that a Conference Committee...be appointed. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails.

SECRETARY:

A like message on Senate Bill 1028 with House Amendments 1 and 2, and Senator Schaffer is the Senate sponsor. And the speaker has appointed the members on the part of the House on all these bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer moves that the...the Senate accede to the request of the House that a Committee of Conference be appointed. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Leave to go to the Order of House Bills 2nd Reading? Leave is granted. House Bills 2nd reading, we have several amendments that have been filed to those. We will also...if you have bills on 3rd that you wish to recall, if you will file the amendments, we may not get to those today, but at least we'd have some idea of how many bills are on 3rd that we'll have to recall. First sponsor is going to be Sangmeister, Grotberg, Berman, Marovitz and Marovitz. House Bill 396, Senator Sangmeister. House Bill 579, Senator Grotberg. Zoning Act. Read the bill, Mr. Secretary, please. They're two committee and two proposed. All right.

SECRETARY:

HB 579
2nd Reading

House Bill...579.

(Secretary read title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg...on Committee Amendment No. 1.

SENATOR GROTBORG:

Thank you, Mr. President. I will defer to Senator Mahar who introduced Committee Amendment No. 1. Senator Mahar, I would yield to you on Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Committee Amendment No. 1. Discussion? Senator Mahar. And if...Ladies and Gentlemen, we could just clear...

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

...the aisles, we will do our business in a more efficient manner. Senator Mahar.

SENATOR MAHAR:

Committee Amendment No. 1 authorizes municipalities, counties or townships to enter into agreements to allow cable T.V. users to use the public easements. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

A question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Rock.

SENATOR ROCK:

Is there any provision for compensation to the owner?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you. There is a provision for compensation in a further amendment by Senator Gitz coming down the road. The owner of utility easement would be the municipality, county or township.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

The problem is that these easements, more often than not, are on somebody's privately owned property, and they were granted an easement for the purpose of, I presume, stringing a telephone wire, or an electric wire, or something. Senator Gitz's amendment, as I read it, does not appertain to my question whatsoever. The problem is, that if you now are going to allow the cable T.V. franchisee direct access to these already existing easements, let's assume they're underground, that means the cable company has to dig up my property, if I happen to own it, and there's no compensation for that, and I don't understand why.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

It would be within the purview of that unit of local government to arrive at some compensation for that, and this is an optional thing which may or may not be allowed by the unit of local government, whichever it may be.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Is it currently not optional?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Cable T.V. is currently not allowed except as a Federal

order that allows the...the requires the telephone people to allow for cable to use, provided they pay appropriate compensation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

That exactly is my point. This does not so provide, and I want to know why.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

I would certainly presume that...that if the authority were to allow the use of the utility franchise of the municipality, county, or township could enter into agreements, which I'm sure they're already doing in...in all other aspects of the program that they enact in their community, to provide the compensation in a manner that they see fit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, I...I...yes...a little voice in the back said this looks like a surreptitious way to arrive at eminent domain. I...I still think that it...for instance, and I'm surprised that Senators Maitland and some others who are property owners are not up, I only have a telephone wire running down the alley behind my house, so I am not directly involved in this, but it seems to me that if...if, in fact, the county, and I read this to say...oh, I guess it does say municipality or township, that's even worse, it's broader. If I, the property owner, have granted to my county, or my township, or my municipality an easement to afford me and my neighbors some publically offered service, I received compensation for that more often than not, and now we're saying cable T.V. can utilize the same thing and nobody gets any compensation, par-

ticularly the property owner. Why don't...you know, I'm...I'm not so sure as a property owner I'd want the Cable T.V. Company coming back in there, digging up these underground lines and attaching whatever it is they attach and...and not being responsible for either putting it back or paying me just compensation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar. May we have some order, please.

SENATOR MAHAR:

Thank you. Well, in any arrangement, as I understand it, municipalities, townships or counties a portion of the revenues goes to that municipality, county or township, in return for the authorization to use the community and the community facilities to engage in the operation of cable T.V. Now I don't personally have a cable T.V., I don't really want one, and I have no connection with any...any unit whatsoever, but there have been many municipalities that have talked to me and...and have supported this approach, and we just read recently in the last week of the court case at Highland Park in which there is a...a need to clarify this language. This is an attempt to clarify that language and offer it. Now if there are...if there are better terminology, better wordage by which we can transmit the authority for municipalities, particularly as my main concern in municipalities, I'd be happy, of course, to include it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, I'm for sure not going to stand here and suggest there's not a way that we can do this. What I object to is the way you've chosen to do this. You have simply said, that if I have a prior existing easement on my property granted by my grandfather or me and for which I was paid some compensation, anybody can now use it, if that municipality or ease-

ment holder decides they can use it. And by anybody, I mean this cable company, whether I want them or not, and I don't think that's right. We...I think the private landholders still have some rights, and he granted an easement for a specific purpose and was specifically reimbursed for that, whether it was taken by eminent domain or not, and now we're affording someone else access to my property and there's no compensation at all to anybody, as far as this thing reads.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Rock, which might seem funny to some, but let me give you a little personal story. We have cable T.V. in Elmhurst, Illinois, my hometown. We had no notification at my property, the cable T.V. came on, drove over the parkway onto my property, put up a cable T.V. on the Commonwealth Edison pole without saying, hello, how are you, they ran over a small tree in doing it. Come to find out, I haul out my easement and what does my easement says, the easement says...it lists the four public utilites that are on the easement. It doesn't list any cable T.V. Come to call Commonwealth Edison, they're getting four dollars a month for the use of their pole. Now, what is the taxpayer, broken down Pate Philip getting? Nothing. Yet they run over my property, they don't talk to me, they put up their damn cable, and they're making four dollars a month. Now, you'd think they'd reduce my bill four dollars a month? I'll tell you they haven't, and we...they've got all the power and authority they need, and I think that Senator Rock is right and we ought to defeat this blasted amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

HB 579
Amendment #2
Discussion

Question...question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator...Senator Mahar for what purpose do you seek recognition?

SENATOR MAHAR:

To save the time of the Senate. I get the message. I don't think it's...when I got both the chiefs against me, I'm in pretty bad shape, so I withdraw the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Mahar would you accept the motion to Table your amendment since it's been adopted. Motion is to Table Amendment No. 1 to House Bill 579. On the motion to Table, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz is recognized on Amendment No. 2.

SENATOR GITZ:

Mr. President, a question of the Chair. Is this the amendment, Mr. Secretary, any revenues received by the public utility?

SECRETARY:

This...this is a committee amendment. Each member elected, ten years thereafter, the county clerk shall...

PRESIDING OFFICER: (SENATOR BRUCE)

This has to do with terms of office for county officials in a lottery.

SENATOR GITZ:

That is Senator Demuzio's amendment. I have four amendments filed.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, fine. All right, Senator Demuzio is recognized on Amendment No. 2.

SENATOR DEMUZIO:

Well, Senator Grotberg, since...Amendment No. 1 was not adopted, this amendment now is technically correct. Therefore, we...we will not have to Table this amendment, so the amendment that I just gave you a few minutes ago is technically incorrect. Amendment No. 2...Committee Amendment No. 2 simply says that the county clerk by September the 1st of the year following the census will have the drawing for the offices of county clerk so that those members can determine ahead of time the...whether or not the office that they are running for is a two-year term or a four-year term. And I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Is there discussion of that motion? Senator...all right, on the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg on Amendment No. 3. May we have some order, please.

SENATOR GROTBORG:

Mr. Secretary...Mr. President, amendment...there are several amendments, and you...if you'll be patient with me, they do make sense, but I think it'll be timely if we adopted the one-word Gitz amendment to amend the original bill. Senator Gitz, are you ready with that changing the language to one week? Does it...does it make any difference to you, Mr. Secretary? We better talk about the original bill once

in a while or we could get so far downstream everything would be wrong.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is there leave to take Senator Gitz's amendment out of the order they were filed and consider it first? Is there leave of the Body? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz is recognized.

SENATOR GITZ:

This is the week amendment, Mr. Secretary, correct?

SECRETARY:

This is the one day, yes, two line amendment.

SENATOR GITZ:

Fine. I would call attention to the Body that the original bill, House Bill 579, indicated that any ordinance that was adopted...a zoning ordinance that was violated was now going to be...punishable under this bill by a fine not to exceed five hundred dollars, with each day the violation remains uncorrected constituting a separate offence. So conceivably, each and every day you could be fined a maximum of five hundred dollars. Frankly, I think that's rather excessive when we're moving from a Class B misdemeanor. The amendment that I'm offering, Floor Amendment No. 3, would indicate that this is a fine not to exceed five hundred dollars with each week the violation remains uncorrected constituting a separate offence. I think it is still very strong language, but certainly it is far more reasonable for anyone who might be caught unawares than a language which indicates that each day is a separate offence.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Is there discussion

of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Floor Amendment No. 4 by...I have three left, Senator Grotberg, one by you, one by Senator Mahar and one by Senator Gitz. All right. Amendment No. 4 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized.

SENATOR GROTBERG:

Which...which one is that, Mr. Secretary?

SECRETARY:

LRB No. 8202224RLJWAM.

SENATOR GROTBERG:

Thank you, Mr. President and thank you, Mr. Secretary, for reading back the data. This is a bill that has...we're amending in, at the request of an awful lot of people, the...the...Federal funding for senior citizens programs is being diminished, and we have before us this amendment, which is a bill that passed out of the House and didn't get out of our Rules, but in counties of less than a million a front-end referendum for up to .025 percent. My county boards may send a referendum to the people to support senior citizen programs....I know of no objection is the reason I submit the amendment, and I'm sure it has...the word has gotten around in all of our districts that it might be helpful here and there. I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Rock.

SENATOR ROCK:

Well, just to notify the proposer of the amendment that there is some objection, namely, from the townships of the County of Cook. That is my understanding. Now I am not in favor of this tax for this purpose anyway, but I am told that

the township officials of Cook objected to the fact that they were omitted from this gen.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBURG:

If that is a...if that is a real concern and it develops over the weekend...I'll be glad to bring it back and include them in this thing. If we can proceed with the amendments as they are in order, I would appreciate it, if we find some order.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion of the motion? Senator Rhoads.

SENATOR RHOADS:

Question...question of the sponsor on Amendment No. 4. Senator, this bill was in Rules and kept there, I think for probably a good reason. Not only did it not meet the emergency requirement, but secondly, what...is there some particular reason that this has to pass this year,...between now and June 30th?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTBURG:

I would predict that the senior programs around the State are all nervous and they just want to get it on board. I think the front-end referendum provision kind of takes care of an awful lot of things if we can proceed with it, Senator Rhoads. I know of no...no...anyone that's going to have a referendum this...this November along with the rest of the general election, et cetera.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

Well, yeah,...tell us more about the referendum and what the provisions are...and so forth. Is this...is this the

amendment, Senator, the tax for provision of social services, the one...begins with new language on line 11. All right, tell us how this referendum is conducted.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you. The question is put to the people in the standard provisions. This...at the bottom of page 1, "This question may be submitted at an election held in...in the county after the adoption of a resolution by the county," and they would have the authority to draft that resolution, according to this language and certified by the board, et cetera. It's a county by county, and I understand Senator Rock's concern that maybe townships of counties over a million may want to do it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

My district overlaps two counties, both Cook and DuPage. Now if the DuPage County Board adopts this resolution after the effective date of this bill, let's assume it's signed this summer sometime, could that referendum appear on the ballot this fall?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

I would see no reason why there...the effective date refers back to Section 6, I don't have that citation with me, Senator, but I presume it refers back to the County Code or the Election Code, one of the other, County Code in this case.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Kenneth Hall.

SENATOR HALL:

Senator Grotberg, my first question was that...and Senator Rock allude to that, I wondered, why did you make this for counties under a million? The next question is, that...Senator Rhoads had asked the same question, why do we have to do that right now, because...there is a great possibility that this might come up in this fall election? Is it...is this of such urgency that we can't do it...next April?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

I think that's the will of this Body, Senator. It had a resounding vote in the House. The proponents of it in the House, along with some, I think, two or three downstate counties doesn't even think it's partisan in this case, have been thumping to get the thing on. So, it's...and it's intact as it came out of the House, and that's...the most I can say about it. It was not a Grotberg idea in the first place, and...but I'm pleased and proud to offer it to the Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? On the motion to adopt...all right, there has been a request for a roll call. Those in favor of the adoption of Amendment No. 4 to House Bill...579 will vote Aye. Those opposed will 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 21, the Nays are 29. Amendment No. 4 fails. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Thank you...thank you, very much, Mr. President and members of the Senate. Let's try this one. Because of some ambiguous wording in Public Act 811508 last year, some attorneys have construed the Act to mean that municipalities could not levy a vehicle tax on school buses that are...reside in the community. This simply corrects that. The Illinois Motor Vehicle Laws Commission and the Municipal League got together and drafted language which corrects it by taking out one sentence and repealing the original language of Public Act 811508, and because it's a correction, I would hope that there is no problem with it and I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Rhoads.

SENATOR RHOADS:

A question of the sponsor. Senator Mahar, who...who owns the school buses that they are seeking to tax? Wouldn't that make a difference whether it's a privately owned company under contract or whether the buses are owned by the system itself? If they are owned by the system itself, then you get into the problem of one echelon of government taxing another echelon of government.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Prior to this Act a year ago, municipalities were levying against bus...bus companies...private bus companies in their municipality. Because of the Act, Burbank, Crestwood, Robbins...were told that they could not assess a vehicle tax on local school buses that were domicile in their community and they asked for this legislation, and as I said initially,

the bill passed out of the House and it was held in Rules because the Municipal League did not like the language in...in the amendment...in the bill. They have joined with the Motor Vehicle Commission to come up with this amendment to satisfy that, and I'm asking in the interest of these municipalities and in correcting the legislation that it be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. The substance of Amendment No. 5 was contained in a House Bill which still resides and I think rightfully and justifiably so, in the Rules Committee. This is neither an emergency nor anything else, it is the interpretation of one or two attorneys somewhere practicing in south suburban Cook County. No one else in the State seems to have any problem at all with this, and I would also suggest to the Chair, at least, that the bill as...as it started out, and I will say with all due deference, started out, as an amendment to the County Zoning Act, Chapter 34. This is a proposed amendment to the Illinois Municipal Code, Chapter 24, and I suggest it is in no way germane.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, are you questioning a ruling of the Chair on germaneness?

SENATOR ROCK:

I'll think about it anyway...

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Davidson.

SENATOR DAVIDSON:

Senator Mahar, you said the Motor Vehicle Laws was involved in this? I'm a member and I don't remember any conversation about letting a municipality be able to tax a

school bus.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Mahar.

SENATOR MAHAR:

The...the bill was passed in the last Session, I don't know who sponsored it. But the problem arose from municipalities in my district and the adjacent district, which brought about this bill. The language that is in this amendment has been changed from what was in the...original Act because the Municipal League didn't like the language by Amendment No. 1, I think, on the House Bill. They have joined with the people in Motor Vehicles to come up with this amendment, which they presented to me to accomplish this mission, and I'm presenting it to you for your consideration and support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock. I've had a chance to review both the bill and the amendment, and I believe that Senator Rock's point, Senator Mahar, is well taken that although both chapters end in four, that's probably not close enough to get us from eighty-four to twenty-four, and I would have to rule that your changing of the Illinois Municipal Code is not germane to a change in a county Act, and therefore, the amendment is not germane. Senator Mahar.

SENATOR MAHAR:

Well, I'm reading from the amendment and it says, Chapter 24, paragraph 11411, and it amends Section 11411, "Any city village, incorporated area." I don't know where we're talking about the county on this, unless the President has a different amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar, I think that is the point. The original bill does not talk about counties and your amendment does. And...so...all right...the Chair has ruled that the...the amendment is not germane and is out of order. Any further

amendments?

SECRETARY:

Amendment No. 5 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz is recognized.

SENATOR GITZ:

Mr. President,...Amendment No. 5 related to the easement language which has been withdrawn, and so, therefore, at this time I would move to either withdraw or to Table Amendment No. 5.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz withdraw Amendment No. 5. Any further amendments? Are there further amendments, Mr. Secretary?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. For what purpose does Senator Weaver arise?

SENATOR WEAVER:

In your...Mr. President, in your ruling on Amendment No. 5, you said it was not germane because it amended Chapter 34. Would you check Amendment No. 2, is that not in the same category?

PRESIDING OFFICER: (SENATOR BRUCE)

Chapter 24 was Senator Mahar's amendment. Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 102 offered by Senator Rock.

(Secretary reads SJR 102)

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, next week is by virtue of our deadlines

the last week for consideration of House Bills. As of the moment, we have approximately a hundred and nine bills on the Calendar, some of which will succeed and some of which will not. Additionally, we will have, I'm sure, a number of appropriation bills, which I hope by the time they reach the Floor and...and reach 3rd reading, will be beyond controversy. So, I would suggest for the good health of the membership that we rather quickly adjourn after the adoption of the Resolutions Consent Calendar and whatever paper work has to be done, and I look forward to a quiet and restful weekend so we can all come back Monday at two o'clock for the purpose of finishing up our work in an orderly and a reasonable fashion.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order...Senator Rhoads.

SENATOR RHOADS:

Just one question of the President. The local hotels have advised everybody that the following weekend is out of the picture because of a local convention. What's the schedule then?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

That...that is a very good point and one that I wish all the members to be aware of. We will be in the full five days. We cannot nor will I allow any member to be precluded from that final deadline, which is Friday, the 25th. It is my sincere hope, and we had previously discussed with the leadership of the House the distinct and at that time real possibility, that we would not have to...spend the weekend in Springfield, that we could finish our business on Friday, probably late Friday and come back at a reasonable time on Monday. The problem that I now have is that, as you well know, the House is in a little bit of a chaotic situation.

They have literally not voted on anything for about three weeks, and whether or not they're going to get anything done today or tomorrow, frankly, remains to be seen. They have a whole Calendar full of Senate Bills on 2nd reading. We sent them, including appropriations, only a hundred and seventy-nine measures. They can, in fact, get the work done, but whether or not they're going to try to proceed in as orderly a fashion as we are, remains to be seen. My own thought is that there is no necessity for us to be here next weekend, that we can legitimately come back on Monday, gear up and go to work on the Conference Committees and...and get our work done. But I...I'm truly not in the position to guarantee that.

PRESIDING OFFICER: (SENATOR BRUCE)

We're on the Order of Resolutions. All right, the motion is to...to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 102. On the motion to suspend, all in favor say Aye. Opposed Nay. The Ayes have it. On the motion to adopt, all in favor say Aye. Opposed Nay. The Ayes have it. The adjournment resolution is adopted. Resolutions.

SECRETARY:

Senate Resolution 595 offered by Senator Sangmeister and it's congratulatory.

Senate Resolution 596 offered by Senator Lemke and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to place those resolutions just mentioned, 595 and 96, on the Resolution Consent Calendar? Leave is granted. Is there leave to go to the Resolution Consent Calendar? Leave is granted. Mr. Secretary, have any Senators filed objections to...any resolutions filed upon the Resolution Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Hearing no objections, Senator Rupp moves that the resolutions contained thereon be adopted. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Resolution Consent Calendar is adopted. Are there...are there announcements? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Here's a reminder to the Senators that next week it's...we're hopeful to get our game on with the lobbyists, so be sure you bring your equipment with you, those of you that might have taken it home. It is expected to be Tuesday night, but we'll let you know. And the game is still on for the 27th, as I understand, so be sure you keep everything together.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further business to come before the Senate? Senator Vadalabene moves that the Senate stands until Monday, June the 21st, at 2:00 p.m. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it and the Senate stands adjourned until Monday at 2:00 p.m.