

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 22, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of ten having arrived, the Senate will come to order. Prayer today will be by Reverend Robert Florence of Lakeside Christian Church of Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND ROBERT FLORENCE:

(Prayer given by Reverend Florence)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

SECRETARY:

Thursday, June the 10th, 1982; Friday, June the 11th, 1982 and Monday, June the 14th, 1982.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Thank you, 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)

You've 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 approved. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Tuesday, June the 15th; Wednesday, June the 16th; Thursday, June the 17th and Monday, June the 21st, in the year of 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles, together with the House amendments:

Senate Bill 1247 with House Amendments 1, 2 and 3.

Senate Bill 1383 with House Amendment 10.

Senate Bill 1526 with House Amendment 1.

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

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

House Joint Resolution 94, and it's handled by Senator...sponsored by Senator Nash in the Senate.

And House Joint Resolution 95...Senator Vadalabene.

PRESIDING OFFICER: (SENATOR BRUCE)

Those are congratulatory, and can go on the Resolution Consent Calendar with leave. Is there leave? Leave is granted. Leave to go to the Order of House Bills 2nd Reading? Leave is granted. House Bills 2nd reading, House Bill 396, Senator Sangmeister. House Bill 608, Senator Berman. House Bill 712, Senator Marovitz. House Bill 891, Senator Marovitz. House Bill 1060, Senator Marovitz. House Bill 1178, Senator Egan. Sale of alcoholic beverages, on Page 8 of your Calendar. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1178.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there any Floor amendments?

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan is recognized on Amendment No. 1.

SECRETARY:

It's very short, Senator Egan.

SENATOR EGAN:

Yes, Mr. President and members of the Senate, I...I'm just checking my file, I...this amendment is a clarifying amendment, Mr. President, to insure that the municipalities, the local government control remains intact, and it merely strengthens the language in the Act as it presently exists to insure local control. And I move the adoption of Amendment No. 1 to House Bill 1178.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Is there discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicate he...he will yield. Senator Mahar.

SENATOR MAHAR:

Senator Egan, I'm sorry I don't have a copy of that amendment, what...what do you mean by local control? Does this mean that the municipality, the liquor commissioner still retains control?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, this language is for the municipal league and they've asked me to put it in. It's alright with the park district people to insure that the local control remains intact.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Egan moves the adoption of Amendment No. 1. On that motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1244, Senator Degnan. House Bill 1254, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

(Machine cut-off)...Bill 1254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan is recognized.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Committee Amendment No. 1 increases the homestead exemption by five hundred dollars, and that's the bill that we had passed out of the...the...well, out of the Committee on Revenue and got tangled up on the Floor. So, it's...it's emerged again in this amendment, but that is the bill now, Mr. President. It's the homestead exemption increase from three thousand to thirty-five hundred. And I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Are there further...Senator Nimrod, on this amendment? The...the amendment is adopted. Any Floor amendments?

SECRETARY:

No further committee amendments. No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR NIMROD:

Mr. President, just to ask Senator Egan, I had an amendment for that bill, and I was wondering...it was supposed to have been...yeah, can we either bring that back or can we do it now if...I didn't get a chance to talk it over...I did mention it in committee and you were not there, and I meant to bring it up to you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Well, I...I'm not familiar with the amendment, Senator. I...I would kind of rather leave this in its pure form as it is, because I think it has an excellent chance of passage. If I attach anything further to it, I'm afraid that it may become controversial.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nimrod.

SENATOR EGAN:

...I'd like to help you if I can...

SENATOR NIMROD:

...would like an opportunity to come over and talk to you about it then.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 1423, Senator Egan. House Bill 1607, Senator Netsch. Is there leave to return to this in just a moment? Leave is granted. House Bill 1882, Senator Gitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1882.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers

two amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz, there are two committee amendments. Who will explain the Committee Amendment No. 1? Senator Sangmeister is recognized on committee...may we have some order, please. Senator Sangmeister.

SENATOR SANGMEISTER:

I believe...committee...we got the amendments in the right order. Committee Amendment No. 1 merely provides that the cost benefit ratio need not be used on channelization. I think there's a lot of bogus in the...in the law as it is used on the cost benefit ratio anyway, but we have a project in our district that's costing twice the amount of money that it would normally need to...to be because of the cost benefit ratio. So, as to channelization, we're asking that that be changed. Move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of Amendment No. 1. Is there discussion? Senator Weaver.

SENATOR WEAVER:

Yes, Mr. President. Senator Sangmeister, isn't this kind of a dangerous precedent to be setting not looking into the cost benefit ratios for these projects?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer. Senator Sangmeister.

SENATOR SANGMEISTER:

Not in the case of channelization, Senator Weaver. Normally, I would agree with you, but in this particular case, it has reached the point in our district where we have a project that's going to cost twenty-five million dollars that can be done for twelve and a half million all because the Division of Waterways is saying that the cost benefit ratio of one doesn't come out. There's no way you can make it come out in channelization. They just throw in as much recreation

as...as they want to, whatever figures they think is...is fit. We're only narrowly limiting this to only one alternative, and that's strictly channelization. It has nothing to do with any other projects.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The motion is to adopt Amendment No. 1. On that question, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

And who will explain Amendment No. 2? Senator Joyce, Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 2 is the conservation risk share bill that we passed out of this House and then it got stuck in Rules in the House. We passed the appropriation for it, it's ready to go but we've got to get the bill moving again. I would answer any questions if anyone has any, but we have discussed this thoroughly.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Is there discussion on that motion? Those in favor say Aye. Senator Weaver, on this...Senator Weaver is recognized on Amendment No. 2.

SENATOR WEAVER:

Thank you, Mr. President. I would just ask the Chair, is this amendment germane to the bill?

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cut-off)...Weaver, in examining Amendment No....the...the original bill, Amendment No. 1 and Amendment No. 2, Amendment No. 2 strikes the title of the Act which was an Act in the relation to wetlands and waters and adds in the

title of the Act, wetlands, waters and lands of the State of Illinois, and the amendment then deals with conservation of...of land, and given the fact that the title then encompasses the idea of wetlands...wetlands, water and conservation of land that the amendment would be germane to the broadest reading of the title. Senator Weaver.

SENATOR WEAVER:

Then I presume we could add a property tax bill to this also.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, that might deal with revenue, but the...in a quick reading of the bill, the wetlands proposition that deals with conservation of wetlands, and Senator Joyce's bill deals with conservation on land, and it's a minor difference. On...on the motion to adopt Amendment No. 2, you've heard the...Senator Maitland, on the amendment.

SENATOR MAITLAND:

Thank you, Mr. President. I rise in opposition to Amendment No. 2 to House Bill 1882. You know, we debated this bill some weeks ago on a Senate bill and it passed out of this Body, and with all due respect to the sponsor of the amendment, he as a farmer, like John Maitland is a farmer, are truly committed to land conservation and...and the good stewardship of...of today's eroding soil. But it just seems to me that this is an approach that we...that we should not use. Let me suggest to you that land rank colleges, fertilizer companies and innovative farmers are working diligently on...on minimum tillage, myself included. I would not, as a farmer, make application for this kind of a program. I think it's wrong, I think that farmers will be truly more committed to minimum tillage if, in fact, the cost of the program if, in fact, there is a cost, or the net income of the program if, in fact, there is a net income, is truly their own responsibility. I think it's a bad precedence to set. I

would suggest to you also that also in this amendment there is another direction that the money can possibly go. That is to say that if, in fact, after three years, the million dollars is not expended, it can be used for other purposes, and I submit to you that that is not a good use of public funds either, and I would urge defeat of House...Senate Amendment No. 2 to House Bill 1882.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cut-off)...discussion of the motion? On the motion, those in favor say Aye. There's been a request for a roll call. Those...so, on the adoption of...Amendment No. 2, those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 26. Amendment No. 2 is adopted. For what purpose does Senator Maitland rise?

SENATOR MAITLAND:

Verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR BRUCE)

Will the members please be in their seats. Senator Maitland requests a verification of those who voted in the affirmative. The Secretary will call those who voted in the affirmative, and under our rules, you are to...respond when your name is called. Mr. Secretary, please.

SECRETARY:

The following voted in the affirmative: Berman, Bloom, Bruce, Collins, D'Arco, Dawson, Degnan, Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland, do you question the presence of any man...any Gentleman recorded in the affirmative?

SENATOR MAITLAND:

Senator Taylor.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Taylor on the Floor? He's right here in the Well.

SENATOR MAITLAND:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Marovitz on the Floor? Senator Marovitz. Strike his name. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Verify the negatives.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Jerome Joyce has requested a verification of those who voted in...in the negative. Will the members please be in their seats, and will the Secretary call those who...who are recorded as voting in the negative.

SECRETARY:

The following voted in the negative: Becker, Berning, Bowers, Coffey, Davidson, DeAngelis, Etheredge, Friedland, Geo-Karis, Grothberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Schuneman, Simms, Thomas, Walsh and Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Schaffer on the Floor? Senator Schaffer. Strike his name from the roll call. On a verified roll call, there are 26 Ayes and 25 Nays. The Chair notices the presence of Senator Schaffer on the Floor. On a verified roll call, there are 26 Ayes and 26 Nays, and the motion to adopt is lost. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Thomas arise?

SENATOR THOMAS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege, many of the Senators and State Representatives were pleased this morning to be the guests of the Illinois Hairdressers and Cosmetologists, and we have some of their members up in the gallery and I'd like to have them be recognized and stand. And I might just add that they're looking at Senator DeAngelis' hair for a possible future reference.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please rise and be recognized by the Senate. Are there Floor amendments to 1882, Mr. Secretary?

SECRETARY:

Floor Amendment No. 3 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland is recognized on Amendment No. 3.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 3 to House Bill 1882 deletes everything after the enacting clause and does incorporate...I'm sorry.

SECRETARY:

No, this is the short amendment, Senator. The very short...in...on Article I by inserting after the end of Section 1-8 the following.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland withdraws the amendment.

SECRETARY:

Floor Amendment No. 3 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz is recognized.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. This amendment is in accordance with the agreements made in committee. It deletes the...all references to regulatory language. It also changes the word "shall" to "may" in terms of making the bill permissive. It deletes all of Section 1.7, which is also language which alluded to regulation. I believe that this amendment should clarify most of the objections that were lodged initially.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Is there discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further Floor amendments?

SECRETARY:

Amendment No. 4 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland is recognized on Amendment No. 4.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 4 to House Bill 1882 does delete everything after the enacting clause and makes House Bill 1882 truly a wetlands inventory and mapping bill. It does also call for the approval of each soil and water conservation district of the wetlands contained or lack of wetlands contained therein in those respective counties before the final map can be certified. And I would submit to you that if we truly want a wetlands bill which is an inventory bill and a mapping bill, that this probably is the direction that we...that we should go. It does give...it does give the property owners a right, in my judgement, to...to pass judgement on the map and as their property is so

indicated.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion?

Senator Gitz.

SENATOR GITZ:

Question of the sponsor, actually of the Secretary. Is this the LRB No. 02 at the end or JOAM?

PRESIDING OFFICER: (SENATOR BRUCE)

Mr. Secretary, can you...

SECRETARY:

JOAM.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Mr. President and members of the Senate, I stand in opposition to this amendment. This bill has language in it now that has deleted all references to regulation, and, in fact, even without those previous amendments that were adopted, that would be unnecessary. Senator Maitland is attempting, basically, to change the bill, to defrock this dehydrated bird of what few pinfeathers are left. It simply is unnecessary, because we have already accomplished the objectives of the amendment's sponsor in the previous amendment. Why he would see the rationale clause to be so odious is beyond me. It seems to me that the purpose of this bill in its present form is to inventory our wetlands so that we can make some constructive judgements about which of those are vital to the future. This amendment is unnecessary, it takes away any of the language which lays out of the intent of the bill, and I would resist its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? On the motion to adopt, all in favor say Aye. Senator Maitland to close.

SENATOR MAITLAND:

Well, thank you, Mr. President. I...I do appreciate Senator Gitz's attempt to...to meet our objections, and many of them were met in his amendment, and I shant deny that. I think the amendment that we're offering here is truly a better approach. It does also include the Department of Agriculture and also does have a sunset, the mapping has to be completed by July 1 of 1987. I think it just makes a better bill out of it, and I would urge...would urge support of the Body. I would ask for a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, there's been a request for a roll call. The question is on the adoption of House...of Amendment No. 4 to House Bill 1882. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 22. Amendment No. 4 is adopted. Further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1925, Senator Walsh. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1925.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, the committee amendment has a technical defect. I've discussed with the chairman of Judiciary II as well as the Minority spokesman and it was...it was agreed that the best approach would be to

Table the committee amendment and offer Amendment No. 2 as a substitute therefore, which is on the Secretary's desk. I would, therefore, Mr. President, move to Table the committee amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to Table Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Floor Amendment No. 2 offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh is recognized.

SENATOR WALSH:

This is the amendment that cures the technical defects, and I would move the adoption of...of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

The 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?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1992, Senator Lenke. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1992.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bowers.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bowers is recognized.

SENATOR BOWERS:

Thank you, Mr. President. Last year we adopted a bill on behalf of the county recorders that, in effect, required in all plats that six additional copies be filed. In my particular county they have no use for six...for six copies. The municipalities have been growling about it, the recorder says all he does is try to find a place to put them and doesn't really need them. This amendment simply says that the recorder shall have the power to require six copies. It doesn't really change anything, it just gives the option to the recorder to, in effect, waive the requirement, and I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Is there discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Lemke and Nedza.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke on Amendment No. 2.

SENATOR LEMKE:

What this amendment does is...is regards to extradition. What it does is...is...is allows the counties to collect the cost of extradition, which is under the Uniform Criminal Extradition Act. Right now they collect fees, this would allow them to collect costs, only in a case of a felony. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Is there discussion of that motion? Senator Rock. Senator Rock.

HB 2079  
2nd Reading

SENATOR ROCK:

I would...I would question only the germaneness.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke, Senator Rock has questioned the germaneness of Amendment No. 2. It would be the ruling of the Chair that Amendment No....the original bill dealt with...Chapter 30 of an Act concerning land titles. Senator Bowers' amendment added Chapter 115, which was an Act in relation to land titles and recorders, but your amendment deals with Chapter 53, which was an Act concerning fees and salaries. And it would be the ruling of the Chair that your amendment would not be germane to a bill relating to land titles, and...therefore, it is the ruling of the Chair that Amendment No. 2 is not germane and is out of order. Further amendments? Senator Lenke, the...the Secretary informs me that the next amendment relates to, basically, the same topic. Do you wish to withdraw it? Senator Lenke withdraws the next amendment. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2079, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2079.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge is recognized on Amendment No. 1.

SENATOR ETHEREDGE:

HB 2116  
2nd reading

Mr. President and Ladies and Gentlemen of the Senate, this is a technical amendment which puts...House Bill 2079 in the same form as Senate Bill 1534.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Is there discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2116, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2116.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Lemke and Rhoads.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke is...recognized on Amendment No. 1.

SENATOR LEMKE:

What this amendment does is takes care of the...what we call the Leinenweber amendment to 941. What it does is set forth a ninety minute waiting period for abortion. It allows a parental consent or notification, in other words, if the parents refuse, they go to court, and number two, it talks for...for spouse consultation in regards to and compliance with the Supreme Court recent decisions. It clears up the vagueness and the burdensome language of the...that the northern Illinois district said were in Senate Bill 47. I ask for its adoption.

PRESIDENT:

Discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Grotberg.

SENATOR GROTBORG:

Senator Lemke, I'm skimming through the wastepaper here on my desk and I don't see a copy of your amendment. Should I have it on my desk?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

The amendment was filed yesterday, you should have a copy of it.

PRESIDENT:

The Secretary informs me copies were not distributed, Senator Grotberg. Senator Grotberg.

SENATOR GROTBORG:

Thank you. This is a dynamic amendment to...I mean, it's an amendment to a dynamic subject and...and the question is, is first of all, without even having it before me, I would ask for germaneness, because the bill before us has nothing to do with this subject matter, it's controlled substances...bail status, I'm sorry, I was one number off.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Yeah, I'm asking for a germaneness ruling.

PRESIDENT:

The Chair will be prepared to rule. Any further discussion? Senator Egan.

SENATOR EGAN:

Well, Mr. President, of course the substance of the

amendment meets with my overwhelming approval, however, technically, I don't think it's going to fit in this...in this bill. I...my sympathy lays entirely with the substance of the amendment but the accidents are overwhelming here. I don't think that it is germane. I would prefer to see it in some other vehicle, and Senator Grothberg, until I get a ruling, I have nothing further to say. Well, I don't have the copy either.

PRESIDENT:

Alright, the Chair is prepared to rule that the amendment is nongermane. Further amendments? Yes, Senator...alright, you...you are entitled to vote on...I understand. You can put whatever number you want. The question is, shall the ruling of the Chair be sustained. Those in favor of the Chair will vote Aye. Those opposed to the Chair's ruling 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 33, the Nays are 11. The motion having failed to receive the necessary three-fifths negative vote, the appeal fails and the ruling of the Chair is sustained. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The Chair...the Secretary informed the Chair that there were no further amendments. Alright. 2116, back to the Order of 2nd Reading for purpose of an amendment. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Egan.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate.

In the committee, Senator Bowers and Senator Netsch raised a problem with the language. This bill will strike the language that they were concerned with, and in its simple form, will allow the State to appeal any order granting bail, or setting an amount, or order permitting release by personal recognizance. That simplifies the language and I ask for its adoption.

PRESIDENT:

Senator Egan has moved the adoption of Amendment No. 2 to House Bill 2116. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2135, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3135...2135.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1...Amendment No. 1 offered by Senators Walsh, Lemke and Rhoads.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is...what this is is a kind of a compromise between the State board, and the Board of Election Clerks, and the County Clerks Association with the State's Attorney in Cook County. What it does is very simple, it sets up computer checks in regard to computer voting. Number one, it talks of

ballot security, which explains the testing of equipment, precinct returns and in-precinct countings not by a CPA firm but by...by the local board of elections. I think it's a good amendment, it's a compromise and I think it'll prevent election fraud in the future in the State of Illinois and especially in Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rock.

SENATOR ROCK:

First, Mr. President, I would ask those not entitled to the Floor to please vacate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will the Sergeant-of-Arms please remove those that are not entitled to the Floor. All those not entitled to the Floor please vacate the Chambers.

SENATOR ROCK:

My understanding was amendments 1 through 4 were to be withdrawn, is...is my understanding incorrect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

They have been withdrawn.

SENATOR ROCK:

We're on Amendment 1, what is Amendment 1?

PRESIDING OFFICER: (SENATOR SAVICKAS)

After they withdrew amendments...proposed amendments 1 through 4, Amendment 1 now...the proposed amendment now is Amendment No. 1.

SENATOR ROCK:

Alright, I would just like to know, would the sponsor be kind enough to explain again the amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

This is the State computer amendment. What it does is talks, number one, a secure...a ballot security, a security

punch which indicates the manner in which votes shall be counted and prohibits the inadmissible punches from being counted shall be required from all ballot cards. The testing of equipment. It calls for the testing of election equipment by the State Board of Elections up to ten percent of the jurisdiction on a rotation basis prior to the election. What it does is...talks about precinct returns, it clears up the language and it designates on automatic tabulating equipment what should be designated on that particular thing. On the election consolidation, the printout of precinct returns is supplied to a unit of local government to conduct its canvas in order to detect any possible errors as well as provide information for...future petition signature requirements. The precinct returns must include all information herein provided. It calls for a redundant recount, which means that discovery recount is almost meaningless as to the person requesting the recount has no way of testing the validity of the computer count. A redundant count may serve to test the equipment and/or the computer program and verify the election results. The process and countability. This log or flow chart would detail the computer operators action and procedures during the vote tabulation process. In effect, it explains the steps in the vote tabulation process and provides for an operational checklist for inspection by candidate, party officials and the public. It will be material evidence in an election contest. Six, in-precinct counting and authorization procedures. What this says, Article 24A of the Election Code authorizes computer voting systems and prescribes the legal and procedural requirements thereof. However, Article 24A deals only with the central computer counting and punch card ballots and not in-precinct counting. What this...this legislation does is authorize in-precinct counting and prescribes the legal and procedural requirements for such equipment, which for the most part parallels the

provisions for central counting system. It is intended to preclude a court challenge to the legality in in-precinct counting systems. In addition, the legislation provides that one set of PBC tapes shall be posted in the polling place for a copy or information by...poll watchers. Eight sets shall be distributed as follows. Two to the election authority, one to the county chairman of the established political parties, one set to each four poll watchers and determined by lot. Since such...such tapes can be generated in the polling place in the policy decisions, to make the limited number of tapes available to poll watchers is reasonable. In-precinct county remade cards. This system is numerical identification for remade ballot cards, provides a safeguard for the integrity of the ballot and can provide vital information to election contest proceedings. Eight,...recount to be...in the in-precinct counting post election recount, recount to be supervised by the election board representative by the State Board of Election, law enforcement agent, party chairmans and qualified civic organizations permitted at a recount. Provides for post canvas recount of five percent of the precincts and jurisdiction utilizing precinct ballot counters. Some recount is intended to protect election authorities against undocumented charges of voter regularities due to the alleged equipment or program malfunction. In effect, it is a post election vote tabulation accuracy test for precinct ballot counting. Support...this is supported by the chairman of the...Chicago Board of Elections Commission and the Illinois Association of County Clerks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Pam Hughes Production seeks permission to film the proceedings. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

No, it was ineluctably clear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berning.

SENATOR BERNING:

Well, thank you, Mr. President. My discussion is not necessarily directed at this amendment per se or at the sponsor, but simply to point out to the Body that in the opinion of this one humble member of this General Assembly on the Senate side, that amendments of this nature are absolutely beyond the ability of, this one anyway, to analyze on the basis of a cursory explanation which involves countless provisions. It would appear to me that this is the sort of amendment that definitely ought to send this bill back to committee. I cannot understand the logic of burdening this Body with very, very complex involved amendments that have the ramifications that no one is able to evaluate on a moments notice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I rise in support of Amendment No. 1 to House Bill 2135. With one or two very minor exceptions, Senator Berning, all of the language contained in this amendment is language that has passed one or the other House of the General Assembly prior to this time, much of it was in the Conference Committee report last fall on Senate Bill...791 and was left out for some reason there. I promise you, on the Republican side, that prior to 3rd reading, you will have a complete breakout of all the amendments contained in here along with the references to the original bills and the original sponsors so that you know exactly what you're voting on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nega.

SENATOR NEGA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR NEGA:

When you say five percent of the precinct recount, are you saying that five percent of every precinct, or are you talking about five percent of the countywide in one individual precinct or one individual ward? I'm concerned...about harassment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

It's very simple, it's at random as they always do. It's at random recount, we're not talking about one particular ward 'cause that's not random. We're talking about a random recount throughout the City of Chicago in the County of Cook. We're not harassing anybody. It's a random recount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nega.

SENATOR NEGA:

Does it specify that random? You won't take more than five percent of any one ward?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

According to advice of staff, it does say that in the bill and I think it does. We're not trying to harass anybody in the City of Chicago or any particular ward. What we're trying to do is have...prevent people from possibly being tempted to commit election fraud comes November or February of next year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nega.

SENATOR NEGA:

I like the way you...the way you say, "I think." Are you sure?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I am sure that it's at random sampling, and I talked to the chairmen of the Chicago Election Board and the County Clerks Association, and they assured me it was at random and it was no harassment of any particular precinct or any particular ward in the City of Chicago or any particular precinct in any township in the County of Cook or in any other county this bill applies to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nega.

SENATOR NEGA:

I just wanted to make sure that this goes in the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GITZ:

Senator Lemke, you quoted from the amendment, but it is still not clear to me, at least, what exactly are the changes that you're proposing this amendment and why we need to make those changes through an extensive amendment to this bill. And if you'd be kind enough to kind of reduce that to tell us what's in the amendment, that would be most appreciated. And I do have a follow-up question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

It's very...very simple why we need these changes. Last

year we adopted computer voting in the City of Chicago. These are problems that the State board has found out, the county clerks have...have found in the bill and the Chicago Board of Elections have found. These are remedies to the situation to keep the system honest and not try to...to have fraud in any election or any temptation to any individual that wants to commit fraud. I don't think fraud in the city or in the county is done in a wholesale lot, but like we see in some elections, some over-zealous precinct worker gets excited and starts taking upon himself his own idea of the law. What this does is clears up those...those problems and those loopholes that are in the present law, and it...it gives the system a reputable and a rewarding thing to those honest voters that vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Does the amendment affect all parts of the State or just one part of the State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LENKE:

This amendment only applies where they have the in-precinct counting system, and if I'm sure, it's in the City of Chicago, the County of Cook, I believe Madison and St. Clair Counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Does this amendment in any way affect the right of candidates or other parties to verify the computer count system, to run sample tests?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

No, what this does is makes it easier for candidates, it makes it automatic and there's a five percent at random sampling done by the election board to start, and you also have a redundant count which you don't have now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, Senator Lemke, on page 15 of your amendment you start...that is where the section starts dealing with Chapter 46, Paragraph 24A. Does that part of the Election Code apply to all counties in the State of Illinois about the five percent retabulation? Is that a Statewide requirement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

According to the advice of the State board, the wording applies to only the four jurisdictions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

To which four or five jurisdiction will that apply?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The City of Chicago, the County of Cook, the County of St. Clair and the County of Madison, wherever you have in-precinct computer voting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

In reading page 15 and 16, it appears that we are putting a significant demand increase, for example, not only the number of ballots cast but by party the number of registered

voters and significant...retabulations of votes which have not been done in the past. Is it your intention that having placed this burden on county clerks that under the State Mandates Act we will pick up the increased cost of conducting the election?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This does not increase the burden on county clerks, and there's no mandate in there. This...this only applies to what we doing on the Election Code and has no way of mandating. This is information that is required, and they do it now. It's just harder to get at. This just makes it easier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, Senator Lemke, it is not required now that by a precinct turnout they shall include the number of ballots cast, the straight...party punches, votes cast, the number of applications for ballots, the number of registered voters, the write-ins, the total number of ballots counted in each precinct, in each subdivision and district and the number of registered voters in each precinct for each political subdivision and district. I...I don't think that is done now, and for your language that says that they may, on lines 12 and 13 it says, the election authorities shall retabulate the total number of votes. I...going to support the amendment, but I want everyone who has a jurisdiction affected, evidently, none of my counties are going to be, but those of you who live in...and I think Rockford and some other election commission areas are going to find a significant increase in your tabulation cost because this requires a retabulation even if no discovery is filed for five percent of the total

votes cast, plus requiring that all these other additional things be printed on the...the official return.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

In answer to Senator Bruce's question, I would propose, or suggest, that with the advent of punch card voting, computerized voting, those numbers are much easier to get than the old manual way we've talked about and seen in the past. With punch card voting, for instance, you can, with one run of all those cards that have been punched by voters in a given area, produce listings that include those types of statistics.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, do you wish to close debate?

SENATOR LEMKE:

I ask for the adoption of the amendment. I think it is basically good, and I think it is something that's needed to prevent something that may happen in the future. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 2135. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Sommer and Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer. Senator Lemke.

SENATOR LEMKE:

What it does is takes care of a problem that was in 791 which Senator Sommer had, which amends the Elections Code to provide for clustering of election judges during emergency referendums. It was necessary in...in the Peoria area and was suggested by them. It was taken out of 791, and I think it is a good bill and it should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Lemke moves the adoption of Amendment No. 2 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Grotberg and Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President, fellow members. This amendment corrects a problem that's been present for sometime with the State board itself. The executive director since 1975 has not had the upper limit of the salary range raised. This raises that salary range to forty...it's now twenty-two thousand to forty thousand, this would make it twenty-seven thousand to forty-five thousand dollars. And if...I think after five years, it's time we did something and I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

What, in fact, does this person do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

This, Gentleman, to...whom or this position is the executive director of the State Board of Elections whose ultimate responsibility, staff wise, is to do everything...that to carry out the bills that Senator Lemke just referred to and all the amendments. I think it is common knowledge what he does, Senator Rock. I hope it is, but it...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Not to me it isn't. I have no idea what this Gentleman does. What does he do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

He administers the staff. The position of executive director was created and the present salary range was set in 1978. The position comes under the State Officials Salary Act and it is not included...I don't see the answer here in this explanation to your question, he runs the State Board of Elections as advised by...by the board. No different than any other commission executive, I would think, Senator Rock. I've been over there, everybody looks pretty busy, they do a good job.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, we are now going to authorize the payment of forty-five thousand dollars for one who apparently rides, what I consider to be, a white elephant, and if that's what's you what to do, do it. I...I vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Grotberg may close debate.

SENATOR GROTBERG:

Yeah, I think I should close after...after that. I...I didn't realize that we were taking a white elephant so far and anybody was riding it. I think it's one of the most important commissions now in the State of Illinois, the State Board of Elections. It certainly has as much authority over the future of Illinois as anything else we do. We have commissions of this Legislature,...you talk about white elephants, that make half again this much money and they go through here like a dose of confetti. I think this is a very justifiable position. I move an Aye vote on the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Point of order. Name one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

Oh, I would start with the Transportation Study Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That somebody makes more than...half again as much as this purports to do? I beg you pardon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall...Senator Grotberg moves the adoption of Amendment No. 3 to House Bill 2135. Those in favor 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 19, the Nays are 32, none Voting Present. The amendment having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Coffey and Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey. Senator Lemke.

SENATOR LEMKE:

Amends the...what this does is amends the Election Code and Township Act to provide the nomination for candidates in multiple township offices shall be held by the voters of each political party. What it does is incorporates House Bill 529, which passed the House 159 and...and was attached to a...a Senate Bill, I believe 501, which was for some reason tied up in the House and not be able to pass. It was agreed to by both Senator Rhoads and myself. It was a problem that was created down in Senator Coffey's area, and I think it is

a necessary amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rhoads.

SENATOR RHOADS:

Mr. President, I don't oppose the substance of the amendment, but is the amendment...does it amend Chapter 46, Mr. Secretary? It does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 4 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 by Senators Lenke and Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

What this does is amends the Campaign Disclosure Acts, and...and says that only the county clerk in the county in which the candidate resides is required to provide disclosures material to the candidate. In other words, in some area...in some districts we have a Senator or a House candidate, they may run in six or eight counties. At the present time, each county must send out a packet. What this does is saves money for the...other counties. It only requires one county to send...send the same article instead of duplication by six or seven or how many other jurisdiction. I think it is a good bill. It's a good government bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rhoads.

SENATOR RHOADS:

I also rise in favor of the amendment. Many downstate districts have been getting multiple packets of material,

Senator Bruce's district, Senator Coffey's and others, and this would eliminate that duplication.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is,...Senator Lemke moves the adoption of Amendment No. 5 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this is, is Representative...Giglio's bill, House Bill 209, which amends the Election Code to provide a procedure for...for voting for persons who become incapacitated in hospital within five days of the election. We passed this bill for the last two or three years, and I think it's a good bill, and it gives those people that get sick the right to vote and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Lemke moves the adoption of Amendment No. 6 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does...this is a bill that amends the consolidation bill in regards to township organization. It allows where there's no municipality within its boundary, where there's no new election, it allows those townships that have township elections to have the man appointed for the full

term until the next election instead of having a special election that costs money. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...is there any discussion? If not, Senator Lenke moves the...Senator Rock.

SENATOR ROCK:

This, as I understand it, does not apply to Cook or DuPage?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

This does not apply to Cook or DuPage because,...I don't believe there's a township in there that doesn't have a municipality, and this is some of those townships downstate where they don't have...there's townships where they don't have a municipality in them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. I rise in support of this amendment, we also have the same amendment prepared on another bill, Senator Lenke, the township officials. A third of the many townships in Illinois will not have a regular school election or whatever that thing is they do on April 1st, and this allows the people to continue through that. It's quite a money saver Statewide. It also allows people to run as incumbents, but it's well worth doing. Township officials are for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lenke moves the adoption of Amendment No. 7 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does...this is one of those revisory bills, and what it does is changes words like he and she and so forth. I think it's a bill that's...it's just a...I don't know if it's necessary but if it's not passed this year, it'll come back next year and take up a lot of time, and...and I think this is a technical bill. I think it should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

This is only a hundred and nineteen pages long. I just question its germaneness, would...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, would you give us the bill. Senator Rhoads, for what purpose do you arise?

SENATOR RHOADS:

Just to speak in favor of the amendment. All those who favor the Equal Rights Amendment and all those who oppose the Equal Rights Amendment can vote for this amendment. It just changes...makes sex-neutral language references throughout the Statutes. We've done it in hundreds of other Statutes in a series of bills that Senator Knuppel had about three years ago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it does change more than just the Election Code. It changes the Banking Act, the Motor Fuel Code, the Municipal Act,...could we take this one out of the record for the...is there leave to take Amendment No. 8 out of the record? Leave...leave is granted. Are there further amendments?

SECRETARY:

Amendment No. 8 offered by Senators Nimrod and Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod. Senator Lemke.

SENATOR LEMKE:

What this does is, this is the Penny Pullen bill in regards to backdoor referendums. We passed a bill out on...on last year...House 137, it was part of a...what 791 or 501 which...was taken off because of the Conference Committee. It's...disallows for provisions for backdoor referendums. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Does this apply to the County of Cook?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...I think it applies to all counties. I don't see any provision excluding them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, this one, for you information, is only ninety-one pages long. And my understanding is it only applied to all counties but Cook, and so those of you who live elsewhere but Cook might want take a look at this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bowers.

SENATOR BOWERS:

Yeah, I was going to ask, Senator Lemke, what specifically are we doing with reference to backdoor referendums? I understand what you're saying, that you're "clarifying the language," but what specifically needs clarification?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What we're doing here provides that when a board adopts an ordinance determining that conditions exist, that the public interest does not require a continuation of an authority or district, publication or posting of the ordinance shall include the specific number of voters is required to sign a petition requesting the submission to the voter electors and the question of dissolution, the time in which such petition must be...filed, the date of the prospective referendum, the secretary shall...provide a petition form to any individual requesting one. Pertaining to...it pertains to airport authorities, municipal codes, hospital districts, special taxing district for redevelopment projects, corporate authorities, sanitary water boards, county tax levy for housing of county offices, Sanitary District Revenue Bond Act, the River Conservation District Act, the Illinois Local Library Act, the Springfield Metropolitan Exposition and Authority Act, forest preserve districts in counties under three hundred...three million, park districts, counties and public county...public health departments, the Illinois Highway Code, and the School Code. This legislation would serve to advertise to the public the fact that an ordinance and the local government can be challenged. This would become...it makes it easier for people to know about backdoor referendums.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bowers.

SENATOR BOWERS:

Well, to paraphrase it very...a little shorter...what you're saying then is, that if, under the existing Statute, there is a provision for a backdoor referendum, then when an ordinance, a bond ordinance or what have you, is passed, the ordinance must...or...or published, the publication must

include that notice, is that what you're...is that all it does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LENKE:

You're correct, that's right. It's the same as House Bill 1750, which was...which was made part of a bill last year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bowers.

SENATOR BOWERS:

I'm sorry, 1750 doesn't ring a bell with me. The other provision I...I thought I heard you say is, that the governing authority has to furnish the petitions. Is there any limitation on that requirement? And if not, what about the States Mandates Act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LENKE:

My understanding and the review of House...House Bill 1750, the State Mandates Act did not apply to that bill, and this is exactly like that bill. So, therefore, I...I would say it doesn't apply.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President. Senator Grotberg, if you'll turn to page 89 of the amendment, I've found something that the executive secretary of the State board will have to do if this is adopted. It says, "The executive secretary of the State board shall provide a petition form to any individual requesting one." So we have found at least one duty if this is adopted. I don't know what that pertains to, but he has to provide a form if you ask him for one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 8 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Nimrod.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod. Senator Nimrod.

SENATOR LEMKE:

It should...the bill does is...apply the same thing the other...the other amendment did only it applies to school districts...downstate school districts. It was similar to House Bill 181 which passed the House 109. It's a working cash fund and I think it's a...a good bill for school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

This again is this Penny Pullen bill and it...does not apply, as I understand it, to the City of Chicago Board of Education, is that correct? Everywhere else but Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I would agree that it doesn't apply to Chicago 'cause the Board of Education of Chicago is a special creature of the Legislature. It has certain advantages and disadvantages which were designed by this Body, so there's no way we can do it with this bill and...'cause we don't have elections of school members in Chicago where other school districts do. We have the appointment by the mayor and the people have nothing to say about that appointment. I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 9 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Any further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What it does is applies to vacancy in the office of election commissioner. It cuts the time for the successor that the appointment must be made within sixty days to fill the unexpired term. This was recommended by...Representative Phil Collins, and I think it's a good bill. And we had a problem in Chicago and I think this will speed up the appointment process so the election process can move smoothly with the Board of Elections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Lemke moves the adoption of Amendment No. 10 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 10 is adopted. Any further amendments?

SECRETARY:

Amendment 11 by Senators Lemke and Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Election Code to provide that write-in votes shall be counted only for self-evolved candidates. In other words, you must declare yourself if you want to be a write-in candidate. I think it is a good bill and it should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KEATS:

Which House Bill was this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This was House Bill 403. This came about when we had the...the things like Donald Duck and Mickey Mouse, and this means that the State, you know...the Board of Elections don't have to waste their time except counting serious write-in candidates.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

House Bill 403, did that die in the Rules Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

It didn't get out of committee and it...I...I believe we put it on...it was put on Senate Bill 501 which was lost in the shuffle in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

You didn't answer my question. Did House Bill 403 get out of the Senate Rules Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No. This is last year bill. It got out of

the...the...it wasn't...nobody brought it up this year to get it out of Rules. So, I mean it wasn't out of Rules this year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, my...my follow-up question, and I've been sitting here listening to amendment after amendment to one bill. Has the Senate Elections Committee ever considered voting individual bills on their merit, or do you feel some great need to put eight zillion amendments on one stupid bill so we've got a whole bunch of pluses and minuses on one bill? I know it may never dawn on the committee, but sometimes bills ought to go up and down on their merit, not by packing five zillion things into one bill, therefore, you figure you can buy off everybody by getting them to vote for something that they all needed. My...my question is, if this bill was so wonderful last year, why did it lose?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, last year it lost for a very simple reason, there was a limited number of election bills coming out because of redistricting and so forth, and...and it was decided that we needed...that these bills were on...not controversial, they should have been combined, in fact, I...I talked to Representative Winchester and he agrees that there's a lot of insignificant bills that mean very little that come out of the House as election bill that should be joined together in one bill so we don't waste the taxpayers' money by passing numerous bills and complicating things. I think this a process of trying to come up with and form a committee bill which is not controversial.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Well, this noncontroversial committee bill has already had one hundred some page amendment knocked out for being nongermane, and I don't remember whether the ninety-one page amendment was knocked out for being nongermane, but I think it probably should have been. I just don't think anyone bothered to ask. All I'm saying is, Chairman of the committee, it would be nice if you ran an organized committee and didn't try to put everything on one bill. If you tried to put the merits of peices of legislation up, it doesn't save the taxpayers one dime to do it this way, if anything, it probably costs us more money to do it this way. Maybe you should talk to the House chairmen, too, I know that's something we don't do that often, and tell them to quit passing so many goofy bills, but that's a different issue. All I'm saying to you is, we're on Amendment 11 to one bill, and we keep tacking on bills that were defeated last time. You're the one who chose not to bring some of those bills out last time, and all I'm saying is you're asking the Senate to bail out the ineptness of the Elections Committee. I'm not saying we should or shouldn't do it, but you ought to just stand up and say, gee, we run an inept committee, and I'd like you to bail me out 'cause it's an inept committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I just want to point out, Mr. President and Ladies and Gentlemen of the Senate, on page 12 of this gem it says, "If you are voting absentee during the period of absentee balloting," and in the county I represent, they vote on the third floor of that building, as I recall, not having voted absentee I just presume that, but it says for the purposes of this section, "Electioneering shall be prohibited from all

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parts of the building in which balloting is being conducted during the posted time." That means if you're on the eighth floor, the first floor, or in the hallway, you're subject to arrest if you wear a button. Doesn't make any sense. I don't know how they do it in Lake County or DuPage County, but this doesn't make any sense.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 11 to House Bill 2135. A roll call has been requested. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 6, the Nays are 39, 4 Voting Present. Amendment No. 11 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

Amendment No. 12 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This amendment deals with school elections in downstate Illinois in which...and in Chicago which relate to moving school elections for community colleges and school boards to Saturday from the Tuesday under the consolidated elections provision. We have found in downstate Illinois the cost of conducting those elections with full-blown precincts, polling places in every precinct, a precinct committeeman, a whole...election judge cost to be exorbitant when we cannot get much of a return of voters. In my home county, we spend about four thousand dollars more just to conduct the election when we had about two or three hundred people come out, and the idea would be to move the school elections, everyone has been doing that for years, to Saturday and leave it on Saturday

where it has been for community colleges and school districts and...and a few other small special districts that have non-partisan elections on that Tuesday and save the taxpayers in some of the counties a good deal of money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I rise in vigorous opposition to Amendment 12 to House Bill 2135 for a variety of reasons. To begin with, this is the start of undoing the consolidation of elections bill that passed the General Assembly several years ago. It was the schools and their associations and their representatives who insisted upon a separate election date for the school elections because they did not want to be commingled with so-called political, so-called partisan elections, specifically, in this case, the township and municipal elections. It was at their urging that we adopted a separate Tuesday election and now they're complaining about the cost. Now the answer to the cost problem to the extent that it exists in some parts of the State is to allow further clustering of precincts. The Advisory Board on Consolidation of Elections has no problem with that idea, but to go back to the Saturdays, to go back to the old days of...of no registration for voters and half a day for one polling place per...per school district, this doesn't fit in with the consolidation of elections concept. It discourages people from participating in elections. It provides, once again, a mechanism for only a very few people to control these school elections. Now what in the world are they afraid of? They're afraid of lots of voters participating in...in their elections. Well, isn't that too bad. We ought to keep this election on a regular consolidated election date which those schools requested in the first place and we ought to keep these polling places

open. Now, to the extent that they are expensive, we can provide for further clustering of precincts, but this amendment deserves a resounding No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I also rise in opposition of this amendment. What in effect this would do was be to disenfranchise a large community of voters up in my area, that would be the Orthodox-Jewish community that would not be able to vote in these very important elections. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This last election, in my area, we were able...we had the polling place to open at twelve and closed at seven o'clock in the evening. Now as the results of this what happened is that when we had to put polling places in every precinct that it costs an awful lot of money. I...I certainly don't want to disfranchise anybody because I want everybody to have, but if there was some way, then we had some cluster in the precincts and it necessitated that we had every polling place open and with five judges instead of three. We had a terrific increase in cost and we didn't have any money to really operate the thing, so it's a problem that you got here, and I certainly don't want to change things around but it is really causes serious problems in my community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KEATS:

Senator Bruce, a question, would this include referendums or just the elections for these particular groups or the referendums to finance them also?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

It would also impact on the referenda...which would be scheduled on that day, as they have been in the past.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I would...that was what I was suspicioning, I didn't have a copy of the amendment. You may all remember one of the reasons that many groups had pushed for consolidation of elections is so you get a reasonable turnout on referendum days in addition to electing school boards, whatever. This would have the potential, as I was suspicioning, although I don't have the amendment in front of me, would allow you to take tax referendums and move them to Saturdays, when not only Senator Berman's Orthodox constituencies would be unable to vote, but there would be an awful lot of other people who would have a hard getting to those Saturday polls, and you think you've got low turnouts for referendums and school board elections now, this is another way to hide that. Plus I want...I want to lay to rest this...this cost argument. They're all saying that it costs more money and...and I'm not disagreeing that on paper it does, but there are two questions involved. There are lots of ways to consolidate these elections so they don't cost so much. Many of your local clerks were totally opposed to consolidation of elections, so they on paper will write up this costs X amount. I remember

reading one where it talked about personnel who were on a yearly salary basis, how much it costs to have them work on a day they're being paid to work whether there was an election or not. Now that to me is not a reasonable cost at end, hell, they're being paid to be there whether they're sleeping at their desk or running an election. And so the cost figures brought up have by and large been inaccurate, although I do concede there is a cost for certain number of judges and Ken...Senator Hall brought up a good point, we probably need less judges, there are a lot of ways to do it. There's nothing that prohibits cutting these costs other than the fact that many people don't want these consolidated elections, and you're playing into the hands of those who are opposed to having more people getting to vote in elections if you pass an amendment like this. I know the intentions are...are good, but the practicality is bad.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Mr. President and members of the Senate, I rise in favor of this amendment. And I think as Senator Bruce has pointed out, at least in downstate, and I'll speak for those communities and I'm not speaking for the county clerks, but I'm speaking for the citizens downstate. We're very unhappy, this last election and the consolidation of the elections, I think it needs to be changed. I think that amendment that he has will take care of the problems there, and it has been more costly, and these are not facts, they're figures that come from the, necessarily, from the county clerk's office, they're facts that was very easily seen in our district. And I would hope that we pass this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, just briefly on the...on the question of the cost. I know in my community we have...we have fifteen precincts, all of which were open for the school election, where in the past, we had five precincts in the five public schools that were open and it was more expensive. On the other hand, it was the first election conducted under the Consolidation of Elections Act that we passed just...just two years ago. I think everybody agrees that the county clerk should have clustered those precincts for purposes of the...of the school election, including the county clerk, and he can do that and I'm sure will do that. So, in your downstate counties as well as in my community of fifteen...election precincts, there will be clustering because the county clerk has learned that the turnout for those school elections doesn't justify having every single general election precinct open. So, I...I don't think you should be concerned about the cost, Senator Bruce and Senator Coffey, what we should strive for is participation in these school elections. I would urge a No vote on Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...too rise...in opposition to this bill, only on the basis the intent is good but consolidations is...was an attempt to cut and consolidate elections and start cutting downing the costs and getting rid of some the special elections that special interest groups have influence over and having them in conjunction with other elections at the same time. I think in Cook County...a consolidation is running well, there's some problems. I've talked to the county clerk and he is agreeance to let...let's let consolidations work for awhile before we start changing it at the beginning. I think that we all should vote No and wait to see how the next

consolidation election goes, and I think we'll see it run much smoother and less expensive. So I ask everybody to vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I rise in support of this amendment. I think it's a...great step forward. For one thing, we're going back to six o'clock, you no longer leave the polls open 'til seven, we're back to six. And I hope in succeeding amendments we'll get it back to four, three, two, one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Bruce may close debate.

SENATOR BRUCE:

Well, I think Senator Berman and perhaps Senator Rock are the only two that have read this amendment. What...what we are doing is going back to exactly what we were doing before the consolidation of elections, and all these dire comments about low voter turnout and people slipping in referenda, that has been the case, if it were the case, for sometime in Illinois, and we're going to go back, under this amendment, to a Saturday election from noon 'til six as we have had for years and years. And for those of you who are worried that somehow referenda are going to be impacted, I hope that you listened to Senator Coffey's comments. It is so much easier to crank out the anti's than it is the pro's, that I don't care what day you have it on, but let me tell you, the turnout was lower in my district on Tuesday than it was on Saturday, so if we're playing into the hands of anyone, we are playing into the wrong hands if we stay on Tuesday. You can slip by some things because the turn out was lower. I just think, and except for the apologies of Senator Berman, that we do better in downstate with Saturday elections where we

don't have a full contingent of election judges, where we don't have it in every precinct. I happen to represent thirteen counties and these costs have been exorbitant for our county clerks. This amendment addresses that cost problem. Perhaps in years to come we can go back to an election on Tuesday, but I think for the time being, given the cost that we have...we have put on other governments and the costs that county governments are seeing that this will be one way to send them a message that we're interested in saving them money rather than always passing legislation that costs them money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce moves the adoption of Amendment No. 12 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment...would you...those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 12 is lost. Any further amendments?

SECRETARY:

Amendment No. 13 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is amends the Election Code to provide that the county officers on the election board committee in contest can...can either sit or designate somebody to sit. What it does is clears up a problem which is in the Act. At the present time, the county judge can designate one...another judge to sit but the county clerk or county...the county state's attorney can't, and it ties all these officials up when they...have to do something else for a couple of weeks. All it does...it's a permissive thing, if the state's attorney chooses to sit, he sits, if he chooses not to sit, he doesn't sit. The same thing with the county

clerk, they can sit if they want or not, it just sets up a procedure, also a procedure where the...if the county clerk is sick or the state's attorney is sick, they can designate somebody to sit at those hearings so they can conduct them and get them over with quick, because if...you got to have a majority sitting out of three people, and if two are not there, you can't have a contest. So I think this is a good amendment and I think it's...will speed up election contests so that the people know who is on the ballot at the right time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

To which counties does this apply?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This applies to all counties. It's permissive legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Is this supported by the State's Attorney of Cook?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This is supported by myself and the people that are worried about election reforms and contests being held after primary elections. This is not supported by any...it didn't come from the State's Attorney of Cook, it didn't come from

the county clerks office, it's just good government legislation that is long over due and necessary, and they...the...state's attorney thinks it's a good idea and many other state's attorneys do, and I think it's a good bill and I...I think it clears up a problem where you have people sick, or incapacitated, or some reason not being able to attend election contests.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The answer, I take it then, is yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

What, is this supported by the state's attorney? I would say, yes. It's supported by people that are for good speedy contests. I would assume, I have not talked to him on it, he has not told me whether he is for it or against it, he just says it's...it's an idea that...I talked to his aide and they have no objection to it, so I can't see the...him opposing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Is there further discussion? Is there further discussion? If not, Senator Lenke moves the adoption of Amendment No. 13 to House Bill 2135. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The Ayes have it. Amendment No. 13 is adopted. Any further amendments?

SECRETARY:

Amendment No. 14 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I would like to withdraw the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Amendment No...14 has been withdrawn. Any further amendments?

SECRETARY:

No further amendments. This bill has got a fiscal note request for it after amendments were adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we'll have to leave it on 2nd reading 'til that fiscal note is...attended to. Senator Rhoads, for what purpose do you arise?

SENATOR RHOADS:

A question of the Chair. The Senator requesting the fiscal note?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock indicates that he requested it. Senator Rock.

SENATOR ROCK:

Pardon me, Mr. President, I asked that a copy be given to Senator Lemke. My understanding is Amendment No. 1, in particular, will...will engage the State Board of Elections and that euphemistic executive director in some weighty decisions and I presume they're going to need more money, and I just want to find out how much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Well, we...Senator Lemke, I believe, had made a commitment that he was going to...recall this from 3rd to 2nd in any case, because there are further amendments down in the Reference Bureau. If I understand the Chair, it will now be possible to file a fiscal note request at amendment stage after an amendment goes on, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's...Senator Rock.

SENATOR ROCK:

All right, I'll...I'll ask the Secretary to withdraw my request for a fiscal note and move the bill. I just want to know how much this is going to cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank...thank you, Mr. President. In...in speaking to the President of the Senate's remarks, I want to ask a question because I had a fiscal note of mine knocked off. The exact timing, what are we ruling now...after 2nd reading, before it goes to 3rd reading, when are we saying fiscal notes are suppose to be put on? There, seems to be some confusion. I had one of mine knocked off when I thought I had done it correctly. I'm not arguing, I'm just asking out loud, could we explain what is that fiscal note policy right now, 'cause we're close enough it could be a problem holding things up, which is probably a good idea to hold up as much as we can, but what is the policy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, if you'd read Chapter 63, Section 42.37, you will...you'll see when it is required. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to request from Senator Lemke, I appreciate what he's trying to do, I have an...an amendment that I ask to have withdrawn at this time, I'm waiting to get a response from the chair in my county board. And I'd like to ask Senator Lemke if he'd be so kind as to bring that back tomorrow so that we might attempt this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it's still on 2nd. Senator Rock.

SENATOR ROCK:

No...I...I've withdrawn my request for a fiscal note and

I...it can legitimately be moved to 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. As...as a note of clarification, on Chapter 63, Section 42.31...

PRESIDING OFFICER: (SENATOR SAVICKAS)

37.

SENATOR DeANGELIS:

...you can only request a fiscal note in the house of origin before 2nd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you read 42.37, not 31. And Senator DeAngelis, the request for a fiscal note has been withdrawn. Senator Lenke.

SENATOR LEMKE:

I think at this point the question is mute since it was withdrawn. And I think we should go on and move this bill to 3rd reading. As I said, Senator Rhoads and to Senator Hall, I will bring it back, I'm sure we'll get a fiscal note as to see the problem...the expenses involved, but as my understanding and talking to the State board, there...there was the...there was no fiscal note in the...in the House on the bill, and I think there is none now, but we'll get one for sure. But I'll bring the...bill to 3rd reading and then, for the purposes of...of Senator Rhoads' amendment and Senator Hall's amendment, I'll bring it back on 2nd reading so they can have an opportunity to amend the...this bill. It's just the only election bill around.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair appreciates your comments, but it's the policy of the Chair to allow everyone to speak on this issue and...and the Chair did do that. Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I was just wondering, Senator Lemke, inasmuch as it may not be appropriate to get a fiscal note, could the Board of Elections inform the Senate as to what the cost of this might be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I have no problem with it. I...I mean, I'll ask them to get...get the figure, I'm sure they should have got it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion on this matter? If not, 3rd reading. House Bill 2147, Senator DeAngelis. (Machine cut-off)...Secretary.

SECRETARY:

(Maching cutoff)...Bill 2147.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I'll withdraw that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Rock.

SENATOR ROCK:

...thank you, Mr. President. I understand that the Appropriations Chairman and the Minority spokesmen are again

HB 2234  
Recalled

meeting this afternoon with the House Appropriations Chairman and Minority spokesmen, so I would suggest, at this time, that we again skip the appropriation bills, and we'll do those first thing in the morning once the differences, if any, have been resolved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Then we will move to the Order of House Bill 2234 on page 12, at the center of page 12, we have House Bill 2234, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2234.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers...better to look at the Calendar. This bill was read a second time on June the 21st, Amendment No. 1 was adopted...the bill was held on 2nd, we now have Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 2234 would allow the...Regional Board of School Trustees to approve the budget; if in fact, the county board has not acted within...within thirty days. In some cases, county boards have not reacted soon enough and it has caused very serious problems. I believe this would...would speed up that process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Maitland moves the adoption of Amendment No...Senator Keats.

SENATOR KEATS:

Could the sponsor...I would ask the sponsor to yield. Would the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KEATS:

...could you explain how this amendment changes the objections to the previous amendment that did this, it shifts the authority of who's okaying what budget and when? Could you explain how this has changed what were the objections to the last amendment? With that quizzical look on you face, if you remember last time, the amendment as drafted allowed individuals who...or a different group of individuals basically to okay a budget, taking the responsibility away from a county board and shifting it to regional education, have you changed that amendment, or is this the same amendment we tubed last time?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

Senator Keats, I always know where you stand. We have not changed the amendment at all. I think...I think...I think everyone understands now what the amendment does. It does possibly shift the approval of the budget to the regional trustees, who are also elected if, in fact, the county board refuses to act within thirty days.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

Is there some law that says these county board members have to respond in thirty days to every group who comes to them, or could they be, while examining the budget, have questions concerning State appropriation, local appropriations, whatever? Could there be reasonable questions that would hold them up over thirty days?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

I...I would imagine there...there...there may be some reasons why..why it should be held up more that thirty days, but to answer your question, specifically, the law really is silent.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to the amendment. What we're doing here in the final days is taking the prerogative away from the county boards to set the ESR's budgets and giving it to the Regional Board of School Trustees, and under the language, here they can make any changes in that budget that the Regional Board of School Trustees deems necessary. Now that may be good law, but I don't think anybody has had the opportunity, particularly the county boards, to react to this. The bill should have been heard in committee and if the county boards had a position, they should have an opportunity to talk about it. I can't say, at this point, whether it's good policy or bad policy, but it's a drastic change and a substantial delegation of authority to...to the Regional Board of School Trustees. Without some input from those affected, namely the superintendent...the educational service region superintendents and the county boards, I would have to stand in opposition to it at this point.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I'm just waiting to hear the argument and have the Gentleman dispose of it one way or the other.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Grotberg.

SENATOR GROTBERG:

Yes, thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will.

SENATOR GROTBORG:

Senator, until Senator Berman explained what this amendment does, would you clarify for me then, does this take the school trustee job and enlarge it from something besides property advisement and asset advisement for the various counties?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR GROTBORG:

It puts them into operations.

SENATOR MAITLAND:

Yes, Senator Grotberg, if, in fact, the county board does not react within a thirty day period, clearly it does extend authority to the Regional Board of Trustees that they do not now have.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTBORG:

I'm puzzled. I regret having to discuss with my worthy comrade over here the value of something like this, but the value to me seems to cause more problems than it solves. I can't think of a county board that wouldn't go ape if they knew that we were doing this. I have not contacted mine, but the school trustees now meet, Mr. President, I think, quarterly, a couple of times a year at the most, as seldom as they can, and they...in general, they're not comprised that board of the...of the general operating types of school board people. And I regret I will have to vote No on the amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I...I rise in opposition, for many of the points made by Senator Berman and that is, I don't know what this is going to do to county boards, how they would react and...and I don't know about your regional school trustees, but the major requirement in my district that, as I talked to them, is you have to be over the age of eighty to serve. I don't know if there is an age requirement, but I...I dare say that no one in my area knows who the regional school trustees are, and they would be, probably, shocked to find out they had anything to do except hold title to the buildings, which is their major function. We have trouble finding guys, you put their name on the ballot and I never know who they are until after they're elected and it's...in our downstate area, these guys hold title to the buildings and that's all they do. And if they had any other function, I'm not sure that they would want to have that, and for that reason, I think, until we can find out who ought to be approving the budget...from reading this, you must have a problem with some ESR, but I think that maybe you're...you're making us run through a lot of gates to get to a simple solution with your county board, and until we got some statement from the county boards, I certainly would not want to get involved in a fight with one ESR and all my county boards.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Well, thank you, Mr. President. First of all, the ESR's are supporting this, they are in favor of it. I would remind the Body that certainly this changes nothing if, in fact, the county board acts expeditiously. But there have been some problems and all that county boards need to do is to function properly, and they will, in fact, approve the budget. Keep in mind also we're not asking them to approve or amend the

levy. We're talking about a budget, school boards now amend the budgets all the time. I think it's a good amendment and I would seek its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...the question is, shall Amendment No. 2 to House Bill 2234 be adopted. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 11, the Nays are 37. Amendment No. 2 to House Bill 2234 fails. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I can hardly wait. Thank you, Mr. President...Amendment...Amendment No. 3 to House Bill 2234 allows the...allows the regional superintendent of a multicounty region to determine the fiscal agent of that region, and it also...it also requires the county boards to make payments to the regional office on a...on a quarterly basis. The law is now silent on that and there is nothing to determine when the payment is made.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will respond.

SENATOR BERMAN:

Who designates the fiscal agent, or who is the fiscal agent from multicounty ESR's now?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Berman, presently the way it is usually handled is the county in which the regional superintendent resides names that...that county board is the fiscal agent, and this amendment would...would clearly allow the regional superintendent to determine who that fiscal agent might be, it could be the regional superintendent, it also could be any one of the county boards involved.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman.

SENATOR BERMAN:

My comment, Mr. President, Ladies and Gentlemen, on this is substantially similar to the previous amendment. There may be justification for this, but when it's put on the Floor in this way, those of us in the...in the education committees, for example, have no opportunity, and those people that are affected have no opportunity to really give their comments on this. What this amendment does is apparently will withdraw from certain county boards who are acting as the fiscal agent for ESR's at the present time, take that authority away, place it elsewhere which will mean a...perhaps a substantial shift in dollars without those being affected having an opportunity to comment. I would suggest to the sponsor that the amendment be defeated and introduced as a bill in January so we can hear both sides of this argument. I urge a No vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, Mr. President. I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Question is, shall Amendment No. 3 to House Bill 2234 be adopted. Those in favor vote Aye...those indicate by saying

Aye. Those opposed No. The Noes have it. Amendment No. 3 fails. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2262, Senator Nash. Read the bill, Mr. Secretary.

END OF REEL

Reel No. 3

SECRETARY:

House Bill 2262.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Amendment No. 1 was offered by Senator Savickas in Committee of...an Executive creates...creates the Commission on Health Assistance Program.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Nash.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 is technical in nature. It's corrective language dealing with the Illinois Special Events Commission that was worked up between the Governor's Office and the Comptroller's Office. I ask for favorable...for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question...Senator Grotberg.

SENATOR GROTBERG:

Run by that...thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will.

SENATOR GROTBERG:

...that special events language, I remember that for the last several years...tell me what it does, would you, Senator Nash, please?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

The...the amendment is technical. It corrects the language as far as paying for certain activities. There was a problem with the Comptroller's Office, so this amendment was drafted by the Governor's Office to satisfy the Comptroller's Office so they can pay the bills. That's all.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTBERG:

It does...further question. It does not change the membership or who picks the chairman and all of those things that were so popular before. Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates...he says, no. Are there further...is there further discussion? The question is, shall Amendment No. 2 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed No. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, this amendment evens out the membership on the Gang Crimes Commission, an even number from each side of the aisle.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 3 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 by Senator Nash.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, Floor Amendment No. 4 creates the Suburban Problems Task Force Commission and repeals it October 1, 1983.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 4 to House Bill...oh, Senator Grotberg.

SENATOR GROTBERG:

This is another new commission and we...didn't hear anything about it, Mr. President. Establishes what...suburban...

PRESIDING OFFICER: (SENATOR DONNEWALD)

While we're waiting, do we have leave for WBBM-TV to televise and also for Station KTVI-TV, St. Louis, to televise? Is there leave? Leave is granted. All right, Senator Nash, would you proceed, please.

SENATOR NASH:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the Suburban Task Force Commission was...the bill was passed by the House and did not get out of Executive Committee, and your side of the aisle asked me if I would put it on this bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grothberg.

SENATOR GROTHBERG:

I still don't know what it does. Whoever asked to put it on, I would be glad to have them raise their hand because...it...it...creates a new commission, Mr. President and fellow members. And...and I've been chastised about the...executive of one commission. And maybe...what's the salary of the executive, let's start with that?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

There...there's no appropriation that I know of at the present time, Senator Grothberg. All this...does is create the commission.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grothberg.

SENATOR GROTHBERG:

One more question of the sponsor, any sponsor that can...who are we creating this job for of the fifty-nine departing House members, several of us Senators? There's at least going to be eighty...new commissions, and I want to be prepared to ask about every one of them, even if it comes from my side of the aisle.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

...Mr. President, this was a request from Representative McAuliffe, Representative Conti and a few others from your side of the aisle over at the House.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The question is, shall Amendment No. 4 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed? Amendment No.

4 does not pass. Amendment...Senator Nash.

SENATOR NASH:

Roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

There is a request for a roll call. A roll call will be had. Those in favor of the adoption of Amendment No. 4 will vote...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the...this is the amendment that creates the task force to study suburban Illinois, is that right? Is that what we're voting on? I would urge all of us from suburbia to vote Aye.

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right. Senator Rhoads. We're back in discussion, we were on the vote but proceed.

SENATOR RHOADS:

Mr. President, I...represent a suburban district. Who...who's going to be on this commission, Senator Nash?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

The membership on this commission will be appointed by the President of the Senate, the Minority Leader of the Senate, the Speaker of the House, the Minority Leader of the House.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rhoads.

SENATOR RHOADS:

Do we have a guarantee that the membership will be from the suburbs?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Also the Governor makes some appointments on here. I

assume it will be from the suburbs.

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right. We go to the question of the vote. Those in favor of the adoption of Amendment No. 4 to House Bill 2262 vote Aye. Those opposed vote Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question the Ayes are 31, the Nays are 17. Amendment No. 4 to House Bill 2262 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Nash.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, Senator Groberg, this is the amendment that changes the membership in the Special Events Commission. It increases the number of members from each side of the aisle...it increases the membership from the Legislature and also the Governor's appointments. This was the Governor's request in his amendatory veto. I ask for a favorable adoption of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 5 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed? The Ayes have it. Amendment No. 5 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 6 offered by Senators Nash and Rupp.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, this amendment evens out the membership on the Illinois

Insurance Law Study Commission. There's to be an even number from each side of the aisle and also extends the life of the commission to October 1, 1985. I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor...Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will respond.

SENATOR SCHUNEMAN:

Senator, you indicated that this...this evens out the representation on both sides of the aisle, this...this commission is balanced now, I think, between the two political parties. What...what did you mean by that? Are you adding...are you, in fact, adding members to the commission instead of what you indicated?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nash.

SENATOR NASH:

Yes, Senator Schuneman, we're adding a member from the Minority side of the aisle to the commission. Right now it's three members from the Majority side, two from the Minority. We're evening it out to be even numbers from each side of the aisle.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The question is, shall Amendment No. 6 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed? The Ayes have it. Amendment No. 6 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. This is not an addition, it's merely a...a...allow...this amendment allows the Governor's Council on Health and Fitness to generate funds for the Prairie State Games, which is nothing more than the Intrastate Olympics within Illinois. It has the favorable consideration of the Senate in passing unanimously. I don't think it had one negative vote, went to the House Rules and somehow it got lost there. So I'm asking that we adopt this so that the Prairie State...Games can get on. And I ask for your support and then move for the...for the adoption of Amendment No.7.

PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will respond.

SENATOR KEATS:

I'm trying to read this analysis here, and I know the Prairie State Games is for retarded children or something, I mean, what is it? He's going to answer.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Egan.

SENATOR EGAN:

No, it is not for the handicapped. This is for the...the...the most talented athletes we have in Illinois to compete intrastate as they have done in Florida, Pennsylvania and, I think, New York. The intrastate games are very popular, it's a method by which we can bring to the attention of the International Olympics the best athletes that we have in our State. It's supported by the Governor, supported by the Council on Health and Physical Fitness. I know of no opposi-

tion, Senator Keats.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

Technically, the Governor on...on our thing doesn't take a position, technically, but I...I want to ask...I know when it comes to conditioning, Bob, you and I go out and jog in the morning, sometimes people make fun of me as I jog down the street. I have no objection to subsidizing it, but what will this cost us, where's the money come from, who, you know, who is being hired as executive director at what salary?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Egan.

SENATOR EGAN:

The purpose of this amendment is to allow the commission to generate funds privately, so that it doesn't cost us anything.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this amendment. We sent this bill out of here with an overwhelming vote. It is...gives us...Senator Egan and I both happen to be on that Governor's Health Commission...Committee, Chairman and Vice-Chairman of it. It allows us through private funds to generate funds to have a Olympic style type competition of Illinois athletics...athletes so we can get more people ready and involved to participate in the Olympic games in the future. This is going on in five other states presently, and they are dominating the membership into the Olympic teams with the fact that they're giving these people an opportunity to compete on world class and Illinois and it won't cost a ton

of money to send them to some other where. I urge you to...a favorable vote, otherwise, I ask again a favorable vote for this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Egan may close if he so desires. All right. The question is, shall Amendment No. 7 to House Bill 2262 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2266, Senator Jerome Joyce.  
Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment...is...was at the request of Senator Berning. It removes from the...from the bill, counties over two hundred and seventy-five thousand. Those counties are Cook, Lake, Will, Kane, DuPage, and that's it.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? All right, the question is, shall Amendment No. 1 to House Bill 2266 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes

have it. Amendment No. 1 to...is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2285, Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2285.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Philip had asked that I explain the amendments because they were amendments that were...or the last one, at least, was one that was devised by the Revenue Committee. I think first of all that...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Let's consider Amendment No. 1.

SENATOR NETSCH:

Yeah, the...the first two committee amendments are superseded by the...

PRESIDING OFFICER: (SENATOR DONNEWALD)

I'm sorry...just...just a moment, Senator.

SENATOR NETSCH:

I'm sorry.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The Secretary advises me there is but one amendment.

SENATOR NETSCH:

Well, that...that would make more sense, right? Because...

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right. All right. You may proceed.

SENATOR NETSCH:

Right. The amendment that the committee suggested and put on the bill, with the sponsor's approval, obviously, strikes everything that was in the original bill. This has to do with the sales tax on...on...on gas...the sales tax on gasoline. And the original bill had a fairly complicated new structure for collecting and remitting it. All of that has been eliminated from the bill by...or will be eliminated by Amendment No. 1, the committee amendment. Instead, Amendment No. 1 will provide a system of duplicate reporting that was requested by the Department of Revenue that the Department of Revenue, indicated would give it the tools to be able to track the sales of gasoline and make sure that, indeed, the sales tax is being paid on it. Basically, it requires retailers to report what they purchased from wholesale distributors and in what volume and from whom, and it requires the same kind of reporting from the wholesale level and it, in effect, allows, by the duplicate reporting, the tracking of the sales. That is all it does, it does not in any way, shape or form change who gets the two percent that is involved in the collection process or reimbursement process. It does not change where the gasoline tax, the sales tax on gasoline is collected or otherwise. It is simply a tracking, reporting system that the Department of Revenue believes will help it to...to determine whether there is any fraud taking place, that is, failure to report and find out where that lack of reporting is and see that it no longer happens. I would, on behalf of the committee and Senator Philip, move the adoption of Amendment No. 1 to House Bill 2285.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 2285 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment

No. 1 is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2361, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2361.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Take it out of the record.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. House Bill 2381, Senator Bloom. On page 14 of House Bills 2nd, House Bill 2513, Senator Schaffer. House Bill 2521, Senator Simms. House Bill 2541, Senator Schaffer. House Bill 2578, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2578.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. On the Order of House Bills 1st reading, we have an administration bill with respect to executive reorganization. I'd ask that bill be read a first time and that the appropriate rules be waived so that Senators Gitz and Nimrod can convene their committee to meet tomorrow morning for the purpose of examining that bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. On the Order of House Bills 1st reading, on page 14 of your Calendar, is House Bill 2530 with Senator Philip as the Senate sponsor. Senator Philip and Senator Rock ask for suspension of the rules so that the bill might be read and considered in this Session of the General Assembly. Is there leave for suspension of the rules? Leave is granted. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2530.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would now move that the appropriate rules be waived so that the bill can immediately be sent to the Committee on Executive Reorganization and I'd yield to Senator Gitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Yes, Mr. President. We have conferred with Senator Nimrod, the Minority Spokesman. The committee will meet at nine o'clock tomorrow morning in Room 212 to hear House Bill

2530.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to suspend the rules for...so that the bill might be assigned directly to the Committee on Reorganization. On the motion to suspend, all in favor say Aye. Opposed Nay. Ayes have it. The rules are suspended and the bill might be heard in committee tomorrow morning. All right. If I might have the attention of the Body. It's the intention of the Chair that we'll take up one concurrence, on page 17 of your Calendar, which we're informed is an emergency, 1621, but also I would like to alert the membership that we have thirteen bills on recall that we will get to, 579, 1108...see if we can get a...a better list for you. But we will go to concurrences, then we will be going to recall, so if you have any bill that you would like to recall, now would be the time to file the motion. And I'm not sure we're going to keep getting back to this order of business, it is Tuesday. So, alert the members that it's about time to get your bills into shape that are on 3rd reading. Is there...is there leave to go to the Order...for what Senator...for what purpose does Senator Kenneth Hall arise?

SENATOR KENNETH HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. While we have this lull, I'd just like to announce that Senator Newhouse has been released from the hospital and was planning to come down today, but then his mother was taken to the hospital, seriously ill, and this has delayed him. So there's a possibility that he will not be here today.

PRESIDING OFFICER: (SENATOR BRUCE)

The Journal will indicate the reason for Senator Newhouse's absence. Is there leave to go to the Order of Secretary's Desk for the handling of Senate Bill 1621?

Leave? Leave is granted. Senate Bill 1621 has been returned to the Senate with House Amendment No. 4, and Senator Rhoads is recognized with regard to a motion. Senator McMillan is recognized.

SENATOR McMILLAN:

Mr. President, I would move to concur with House Amendment No. 4 to Senate Bill 1624 and at the appropriate time would discuss what it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Now is the appropriate time.

SENATOR McMILLAN:

I'm sorry, 1621, had the wrong number up there. When the Truth in Taxation law was passed last year we provided that if the levy of any district exclusive of debt service election costs exceeded the previous year's extension, exclusive of debt service and election costs by more than a hundred and five percent, then they had to go through the procedure of publishing a notice, holding hearings and so forth. There were...there were several districts, particularly some school districts in Cook County, that because of some confusion, and particularly because their levy date requirement is the last Tuesday in September rather than the last Tuesday in December, as in downstate, there was a real question about whether or not their levies included or excluded the debt service. And what happened was there are a small number of districts that find themselves in noncompliance, and that really is the case because of a confusion over what they should have and should not have included in their levy. And what this bill does is say that, only for Cook County, and only for levies prior to January 1, '82, no district will be found to be in noncompliance with the Truth in Taxation law if, in fact, their being over one hundred and five percent was because they included rather than excluded debt service. This is a problem with those in Cook County, I understand very well

because many of your school districts are in a pretty urgent need of getting this passed. It doesn't really affect the long-term impact or effectiveness of the law, and I believe it was a wise amendment. Senator Rhoads, I'm sure may have some additional explanation.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I join Senator McMillan in asking for a concurrence in House Amendment No. 4. The Cook County Clerk's Office is waiting today for...to receive their multiplier from the State, and we have assurances from the Governor's Office that this will be signed in an expeditious manner. The amendment does exactly what Senator McMillan indicated to help out these sixty-nine suburban taxing districts, who on good faith and relying on their counsel, included the debt service. It was only after they had done this that the State's Attorney of Cook County and the Illinois Attorney General came down issuing opinions that debt service should not be included. It is a one-time solution for only suburban Cook County and I would appreciate a favorable roll call on the concurrence.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question...the question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1621. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 1621. The bill having received the required constitutional majority is declared passed. For what purpose does Senator Philip arise?

SENATOR PHILIP:

Thank you, Mr. President. To announce a Republican caucus in my office, immediately. It shouldn't be over a half hour.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. All right. Senator Philip has asked that we recess until the hour of one-thirty. Senator Philip...Senator Philip, one-thirty? All right. The motion is that the Senate stand in recess until the hour of one-thirty. On the motion to recess, all in favor say Aye. Opposed Nay. The Ayes have it and the...the Senate stands in recess until the hour of one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will reconvene at two o'clock, to all members who are currently in their offices, two o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The Senate will come to order. We're going to dispose of a little paper work, and then we will go to the recalls on 3rd. Messages from the House. Message from the Governor.

SECRETARY:

A Message from the Governor by John Washburn, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 82nd General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Appointments. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of Senate Bills together with House amendments:

Senate Bill 1579 with House Amendments 1, 2, 3 and 4.

Senate Bill 1614 with House Amendments 2, 4, 5 and 6.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions.

SECRETARY:

Senate Resolution 604...all the resolutions that I read are congratulatory.

Senate Resolution 604 offered by Senator Gitz and all Senators.

Senate Resolution 605 offered by Senator Totten and all Senators.

Senate Resolution 606 offered by Senator Totten and all Senators.

Senate Resolution 607 offered by Senator Berning and DeAngelis.

Senate Resolution 608 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar...Resolution Consent Calendar. If I might have the attention of the Body. We're now going to go to bills on 3rd reading for recalls. I'm going to name off the first five or six, and then we are having copies distributed so that you will have a list of the bills that are going to be called both by the sponsor and the amendment sponsor. But while that is being done, the first bills are going to be House Bill 579, Senator Grotberg with an amendment by Senator Grotberg and Senator Demuzio; 1108 by Senator Bruce; 1296 by

Senator Netsch; 1913 by Senator Mahar; 2039, Senator Geo-Karis, and there are four amendments pending on that; 2095, Senator Schuneman with two amendments by Senator D'Arco. So if we will be alert, we can handle these...oh, I just...I just read the first few and we're going to get a list to you, that ought to...we ought to have the list to you by the time we get to that. House Bill 579, Senator Grotberg asks leave of the Senate to return House Bill 579 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. It's on page 2 of your Calendar. Senator Grotberg, are...Mr. Secretary, are there amendments?

SECRETARY:

Amendment No. 3 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized.

SENATOR GROTBERG:

Thank you, Mr. President and fellow members. Amendment No. 3, Mr. Secretary, in my records is LRB8202224RLS.

SECRETARY:

Yes.

SENATOR GROTBERG:

Is that correct?

SECRETARY:

Yes.

SENATOR GROTBERG:

Thank you. This is a reworked version of the amendment that went down the other day in which the...we authorized townships and counties by front door referendum to impose a small increase in their taxes for the purposes of senior citizen programs. This is offered in the forthcoming...diminution of Federal senior citizen program money, grant money. The seniors of the State want something like this very much. The reason for it coming up now is that they

need a long time to plan and nothing like this would necessarily go on in the November election, but as the Federal funds diminish, this would be able to be in place for a county or a township to offer it to the people. We then struck out any language limiting it to any other county. Senator Rock had considered it was not available for Cook County or Cook County Townships. We struck the limitation of counties of a million et cetera, it now applies to every township and county in the State. I'd be glad to answer questions. I'm sure some of you have heard from your senior citizens on the matter and I would ask for a favorable roll call and move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in opposition to Amendment No. 3, but it's nice to have highlighted for this Body the fact that the Reagan administration and the Reagan policies are picking on the senior citizens, and the only alternative we have left is an increased tax levy offered by the Republican side of the aisle. I think it's delightful and I hope the press takes due note of that.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Yeah, I believe I made a mistake the other day in not closing in rebuttal to my friend on the other side of the aisle. But the nice thing about this, this brings government back to the people. They may do it, they don't have to do it. They need an alternative if we're to...to take anything out of the grant programs. In fact, this morning's paper said there was every indication that they may not take any out this year. But the substance remains the same, it's the reality of local government, and thank you, President Rock,

HB 1913  
Recorded

for reminding me that the Republicans are definitely in favor of local government and local decision, and that alone should be reason for you to support this amendment. I ask for a favorable roll call.

PRESIDING OFFICER:

The question is on the adoption of Amendment No. 3 to House Bill 579. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question the Ayes are 34, the Nays are 19. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1296, Senator Netsch. House Bill 1913, Senator Mahar. Senator Mahar asks leave of the Senate to return House Bill 1913 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary? For what purpose does Senator...

SECRETARY:

Amendment...

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Johns arise?

SENATOR JOHNS:

Well, I would have voted Aye on that last bill. The key was turned, I kept pushing it and finally I realized somebody had turned my key. So I just wanted to...to be recorded as Aye on 579, Sir. Thank you.

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar is recognized.

HB 2039  
Recalled

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Amendment No. 3 deletes a section, paragraph 5 of House Bill 1913. It...there was some objection to...the other day when the bill was before the Body. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3 on...

SECRETARY:

That would be...

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2039, Senator Geo-Karis, with four amendments. Senator Geo-Karis asks leave of the Senate to return House Bill 2039 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 2 offered by Senator Grotberg...and Bruce, right.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg or Senator Geo-Karis to explain the amendment. Senator Geo-Karis.

SENATOR GEO-KARIS:

...on...on 2039, if you'll recall, yesterday we passed the motion to reconsider the vote by which Amendment...Committee Amendment No. 1 was attached to the bill, and I was about to move to Table that amendment because I had a substitute amendment. I wonder if I'm in order at this

time to Table that Amendment No. 1?

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The amendment was adopted by the Senate. Amendment No. 1, which was a committee amendment, has been adopted by the full Senate, and Senator Geo-Karis moves to reconsider the vote by which Amendment No. 1 was adopted. Is there discussion on that motion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. I wonder if the sponsor has been over to discuss this with President Rock or whether President Rock has consented to having a visit with her?

PRESIDING OFFICER: (Senator Bruce)

All right. Further discussion on the motion to reconsider? Senator Nash. On the motion to reconsider, all in favor say Aye. Opposed Nay. The Ayes have it. The vote by which it was adopted is reconsidered. Now Senator Geo-Karis moves to Table Amendment No. 1. On the Motion to Table, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Grothberg and Bruce.

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President, fellow members. This is the grandparents visitation amendment which has been refined now, and actually upon looking at it, Senator Bruce, it doesn't solve my problem but I think it solves yours. It gets rid of the adoptive language which was objectionable to several people and simply provides that the court may grant reasonable visitation privileges to a grandparent or great-grandparent whose child, has died where the court determines it's in the best interest of the welfare of the child. And I would move the adoption. If Senator Bruce has

something to add, I'd be delighted to hear from him.

PRESIDENT:

All right. Senator Grotberg has moved the adoption of Amendment No. 2 to House Bill 2039. Discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Senator Grotberg and I have worked the last day on trying to get language that will protect the rights of grandparents to make visitations when their child, in fact, has died and they want...wish to see their grandchildren. The language that caused a good deal of problem is what happens in the adoptive process when the rights of the parent have been terminated by a court. The only solution that I could see was that we would have to just take that adoptive language out. And so, as you know, under the...Marriage and Dissolution Act, a grandparent can petition a court to have visitation rights when there has been a dissolution of the marriage. This adds in that Act the right to, in fact, petition the court for visitation rights when their child has died and not just in...in a dissolution of a marriage, but when there's been a death of their child that they can petition the court to have visitation rights. I think it's a reasonable accommodation of...of requests from grandparents across the State of Illinois and I would favor the motion to adopt.

PRESIDENT:

Senator Geo-Karis. All right.

SENATOR GEO-KARIS:

I agree.

PRESIDENT:

Senator...Senator Grotberg has moved the adoption of Amendment No. 2 to House Bill 2039. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

HB 2039  
Amend #3

SECRETARY:

Amendment No. 3 by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the joint custody amendment. Right now the law does not provide for a disposition of joint custody in our Dissolution Act and, in fact, we've had a case in Chicago where a judge, Bernie Wolf, who used to be a State legislator, did, in fact, award a joint custody disposition and this, in fact, will put in the Statute what the judges feel should be the law. And I would move to adopt Amendment No. 3, isn't it 3? You got 2 on the board. I would move to adopt Amendment No. 3 to House Bill 2039.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 4 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis is recognized on Amendment No. 4.

SENATOR GEO-KARIS:

Amendment No. 4 is the amendment that substitutes for Amendment No. 1, and it is more correct and I move its passage...the passage of it.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 4 merely takes the word "retired" out of the Statute and allows a former judge to perform marriages. Right now the Statute reads retired judge, there's a difference. This would allow former judges who may have lost in an election to...to perform marriages and have the...be on the...on the same par as with all former judges, and I would ask the adoption of Amendment No. 5 to House Bill 2039.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 5. Is there discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

What...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I have spoken to the sponsors of this bill. There is an amendment...Amendment No. 6 coming up, it should be here any minute. I would ask that this bill be held on 2nd reading. Amendment No. 6 just clarifies, at the request of Judge Fleck, further clarifies the joint custody award, and I would ask that this bill be held on 2nd reading. It's a noncontroversial amendment and there's no opposition to it. I would ask that the bill be held on 2nd.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Marovitz, why don't we just...we've adopted amendments, it's going to get our Journal very confused. If we just move it back to 3rd, and if Senator Geo-Karis is

willing, she can recall it. Senator Marovitz.

SENATOR MAROVITZ:

I have no objection to that except you made a statement earlier today that we may not get to recalls again. I know we're going to get to 2nd readings again and this is a very important amendment that really clarifies a very sensitive area of the law in regards to joint custody, and several of the judges in the domestic relations field, as well as the former...our former colleague and ex-judge Fleck, feel this is very important to be added to that section. Now, I don't really care if we move it to 3rd, but it's very important that we do get back to it and the amendment should be up within, I would say, five minutes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Rock.

SENATOR ROCK:

I don't think there's any question but that we'll get back to recalls. There's no way to avoid it. So I think the better procedure is to put it back. I'd like to ask about Amendment No. 5.

PRESIDING OFFICER: (SENATOR BRUCE)

Yes.

SENATOR ROCK:

When we say "former," does that mean if I stand for retention and get beat, then I am still empowered to marry?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

If you were a sitting judge and if you stood for retention and you lost on retention, having been a sitting judge you would be empowered to marry. If you ran for election and lost in an election to your opponent, having been a sitting judge and then lost an election, you would be empowered to marry.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Under...under this amendment, would Judge Fleck still be entitled to marry people although he's in private practice of law?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, Judge Fleck would be entitled to marry. The...the law now reads, former judges...or retired judges, rather. Okay, Judge Fleck is a retired judge. The law now would allow Judge Fleck to do that, this doesn't change that in any way.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

...explain to me, if you will, the difference between former and retired.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

The difference between former and retired is a retired judge retires of his own free will and volition, a former judge may be someone who has run for election...and lost. And as in the case of a judge in...in Chicago, Judge Rosenberg, was a judge, ran for reelection, lost, he is then a former judge, not a retired judge.

PRESIDING OFFICER: (SENATOR BRUCE)

And I might point out to the Body, the amendment has been adopted. Further...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

HB 2095  
Recalled

3rd reading, with the understanding that Senator Geokaris will call it back. House Bill 2095, Senator Schuneman. Senator Schuneman asks leave of the Senate to return House Bill 2095 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Mr. Secretary, are there amendments?

SECRETARY:

Amendment No. 4 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco, you have two amendments filed on...

SENATOR D'ARCO:

Thank you, Mr. President. Would you read the LRB number? Is the first AM01, are...is that the four...the last four letters on the...

SECRETARY:

No...no, the last four is LJWAM.

SENATOR D'ARCO:

Okay. The...Amendment No. 1 to 2095 provides that when a person has uninsured motorist coverage beyond the statutory minimum limits provided by law, he also must buy underinsurance motorist coverage up to the bodily injury limits that he has for uninsured motorist coverage. Now that sounds simple to me, so...now this is...you know it's...it's simple because the insurance industry is supporting this bill...this amendment. No, I'm just kidding. That's what it does. Right now, under the law, you can have...you have to have...uninsured motorist, but you don't have to buy underinsured motorist, the two are exclusive. What this say is, if you do buy uninsured motorist coverage beyond the minimum amount of fifteen and thirty, which is the law now, if you buy over that, like if you buy a half a million dollars worth, then you have to buy underinsured motorist coverage at that same half million dollar limit for uninsured

motorist coverage. We think it's a good amendment because we don't have mandatory insurance in Illinois, and I don't think we're going to have mandatory insurance, and what this bill is really saying is that the insured should be protected against people who are driving with very, very, very low minimum insurance limits, for uninsured and underinsured. And I know Senator Schuneman is in favor of it and Senator Rupp is in favor of it, and I would move adoption of...is this 4...Amendment No. 4 to 2095.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

...only to say that this amendment, Mr. President, puts the bill back into the form in which it was when it came out of the House. The language adopted by the House was faulty and this language now does what the House sponsor intended, and so I do stand in support of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco, you have a question. Senator Collins.

SENATOR COLLINS:

Senator D'Arco, I can't quite understand, or maybe I didn't...I wasn't paying too much attention when you first started 'cause I know you were kidding...I thought you were kidding. Are you really saying that this amendment, which I don't see on my desk here, is requiring that if you have a certain amount of uninsured motorists that I still, up to a certain amount, I would have to then take out another policy for underinsurance coverage?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR COLLINS:

I am...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Right. It...we're saying that if you buy more than fifteen and thirty, let's say, you buy a...a hundred, three hundred uninsured motorists coverage, most people buy a hundred, three hundred, you have to then buy a hundred, three hundred of underinsured motorists coverage, it'd be mandatory. We're saying that...to protect the insured against the other insured driver who has very, very low limits like fifteen and thirty limits.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

I...I really would...wish that...that I would have had time to, you know, look at this amendment and study it, Senator D'Arco, because I find it very strange that Senator Rupp and, of course, who has been very adamantly opposed to all of the other major insurance reform and compulsory insurance in the whole world, is supporting this amendment right now, and also Senator Etheredge, which is a little surprising to me. And I would just say to...to the members that I think you should be alert and aware of what's going on here.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, just perhaps by way of clearing this up, I think Senator D'Arco indicated that the insurance industry was in support of this. I'm not aware that the insurance industry has taken any position on this at all. So...but perhaps he's aware of something that I'm not. The

other point that, I think, it might better be explained by saying that from now on, when an insured purchases uninsured motorist coverage, that coverage must include underinsured motorists. In other words, this is a mandate upon the insurance companies who write the coverage that when they write it, they have to include the underinsured motorist coverage. This gets to be a very complicated thing to explain to people, and I think people are going to be better served by having both of these coverages written in one package by insurance companies rather than having it fragmented as it is at the present time.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

That...what Senator Schuneman said is correct. Part of the problem is people are not aware that there is underinsurance...motorist coverage that they can get from the insurance company, and...and this obviously is going to make them aware of it because the law provides that they have to have uninsured motorists and included within that policy now if...if this passes, will be this underinsurance motorist coverage as well. So everybody would be aware of it and the public will be better served and protected, and I'm not kidding.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator D'Arco has moved the adoption of Amendment No. 4. On that question, those in favor say Aye. Opposed Nay. The opinion of the Chair the Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco is recognized.

HB 2039  
recalled

SENATOR D'ARCO:

As you know that in the automobile liability insurance field, if you're fifty-five years or older, you get a reduction in your amount of premium if you take a safety driver's course. The question is whether...the amount of that reduction and who determines it. This bill provides that it should be determined by the insurer rather than by the Department of Insurance. Whether or not that is true under the law now is debatable. But this does specify who will determine the amount of the reduction in premium and that would clarify the law as it presently exists. And I would move...there's no opposition to this, and I would move for amendment...adoption of Amendment No. 5 to 2095.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment...to adopt Amendment No. 5. Is there discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. The Chair is informed that the bill just preceding this, 2039, that the amendment has now arrived. And since we've just been discussing that, perhaps it will take less time if we do it right now. Senator Geo-Karis asks leave of the Senate to return House bill 2039 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary, please?

HB 2126  
Recalled

REEL #4

SECRETARY:

Amendment No. 6 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 6 just further clarifies that in the event of a joint custody agreement and a joint custody order, as per the amendment added by Senator D'Arco, that any agreement or order should specify each parent's rights and responsibilities for the physical care and custody of the child and for major decisions in connection with education, health care and religious training. This is to prevent any parental haggling over terms after a joint custody order and to better serve the interest of the child. It's been recommended by the judges in the matrimonial division and Judge Fleck. There is no opposition to it and I would ask for the adoption of Amendment No. 6 to House Bill 2039.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2126. Senator Demuzio asks leave of the Senate to return House Bill 2126 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio on Amendment No. 2.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 2126 is designed to take care of a problem that has occurred, as a matter of fact, a court case, the Domestic Violence Shelter and Services Fund that we enacted here last year, one in which we have increased the marriage license fees by ten dollars and the dissolution fees by five dollars. It raises about 1.3 million dollars annually. However, a court case was brought in January of the year that the law went into effect, and as a result, in Winnebago, a Winnebago argument was based on the technicality that found this to be unconstitutional because the suit claimed that the county treasurer, the officer that's empowered by the constitution to receive the collected funds, was bypassed by the law that creates the shelter and the services fund. As a result, the money is not being distributed today. The amendment would require that each circuit and county clerk deposit with the county treasurer the funds in accordance with the...with the Act, and that on the tenth day of the month following the receipt of the amounts that deposited...would be deposited to the State Treasurer who would deposit such amounts into the Domestic Violence Shelter and Services Fund in the State Treasury. So, it is designed to alleviate and resolve the constitutionality of the question by seeing to it that the county treasurer, that person who is empowered by the constitution to receive the fees, is put back into the Act. And I would move for the adoption of Amendment No. 2.

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. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Philip. Senator Philip is recognized.

SENATOR PHILIP:

Point of personal privilege, Mr. President. Just like to acknowledge the presence on the Floor of the Senate of William Aloysius Redmond, former Speaker of the House, Democrat County Chairman and one of the great guys of the General Assembly.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

I just wanted everybody to take note where the Speaker came to, he knows where the power is in this place.

PRESIDING OFFICER: (SENATOR BRUCE)

2310, Senator Grotberg. Senator Grotberg asks leave of the Senate to return House Bill 2310 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. The comment from the gallery over here is, if you own real property, you can do anything, and the reason we're bringing this back is that that's where we left off with Senator Bowers piggy yesterday and he derailed twenty-nine cars on the train when he did it. Now,

Amendment No. 1, I believe, Mr. Clerk...Mr. Secretary...

SECRETARY:

Amendment No. 1 lost, Senator.

SENATOR GROTEBERG:

Okay, now, Amendment No. 2 is...is an amendment that relates to the omission, and this is from the County Problems Commission essentially, but the county board members are concerned that when we created the Farmland Assessment Act and appointed county committees...review committees, that the county boards are reluctant to set up a per diem, or a mileage, or anything for them to attend those meetings. There's no way for them to reimburse their expenses. This clarifies that the county board may do such action to compensate the members of the County Farmland Assessment Review Committee for attending such meetings. I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Is there discussion of that motion? All in favor say Aye. Senator Demuzio, on this amendment? Senator Demuzio.

SENATOR DEMUZIO:

Just a quick question...it's only for reimbursement of mileage, it's not...thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

Yes. Are we ready for Amendment No. 3, Mr. Secretary?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SECRETARY:

Haven't adopted 2 yet.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 3 by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized.

SENATOR GROTBORG:

Thank you, Mr. President. It goes without saying that these township officials of Illinois discovered this vehicle, and I am pleased to offer an amendment that contains the following items: The first...provision provides that township or multitownship assessors in counties under township organizations of less than a million inhabitants, so Cook is excluded...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg. For what purpose does Senator Keats rise?

SENATOR KEATS:

I got six amendments to 2310. John, which one are we talking about? I'm looking through them and I can't find it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Grotberg, there are at least five amendments here, so perhaps if you could just describe.

SENATOR GROTBORG:

I am pleased to do so because I've had that same problem myself, and I am supposed to know, Sir. So, Senator Keats and others, the amendment I'm referring to is LRB 8206914G for George, LD for David, VAN02. It contains several items and it's put together by...by former Senator David Regner for the township officials of Illinois, having to do with omissions in that Act and some corrections. Have you found it? May I proceed? Thank you. The first provision provides that in downstate townships...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. Senator Grotberg, just so that we can stay here. I thought...the one you just read the LRB number for, I thought was the one we had just adopted, because it is marked No. 2, or at least my copy is. Could you then go back and tell us the LRB number of the one we did just adopt so we can keep it straight?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Grotberg, when these were distributed, evidently the amendment was marked with a No. 2. Senator Grotberg.

SENATOR GROTBORG:

We accept your corrections and we'll be glad to clarify anything to get Senator Netsch's vote. The one we just adopted, Senator Netsch, on the farmland assessment value was LRB 206914D for David, ACBAM. Got that? That's adopted and that is now Amendment No. 2. Now, may we proceed with Amendment No. 3?

PRESIDING OFFICER: (SENATOR BRUCE)

And that's the one marked AM02.

SENATOR GROTBORG:

AM02, and it's really No. 3, even we have it marked No. 2. So, let us proceed then with the three provisions of this amendment. We've had a running battle for a hundred years...does the supervisor of assessments give the books to the local assessor and get them back within a hundred and twenty days after he gives them or by June 1st of each year? And they blame it on each other. This provides that within a hundred and twenty days after the receipt, after the supervisor hands them out, or by June 1st, whichever is later, that the local assessor returns that book to the supervisor of assessments and puts the heat where it belongs. That's one portion of this, and asked for by the township officials. The other provision, when the Election Code was amended last year, they left out the notice provision of town meetings,

amazingly enough, and we bring that back in where the notice must be...printed in three of the most public places...posted rather, and if there's a newspaper, to go ahead and publish, and such notice shall be given by the town clerk or in his absence, the supervisor. That reinstates the notice provision of township meetings. The third provision was already adopted in the election bill, and for purposes to keep this amendment straight, we're keeping it in this one, and that would be for...the filling of vacancies in down...downstate office of multitownship assessors. And with that, I will try to answer any questions. But it's a good, clean amendment the way I offer it. I don't know of anything controversial and would move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? I have Senators McMillan, Keats and Berning. Senator McMillan.

SENATOR McMILLAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator McMillan.

SENATOR McMILLAN:

Well, I understand fully that the intent of this is to place the emphasis, or to put the pressure where it belongs, and in those instances where the local assessor simply does not get the books, this is to give him some extra time. But the way this is phrased, what you do is place it at the end of June or June 1st, which is a delay of a month and a half for those that are doing a good job. As it is now, if...if the supervisor of assessments gets the books out in good time and there's plenty to time...plenty of time to do it, then they are back to the supervisor of assessments by April 15th. This means that they can mess around for three or four months until June 1st, and in some cases, this is going to make it possible for them to...to delay the assessment process, for

no good reason, even longer than it is now. And I...I understand your intent, but I think this puts another loophole into it that I...I don't really think was intended and I think would slow down the assessment process in a lot of places.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

In reply to your question, Senator McMillan, I read it quite the other way. January 1st is when these books are supposed to go out, and within a hundred and twenty days takes you to three months later, which is January, February, March, April the 1st. That would be if every...if the...if the supervisor gets them out, it's a ninety-day cycle. For every day that he's late, he can only be as late as June 1st is what this...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator McMillan.

SENATOR McMILLAN:

But why not leave it April 15th or one hundred and twenty days,...whichever is...is later, because your hundred and twenty days is going to provide for the latest alternative no matter what. What you've done is make it possible for it to be two hundred days.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

Only...the heat is only on the supervisor of assessments to get the books out on time. That has been the big complaint. This should speed it up. If they're interested in getting their levies in on time and their assessments proper through the State procedures, the...the...we're trying to put the feet under...fire under the feet of the supervisors of assessments. And it doesn't apply to everybody, many of them

do a good job.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator McMillan.

SENATOR McMILLAN:

I would rise to oppose the amendment. It simply does not do what you have said you wanted to do. I would favor it completely if all you want to do is to put pressure back on the supervisor of assessments, and say that that local assessor will have one hundred and twenty days, and that if the supervisor of assessments is the one that's slow, that you're not going to penalize the local assessor. But what you've done is write it in such a way that the supervisor of assessments who gets his books out on January 1 may sit there and suffer because of local assessors that choose to follow the letter of this law and take the later alternative which is June 1st. That's five months that they can drag their feet under the way this is drafted. Now, what you intended is sound and I support it, but this bill provides a loophole that I don't think is going to do anything but cause problems.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berning.

SENATOR BERNING:

Well, Mr. President, this has been an ongoing complaint for a long, long time. Some of us who have been in the thick of these disputes recognize that there's no easy answer for this, but with this amendment, I'm inclined to ask the sponsor, so what. What are the penalties? What's different now from what has been? Why do we want to put an amendment on that isn't going to carry any kind of a club?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBURG:

Well, thank you. In response to your question, we didn't

amend any penalty section, and there is no penalty section in that Act, am I correct, Senator, you're an old assessor-type?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

That's right. We've had these penalty...or these final dates by which this action or another action is to be completed by certain officeholders, and so frequently is absolutely beyond the control of that officeholder, so he must default. We can change all these penalty...all these deadline dates that we want, we are not going to get to the crux of the matter. Now, if one assessor is well funded and he has property cards in file so that he can continually keep his property records updated, the minute he gets his books, he can transfer that information onto the books and he can get the books in in sixty-days, ninety-days, or by April 1st, or 15th or whatever. But an assessor who runs a minimal operation and doesn't have the help or the funding to carry on a year-round program of assessing is never going to be able to meet a deadline like this starting from scratch with the assessing process. It's fine to attempt to encourage, but unless you put a penalty in there, you're not going to force anything. My suggestion, Senator, is that if you want to provide some inducement, some recourse by the taxing districts, and I think that's where the pressure comes for this, it might be appropriate to consider requiring a performance bond for the supervisor of assessments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Senator Berning, your point is well made as is Senator McMillan's. In the orderly affairs of this operation, I would ask that...forget about that dialogue, I will bring it back tomorrow or the next time and strike that por-

tion of it, but the rest of the amendment keys into a third amendment that Senator Netsch is going to offer for Cook County, and Senator McMillan has agreed; would you agree, Senator Berning, that we probably don't even fiddle with that language this limited Session? It was part of the amendment that was brought to me by the township assessors. With leave of the Body, I would ask for a favorable roll call on the amendment, and we will bring back and strike that portion.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR GROTBERG:

It's easier than...it throws everything off the track again, and...and I would appreciate that cooperation.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

...will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

This series of amendments we're fooling with, have any of these been previously introduced as House or Senate bills?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBERG:

I don't think in this...in this amendment that any of these are former House or Senate bills. If they were, they didn't get out of Rules in the House....I can't answer your question yes or no. I didn't have any of them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Did any of the committees ever look at any of these?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

Just the spokesmen.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

There...is a week to go in Session, we have amendments on a major bill, umpteen amendments on the bill, no one's looked at them, they have not gone through committees, they couldn't have gotten out of the Senate Rules Committee 'cause they aren't emergency. I just sit here and say, hey, what kind of legislative process is this that we come up with fifteen zillion amendments at the last minute, major amendments that make major changes, no committee hearings, the leadership hadn't seen it, nobody's worked with it. Who hands you these amendments at the last moment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

I opened with that. David Regner came from the township officials of Illinois, and I have a great deal of respect for those gentlemen. There is no pride of authorship in any of these for me, but we are down here even though it's a limited Session to try to solve some problems. One of the problems with the townships are in each of these pieces of this one amendment, and I've tried to get it all into one amendment so we didn't have to hang the thing up with twenty-five amendments. I thought I'd done a rather good job of explaining it, Senator Keats, and with nothing but gentlemanly admiration for your admonition, I would still move that we adopt the amendment, I will take care of the leaks in the dike, don't worry about it. And...and it's essentially good except for the assessor bill, and I happen to agree with...with Senator McMillan, and that's what debate is all about. I'm

sorry you're bored with being here, but...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

I appreciate you taking some clean shots back, I didn't think I would get away taking them all on my own, but I do want to say, and I would say to the members of the Senate, some excellent points have been raised by Senator McMillan and Senator Berning. All I want to stress is, if we are going to allege this is a deliberative Body, if we're going to allege that we are legislators who look at legislation, have the committees review it, rather than at the last minute some special interest group comes in and sneaks an amendment through at the last minute, which luckily, a few of us were paying attention to so it isn't snuck through. God knows, I love my friend David Regner and I would normally do anything for him, but why couldn't these amendments have been drafted three months ago? If this is such a great emergency, why did we just discover it in the last week of the Session? I would ask you to vote No, and say that, hopefully, some of our special interest groups would learn how the legislative process works.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg moves the adoption of Amendment No. 3. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No....been a request for a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The question is on the adoption of Amendment No. 3. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 17, 1 Voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

I believe that Senator Netsch is offering that one.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch's name is on the next amendment, Senator Grotberg, but your name is on this one.

SENATOR GROTBORG:

What do it do? Withdraw it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

If I am not mistaken, the same amendment...this is really going to blow your mind, the same amendment was filed twice, once on the assumption that those other two had gone on and once on the assumption that there had been no prior amendments. I believe it may be exactly the same text, and in both cases, I think I am supposed to explain it. Does that appear to be the case?

SECRETARY:

It...it appears to be the case, but they do carry different LRB numbers.

SENATOR NETSCH:

I...yeah, that would be correct, yeah, that's right.

PRESIDING OFFICER: (SENATOR BRUCE)

That would be consistent with your...your statement, Senator, because it would be...

SENATOR NETSCH:

And this one should...this one should start out, "Amend House Bill 2310 as amended" in the introductory clause of Section 1 by deleting and 94, and so forth, is that...okay, that...I think that is the correct one, Senator Grotberg, and I will proceed if you would like for me to.

PRESIDING OFFICER: (SENATOR BRUCE)

We...we are now on Amendment No. 4 and Senator Netsch is recognized.

SENATOR NETSCH:

Thank you, Mr. President....Amendment No. 4 was requested specifically by the Cook County Treasurer's Office, and, I believe, on behalf of all of the county treasurers, because the indication was that it is supported by all of them. It was one of the recommendations of the Local Government Finance Study Commission, and the main purpose of it is to eliminate the requirement that receipts for payment of property taxes be mailed out. That leaves several options, however. One is, if you pay by check, obviously, the cancelled check. It also remains in the records, a...a receipt can be requested and if requested, will be provided, and whenever the payment is made in cash, a receipt, of course, must be provided. It is estimated that in Cook County alone the savings will be in the neighborhood of three hundred thousand dollars. I do not have a figure on the savings in the rest of the State, but it certainly would be considerable. It was, as I said, recommended by the Local Government Finance Study Commission on the basis that this was an absolutely unnecessary thing and a major waster of funds. I believe everyone is fully protected. I would move the adoption of Amendment No. 4 to House Bill 2310.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 4. Is there discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

I'm...No. 5 then has been withdrawn, right, Senator Netsch?

PRESIDING OFFICER: (SENATOR BRUCE)

Withdraw the amendment. The sponsor asks...

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a...personal privilege. It's my pleasure to introduce to this Assembly, Mr. Glen Moore and his two children, Scott and Mitchell Moore from Lake Villa, Illinois. Is it Lindenhurst? Lindenhurst or Lake Villa? Lindenhurst...would you stand up and be...

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please rise and be recognized by the Senate. House Bill 2357, Senator DeAngelis. Senator DeAngelis asks leave of the Senate to return House Bill 2357 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized.

SENATOR DeANGELIS:

Thank you, Mr. President. Having voted on the prevailing side, I wish to reconsider the vote by which Senate Amendments 1 and 2 to House Bill 2357 were adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis, perhaps if you explain, I already hear a request for why.

SENATOR DeANGELIS:

'Cause I want to Table them.

PRESIDING OFFICER: (SENATOR BRUCE)

HB 2357  
Revised

Alright...Senator DeAngelis.

SENATOR DeANGELIS:

Alright. Amendments 1 and 2 when put on yesterday were put on in the wrong order, therefore, making both of them invalid.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the motion is to reconsider the vote by which Amendments No. 1 and 2 were adopted. On that motion, those in favor say Aye. Opposed Nay. The Ayes have it. The vote by which Amendments 1 and 2 were adopted is reconsidered. Senator DeAngelis now moves to Table Amendments 1 and 2 to House Bill 2357. On that motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendments are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized.

SENATOR DeANGELIS:

Amendment No. 3 is the old Amendment No. 2 which now becomes the first amendment on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

No, it's Amendment No. 3. Alright. Senator DeAngelis.

SENATOR DeANGELIS:

It is identical to the one that was adopted yesterday as Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. On that motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

7/22/39/  
Recalled

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 4 is the old Amendment No. 1 in a more restricted form.

PRESIDING OFFICER: (SENATOR BRUCE)

On a motion to adopt, is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2391, Senator Marovitz. Is Senator Marovitz on the Floor? Senator Marovitz asks leave of the Senate to return House Bill 2391 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the ethnic intimidation bill, and inadvertently when staff checked the amendments earlier, the previous amendment, a Subsection D was referred to instead of Subsection C. It was strictly a drafting error. There's no substance at all...substantive change whatsoever, but this just puts the right subsection, Subsection C into the legislation. I would ask for adoption of Amendment 3 to House Bill 2391.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Is there discussion of that motion. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amend-

HB 2425  
Recalled

ments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2425, Senator Rupp. Senator Rupp asks leave of the Senate to return House Bill 2425 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip is...recognized on Amendment No. 3.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 deals with the collection of delinquent special assessment taxes. Evidentially, the Statute is silent on counties between five hundred thousand and a million. It was left out by mistake. After the 1980 census, of course, DuPage County is now a little over seven hundred thousand, and all this does is bring us in line and allows us to collect those taxes.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Is there discussion of that motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2430...for what...Senator D'Arco. On 2439 Senator D'Arco asks leave of the Senate to return House Bill 2439 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted.

Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the State mandates amendment that Senator Berning was interested in, and I did tell him I would bring it back to 2nd reading and put this amendment on the bill so the State would not have to reimburse the Chicago Park District for whatever increases in costs that this bill would generate. Also, the Chicago Park District did send a letter to the State Mandates Officer indicating to him that it had no desire for the State to pay any reimbursement costs to the Chicago Park District. That letter is a matter of record, so we are in compliance with the law and I would hope Senator Berning would approve of Amendment No. 3 to 2439.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning is recognized.

SENATOR BERNING:

Well, thank you, Mr. President. I have not seen the missals that Senator D'Arco is referring to. I'm not sure what the amendment is that he is offering, unless it is a...an exemption of the State Mandates Act. But, Mr. President, this raises a point that perhaps ought to be addressed to the Body. What, if anything, should be the action to show that the Body, the General Assembly, has been furnished with a disclaimer? My feeling is that whatever the letter referred to by Senator D'Arco contains ought to be read into the record, then it is a part of the legislative history and would be a basis for any contention that might occur in the future. What would be the reaction to the Chair to that question, Sir?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Berning, the legislative intent is instated in Section 2, and that is that we have found, as a Body, that under the provisions of Subpart 1 of Subsection A of Section 8 the State Mandates Act that the State is relieved of reimbursement liability because this Act accommodates requests from local governments or organizations thereof. And that is our finding if we pass this Act. And so, whether or not the...the letter has been filed, it is our own personal finding, as a legislative Body, and that complies with the State Mandates Act as I read it and the Chair reads it. Senator Berning.

SENATOR BERNING:

That...that is the amendment that's being offered now?

PRESIDING OFFICER: (SENATOR BERNING)

That is correct, Senator Berning, at your request.

SENATOR BERNING:

Fine. Now, one further...point of clarification then, Mr. President. This finding...this amendment does contravene the State Mandates Act as we interpret the State Mandates Act, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

No, it complies with the State Mandates Act.

SENATOR BERNING:

The State Mandates Act says that the State shall be liable.

PRESIDING OFFICER: (SENATOR BRUCE)

No...no, Senator, if you will read the State Mandates Act, it's very lengthy but it states that requests from local government, we do not have to pay for, and Senator D'Arco has filed a statement that this is a request from the local government not subject to reimbursement. Senator Berning.

SENATOR BERNING:

But...but that's not the amendment before us. The state-

HB 2286  
Recalled

ment is something else. That was part of my original question, should not such a statement be read into the record?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, the Chair can't rule on that. All I can rule on is what is before us, and Senator D'Arco has explained the amendment and the Chair has ruled that it complies with the State Mandates Act request that we do not have to have reimbursement.

SENATOR BERNING:

Well,...then, Mr. President, just for the record, let me reemphasize that it is then the finding of this Body that there will be no liability to the State of Illinois by the adoption of, or the passage, of House Bill 2439.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco moves the adoption of Amendment No. 3. Senator Rupp, on...on this amendment?

SENATOR RUPP:

Thank you, Mr. President. No, the agreement was that we would have this letter, and I...possibly has...Senator Berning seen and actually seen the wording of this amendment? I mean, that might clear it, because the agreement was that we would, if he hasn't, this would just take this back to him, is that alright?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. On the motion to adopt, Senator...on the motion to adopt, all in favor say Aye. Opposed May. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 2286, Senator D'Arco, are you ready on that? Senator D'Arco asks leave of the Senate to return House Bill 2286 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there

amendments, Mr. Secretary? Okay, I understand you filed a motion. Senator...Senator D'Arco.

SENATOR D'ARCO:

Mr. President, there seems to be some controversy about an amendment that was adopted yesterday to this bill, and so, I did provide that I would call the bill back to 2nd reading and then Senator Berning could make a...Senator Berning wants to Table an amendment to my bill, and I...you know,...said that I would allow him to present that motion before the Body, and, in fact, even though we shouldn't vote for his motion, I will allow him to do that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco, the...the bill has been at your request removed back to 2nd reading. Are there motions concerning House Bill 2286, Mr. Secretary?

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 2 to House Bill 2286 was passed. Signed, Senator Berning.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning on the motion.

SENATOR BERNING:

Thank you, Mr. President and thank you, Senator D'Arco. I believe, members of the Senate, there was a lack of complete communication on Amendment No. 2 to Senate Bill 2286. By way of explanation, let me recall to your attention that on Thursday we passed Amendment No. 1. That was the judicial pension change. Senator D'Arco then offered Amendment No. 2, the first one...judicial pension bill...amendment was No. 1. Senator D'Arco offered Amendment No. 2, I asked for a slight delay so as to review the amendment. After I'd had a chance to look at it, I told Senator D'Arco there was no problem with that amendment and that he should proceed to file it. Sometime between Thursday and Monday when he offered Amend-

ment No. 2, there was a second provision added to that amendment which struck the provisions of Amendment No. 1. Now, I believe this was done without complete understanding by Senator D'Arco. So, having voted on the prevailing side, Mr. President, I move to reconsider the vote by which Amendment No. 2 was adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion of the motion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I think what is missing here is the meaning of the motion. And the meaning of the motion is that the amendment was...that was adopted suggested that the judges have to serve a whole year before they retire at the full rate instead of just one day. That was Senator Berning's amendment. Senator D'Arco...and I feel afraid to discuss this, because I recall turning around and asking you in a delaying procedure to give us time over here to study that and got Senator Berning's attention. Senator D'Arco's language, as I understand it, Senator Berning, deletes that language and restores it to the fact that a judge...the next day after he gets his nice pay raise, which some of us voted for, can go ahead and proceed with his retirement. That's what the amendment is about, and I would recommend voting with Senator Berning.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in opposition to the motion to reconsider. I think all of us who have read that amendment were well aware of what it did. I don't see any point in changing the law at this point, and I think we ought to resist this motion and let the bill go as is.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

It's...it's my understanding, and I'm asking for a ruling from the Chair, how many votes would this take to pass this motion?

PRESIDING OFFICER: (SENATOR BRUCE)

Under Rule 41, the affirmative vote of a majority of all the Senators elected shall be required to reconsider the passage of a bill, and since this deals with a...a amendment to that bill, it would require, also,...thirty votes to reconsider.

SENATOR D'ARCO:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh.

SENATOR D'ARCO:

I would like to...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco. Senator Walsh.

SENATOR WALSH:

Mr....Mr. President, I think you're mistaken, if you would confer with the Parliamentarian. It's only those votes necessary to adopt the measure, and since only a simple majority of those voting on the issue were required to adopt the amendment, the same number would be required to reconsider.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh, I'll...I will indicate why I think that has not been the custom and practice in this Body, and that is, you have the right to choose as moving sponsor of an amendment when you plan to call it, and...and if you win or lose that battle on a majority, it is adopted. It has been the custom and practice of this Body, so that if you happen to walk off the Floor and be gone, that someone file a motion to reconsider, that that require at least thirty votes to

happen, and that is why we go through the process of after a bill is passed, someone jumps up and says, lock it in, we move to reconsider and...move to Table that...that amendment. Senator Walsh.

SENATOR WALSH:

Well, Mr. President, you're referring to passage stage. We're only talking about amendments now, and it's very rare when you have occasion to reconsider an amendment 'cause normally a bill is...is...is moved to 3rd reading and you just don't get another shot at it. In this case, we're back at 2nd reading, and since only a simple majority in this case, there wasn't even a roll call as I recall, it would...it would just be a majority of those voting on the...on the question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco. If I might have the attention of the Body, I believe the Chair was in error. On...under Rule 40, on reconsideration of questions of notice and notice therefore, the rules do not set forth the vote required, and that is something that the Chair would like to correct in the next redraft of the motions. In Rule 41, it does state that, in fact, it...on the passage of a bill, and the Chair referred to that on passage. However, under Rule 36 in Roberts, since our rules refer to Roberts and our last rule where we are undecided, Roberts states, on a motion to...reconsider this enables a majority in an assembly within a limited time and without notice to bring back for further consideration a motion which has already been voted upon, and that's a majority in an assembly. So, I would rule and change my ruling that this motion will require a majority of those voting on the issue to prevail. Now, on the motion to reconsider, Senator D'Arco is recognized.

SENATOR D'ARCO:

Thank you. Mr. President, the fact of the matter is that

the General Assembly Retirement System has the same provision in it that we are attempting to delete from the Judges' Retirement System. We legislators in this Body can take our pension based on the last day of service, just as the judges can take their pension based on the last day of service. So, it seems to me, that it is unfair to change the formula for the judges and to leave it the same for the members of this Body. Now, you know, what's...what's good for us is...is good for the judges, and I think it's...it's unfair to treat...treat them differently then we're treating ourselves.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Question of Senator Berning, if he will yield. Senator, I believe the Body did adopt an amendment that you had offered which required that a judge must serve one year at the...at the higher salary level, or the new salary level, in order to have his pension or her pension based on that higher salary level. Now, what happened to...to that amendment? This is germane to your motion to reconsider, and how did that amendment get undone and so forth?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Amendment No. 2, which Senator D'Arco offered and which no one saw a copy of, I want to call your attention to, not only made the provision for reimbursement for those who wanted to withdraw from their system, but then proceeded to strike the provisions of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

Alright. Then, for those of us who tuned in late, a vote in favor of your motion to reconsider, you will then reoffer,

essentially, the substance of Amendment No. 1, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

My understanding, and I would be willing to be corrected if wrong, my understanding is that if we Table Amendment No. 2, Amendment No. 1 still stands.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Simms.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would like to take exception to the comments of Senator D'Arco. I think there's a great difference between the judiciary and the members of the General Assembly. What the Senator said is correct, the language in the Pension Code is the same, but there's one great big difference. Members of the General Assembly cannot have their salary increased during their terms of office. That is not true of the judiciary of the State. If we'll just look at recent history in the case of a judicial pay raise some three and a half years ago, a chief circuit judge in the County of Cook was defeated at the polls at...at election time, however, he was able to receive the increase in judicial salary one check before his retirement, and he retired making more money than what he did as if he would have remained as a full circuit judge. So, there is an inequity, and I think Senator Berning is very correct in seeking to have this amendment reconsidered.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and...Ladies and Gentlemen of the Senate, I rise in support of this motion to

reconsider. I think the...the important issue here is not how you feel about the judicial pay retirement setup. I think the important issue on this motion is whether or not the Senate adopted Senator D'Arco's motion...or amendment yesterday in...with the full knowledge of what we were doing. And I suggest to you that we did not know what that amendment contained, that it was not explained properly, for whatever reason we do not know, but I think that the Senate adopted Senator Berning's amendment earlier in...with the full knowledge of what was being done, and I think that this motion deserves our favorable vote. Then, if you want to make another decision on the issue itself, you'll have every right to do that, but this motion should be adopted and we should reconsider that amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berning may close.

SENATOR BERNING:

Thank you, Mr. President and members of the Senate. I was trying to be gentlemanly and cordial by not trying to imply that Senator D'Arco was devious in his offering of Amendment No. 2. But obviously, the debate now...the debate now emphasizes that it was solely his intention to take advantage of us. The amendment was not distributed, no one of us knew what was in that amendment. We were operating under the delusion that he was offering the amendment that he had referred to and had submitted to us on this side on Thursday. Between Thursday and Monday he tacked the second provision on. Now, Ladies and Gentlemen of the Senate, regardless of how you feel about the issue, there is a certain protocol, there is certain integrity, certain degree of ethics in this Body. If we can't rely on the word of another member, then we are in serious difficulty, Mr. President and members of the Body, and I take exception to the President, Senator Rock's intimation that we knew what we were voting

on. We knew we were voting on an amendment that had been offered to us on Thursday and that is all that we knew, an amendment to which we have no objection. I say to Senator D'Arco, this was an unwarranted intrusion and we ought to be given the total support of every member of this Body to reconsider and then Table Amendment No. 2. You then, Senator, will have our full support to offer Amendment No. 3 carrying the provisions that you originally wanted. This now before us is a question of one's word and the ethics of this Body. After that, we'll get into the merits of what is right and wrong about the Judicial Pension System. And Mr. President, I'd like a roll call on the motion to reconsider the vote by which Amendment No. 2 was adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the reconsideration of the vote by which Amendment No. 2 to House Bill 2286 was adopted. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 23. The motion to reconsider prevails. Further motions?  
SECRETARY:

I move to Table Amendment No. 2 to House Bill 2286. Signed, Senator Berning.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning now moves to Table Amendment No. 2. Is there discussion of that...the motion is not debatable. Is there a request for a roll call? On the motion to Table, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 22. The motion to Table prevails. Amendment No. 2 is Tabled. Are there further amendments, Senator D'Arco? Alright. 3rd reading...is Senator Gitz on the Floor? Senator Berman on the Floor? Senator Rock, I have a

couple that I would like to handle if...Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

I have the permission of Senator Berman to handle this amendments on 1301. He went...called to the House Floor on a bill that's up. I have the file and he asked if I would have it. I talked to President Rock and he had no objection. So, if you'll call 1301 back to 2nd reading, I'll be glad to handle it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave for Senator Davidson to handle the bill in the absence of Senator Berman? Leave is granted. Senator Davidson asks leave of the Senate to return House Bill 1301 from the Order of Consideration Postponed to the Order of 2nd Reading. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading.

SECRETARY:

Amendment No. 3 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBURG:

Thank you, Mr. President and fellow members. Amendment No. 3...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, when we took this out of the record yesterday, I need to know whether Amendment 1 and 2 from the committee was Tabled and Amendment No. 3 sponsored by Senator Berman which put the language that was in Amendment 1 and 2 from the committee in the correct technical procedure was adopted before we go to Senator Grotberg. I have no objection to Senator Grotberg's amendment, but as I understand, these amendments are drafted to track with Amendment No. 3 being

HB 1301  
Revised

adopted first.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment 1 and 2...were Tabled. Senator Rhoads.

SENATOR RHOADS:

Mr. President, in...in response to a request from me, Senator Berman agreed to take it out of the record until Amendment No. 3 was distributed. I did not know at that time, which I know now, that Amendment No. 3 was a technical compilation of...technically correct compilation of Amendments No. 1 and 2. But at the point that he was offering Amendment No. 3, a fourteen page amendment, I believe, Mr. Secretary, he at that point took it out of the record. So, I don't think Amendment No. 3 ever went on.

SECRETARY:

No, he took the amendment...he withdrew the amendment. I don't even have the amendment now.

SENATOR RHOADS:

So, that answers Senator Davidson's question that Amendment No. 3 was not adopted, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, Senator Davidson, Amendment No. 1 and 2 were Tabled, No. 3 was withdrawn. At this point, the bill has no amendments. Senator Davidson.

SENATOR DAVIDSON:

Well, then, Amendment No. 3 if we're being correct should be the fourteen page amendment which is the Amendment 1 and 2 that we Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We don't...he withdrew it, we do...the Secretary does not have the amendment.

SENATOR DAVIDSON:

Well, where is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Senator Berman.

SENATOR BERMAN:

The amendment that was offered following the Tabling of Amendments 1 and 2 were on the desk...on the Clerk's desk yesterday. He had it. We took it out of the record when Senator Rhoads raised a question regarding whether it had been distributed.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

END OF REEL

REEL #5

SENATOR BERMAN:

All right, thank you. Amendment No. 3 does several things, the most important of which is that it includes the formulary for the funding of the Adult Education Funding Formula. This is the product of many, many months and enumerable hours of negotiation between the Junior College Board and the State Board of Education regarding the funding of adult education throughout the state. It has been agreed to by all parties involved. The other parts of the amendment clarifies the...and liberalizes the use of parent-teacher conferences within service days, it authorizes the hiring of certified school counselors in the School Code, and changes the reporting date of the Chicago Community Schools Study Commission. Those are the four items that are included in Amendment No. 3. I solicit an Aye vote, move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...Mr...Mr. President, I want to point out that we did circulate the sheet, and if any Senator thought his amendment was not on there, it could have been called to the attention of the Secretary or the Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Berman moves the adoption of Amendment No. 3 to House Bill 1301. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4 by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 4 expands the Chicago School Study Commission by one member and provides that member shall be the Cook County Regional Director of Education. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Degnan moves the adoption of Amendment No. 4 to Senate...to House Bill 1301. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 by Senator Grotberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Amendment No. 5 gets back to a subject we were on earlier today with that famous...county board of school trustees. In this day of closing and opening schools, and mostly closing them, they're getting more and more into the area of tort law. The...in the case of Kane County, the...they sought indemnification from the county board by...by resolution. The Kane County State's Attorney wrote to the Attorney General, and this opinion now fits all of the downstate counties, that boards...county boards are not entitled by Statute to indemnify boards of trustees of county school district...regional school districts. The amendment I am offering does empower them to it...the county board to insure them and indemnify them, and that's simply what it does. I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Grotberg moves the adoption of Amendment No. 5 to House Bill 1301. Those in favor indicate by saying Aye. Those opposed. The Ayes have

it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Now, House Bill 1301 will go back to consideration postponed. On the Order of House Bills 1108...Senator Bruce moves to recall House Bill 1108 back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This...Senator Berning, if Senator Berning is on the Floor, this is put on at his request. I hate to say it, it's similar to Senator D'Arco, and Senator Weaver is aware of it. This says that a change that we are proposing in the State University Retirement System and the downstate Teachers Retirement System will not be paid for by the State of Illinois. Senator Berning would like to have that placed on, it expands the date from...1985 to 1990. It just strikes that one line, but the...the major essence of it is to put in the mandates and say that this Act is not a State obligation for either the downstate teachers or the University Retirement System. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Bruce moves the adoption of Amendment No. 2 to House Bill 1108. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

7B 2276  
Recalled

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of House Bills Recall, Senator Bruce moves...asks leave to have House Bill 2276 recalled to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary, would you read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Senator Bloom suggested this...this amendment in committee, it deals with the bond and interest setting forth the interest payments. Evidently in one port district, that's p o r t, district in the State, they make semiannual payments on their bond levy and, evidently, we'd stricken the language. No one knows why, and so to be safe, we put back in the semi-annual payments. So, that's all the amendment does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Bruce moves the adoption of Amendment No. 1 to House Bill 2276. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of House Bills 3rd Reading, House Bill 1882. Senator Gitz seeks leave to have House Bill 1882 recalled to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Is there leave to go back to that order of business later? The amendment hasn't come up. Leave is granted.

PRESIDENT:

If I can have the attention of the membership, we'll begin again now at House Bills 3rd reading where we left off. 2088. Senator Davidson will be first. Page 3 on the Calendar. The schedule will indicate that we'll work 'til approximately five o'clock or shortly thereafter, and then adjourn until ten o'clock tomorrow morning. On the Order of House Bills 3rd Reading, House Bill 2088. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2088.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill corrects a error that we created last year in relation to the insurance and bond needed on ambulance when we corrected the problem on licensing and the equipment in ambulances. The Insurance Study Laws Commission found this error during their hearings in the wintertime, and this is from their commission recommending to correct this error. I'd appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just to add to what Senator Davidson said, this is a very good bill. It does correct an error and I would appreciate our members supporting this bill also.

PRESIDENT:

Question is, shall House Bill 2088 pass. Those in favor 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 53, the Nays are none, none Voting Present. House Bill 2088 having received the required constitutional majority is declared passed. 2091, Senator Marovitz. 2102, Senator Savickas. Armor bullets. Top of page 4, on the Order of House Bills 3rd Reading is House Bill 2102. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2102 would amend the Criminal Code to provide that the sale, manufacture and possession of full metal jacket bullets will provide for...that a crime of unlawful use of armor piercing bullets. It would create a Class X felony for persons who fire these APB's, and it creates a Class Two Felony for those who possess them. This bill was introduced in the House by Representative McAuliffe and it's supported by the Chicago Police Department, and I solicit your favorable consideration of it.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2102 pass. Those in favor 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 50, the Nays are 4, 1 Voting Present. House Bill 2102 having received the required constitutional majority is declared passed. 2125, Senator Bruce. 2167, Senator Savickas. 2167, Senator Savickas. Do you wish the bill called, Senator? On

the Order of House Bills 3rd Reading, House Bill 2167. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2167.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2167 would permit a municipality to indemnify a policeman for judgments recovered against him for injuries sustained in the...performance of his duties as a policeman. This is a...a city created bill to assist policemen that have judgements rendered against them while they were performing their duty. I would appreciate your support in the passage of House Bill 2162.

PRESIDENT:

Any discussion? Senator Lemke.

SENATOR LEMKE:

Senator Savickas, I'm glad that the City of Chicago and the mayor has succeeded in...the sponsoring this bill, since when we had this for the Police Associations several times it never could get by, but all of a sudden now we need a bill because they killed the Policemen's Bill of Rights to pacify them. I think this is a good bill and it should have been passed a long time ago, and I don't think any city or municipality should have opposed it like it did in the past.

PRESIDENT:

Further discussion? Senator Ozinga.

SENATOR OZINGA:

A question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Ozinga.

SENATOR OZINGA:

This bill refers only to Chicago, none of the municipalities surrounding, is that right?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, it...yes, we're talking about an municipality of having a population of five hundred thousand or over. So, Chicago would be the only one.

PRESIDENT:

Further discussion? Senator Joyce, Jeremiah. All right. Any further discussion? Senator Berning.

SENATOR BERNING:

A question, I assume of the Chair, this, according to what I read, is a requirement. Would this be then a State obligation under our...the Mandate's Act?

PRESIDENT:

Parliamentarian will check that out. In the meantime, I'm...the Chair is asking leave of the Body of Mr. and Mrs., I guess, Sommers request permission to take photographs of Senator Chew. If anybody else wishes their photograph taken, I guess they can have it taken too. Are you ready, Senator Chew? Look alive. All right. Leave granted. Senator Savickas.

SENATOR SAVICKAS:

I think in answer to Senator Bernings question, this is "may." This allows them and says, "May indemnify policemen," it does not mandate them to.

PRESIDENT:

It appears that the bill is permissive as opposed to mandatory. Further discussion? If not, the question is, shall House Bill 2167 pass. Those in favor 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

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wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. House Bill 2167 having received the required constitutional majority is declared passed. 2175, Senator Kent. 2181, Senator Sangmeister. On the Order of House Bills 3rd Reading, the middle of page 4, is House Bill 2181. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2181.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. A number of years ago when the Consumer Fraud and Deceptive Business Practices Act was passed, it was the intent of that legislation that real estate brokers selling property within the State of Illinois would not be included in that Act. There has been an appellate court decision, Beard vs. Gress, which said that they are covered, and this has created quite a disturbance among the real estate brokers, rightfully so, in the State of Illinois, that if a seller has a defect in the product that the liability would also run against the broker. So, obviously, a real estate salesman that's selling property, and the seller does not tell them about the defect, that later on, the broker could be responsible for that defect. That was never the intent of the original legislation. I have letters in my file from Senator Gottschalk who handled that bill in the Senate and from Representative Burditt who handled it over in the House, clearly stating that was not the intent of that legislation. The bill simply says that unless a real estate broker has actual knowledge of the defect, if they have knowledge of the defect and do not tell the prospective buyer, then, of course, they will and

should be responsible for that; if not, of course, they would not. That's what the bill does. Be happy to answer any questions, if not, would ask for a favorable roll.

PRESIDENT:

Any discussion? Senator Rhoads.

SENATOR RHOADS:

I rise in support of the bill, but just to be on the safe side, we'll declare a conflict of interest due to licensed broker.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Senator, how do you determine whether he has knowledge or not, since lies fly in real estate transactions all the time? If a potential seller indicates to a broker that the basement does, in fact, leak, the broker certainly is not going to be so eager to tell the...prospective buyer that the basement leaks, he'd rather take him there when the sun is shining, and, of course, when the sale is made, the buyer finds that he has a defective basement, all the broker has to do is to indicate that he had no knowledge of it and...what happens? I mean this is...this doesn't make sense to me.

PRESIDENT:

Senator Sangmeister. Yeah, Senator Chew, we're going to revoke the photographer any minute. Senator Sangmeister.

SENATOR SANGMEISTER:

...certainly the Senator did not rise to ask a question at this time because of the photographer, is right...that's a good question, Senator Chew, obviously, it's a question of fact that has to be proven. This does not prevent a buyer of a piece of property from suing the broker, but obviously, that burden then lies upon that person to prove that. If the broker is going to lie that he didn't have the knowledge, then he'd be lying under oath in the court of law and I don't

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think he would certainly do that.

PRESIDENT:

Further discussion? Senator Thomas. Senator Chew, for the second time.

SENATOR CHEW:

No,...no, this is the same...same first time. He doesn't lie under oath when he's selling the property. Only time he gets under oath is when it becomes a court case, he's not under oath when he's selling the property even when he goes in for a closing, if he's around.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

As in any profession or any business, there is no way, of course, that you can legislate integrity upon a broker. If he's going to lie about the transaction, then he is an unreputable real estate broker.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 2181 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none Voting Present. House Bill 2181 having received the required constitutional majority is declared passed. 2242, Senator Demuzio. On the Order of House Bills 3rd Reading, the middle of page 4, is House Bill 2242. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is put forth by the Illinois Retail Merchants Association. Amends the Criminal Code to extend civil liability to all persons who commit the offense of retail theft and stipulates and sets forth punitive damages and attorney fees, and...the measure is intended to give the retailers another remedy for retrieving stolen goods or an equal amount in cash value, plus the costs incurred in recovering stolen goods in retail theft. Establish this statutorily...describe damages equal to either the full amount of the merchandise, an amount not less than one hundred dollars nor more than a thousand, and attorney's fees and cost. The Retail Merchants Association believe that this bill will provide some relief from the alarming increase in retail theft, and would answer any question and ask for your favorable support.

PRESIDENT:

Any discussion? Senator Lemke.

SENATOR LEMKE:

You...you state punitive damages, what do they mean by punitive? Those are usually more than the actual damages are.

PRESIDENT:

Senator...Senator Demuzio.

SENATOR DEMUZIO:

I didn't hear the question.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I think that you mentioned that this provides for punitive damages, those are usually an extraordinary circumstances, so it's punishable. Here we're talking about a guy that is going to pay lawyer's fees and costs and punitive

damages in the actual cost of the product, but punitive damages usually are..are usually double or extra over and above the actual expense. So why would we want to have punitive damages on a...on an individual?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

All right, perhaps punitive would not...would not be the applicable terminology here. The bill, and I read specifically from the bill, it says, "The actual damages equal to the full retail value of the merchandise, an amount not less than one hundred dollars, no more than a thousand, plus the attorney's fees and court costs." And that is specifically and totally all that which is in this bill. So if I've used the word erroneously, then, obviously, I have. It is so stipulated in this bill the provisions that I've just mentioned.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 2242 pass. Those in favor 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 52, the Nays are none, none Voting Present. House Bill 2242 having received the required constitutional majority is declared passed. Senator Walsh, on the Order of House Bills 3rd Reading is House Bill 2250. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2250.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Jim. Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, under the existing law, downstate school districts have until the last Tuesday in December to file their certificate of levy with the county clerk. House Bill 2250 would give school districts in suburban Cook County the same period within which to file. At the present time, suburban school districts have until the...last Tuesday in September. This bill would give them until the last Tuesday in December to file their certificate of levy. I urge a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2250 pass. Those in favor 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 wish? Take the record. On that question, the Ayes are 55, the Nays are none, none Voting Present. House Bill 2250 having received the required constitutional majority is declared passed. 2263, Senator Sangmeister. On the Order of House Bills 3rd Reading is House Bill 2263. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This legislation can over from the House, from my House member over there, who was requested to introduce it on behalf of our local Lion's Clubs. In years past, if you solicited...as an organization, such as the Lion's, over twenty-five thousand dollars, you had to file a report with the Attorney General's Office, and that audit costs somewhere between seven hundred and fifty and a thousand dollars. With infla-

tion, they now have budgets up to almost fifty thousand dollars, and they would like to be able to solicit that without having an audit report of almost one-fiftieth of that money going back to the auditor for the report. So we've increased the figure to fifty thousand dollars, up to which over that they will have to file a report, under that they will not. Happy... (machine cutoff)...questions.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2263 pass. Those in favor 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 58, the Nays are none, none Voting Present. House Bill 2263 having received the required constitutional majority is declared passed. Senator Grothberg, on 2277. On the Order of House Bills 3rd Reading is House Bill 2277. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2277.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President and fellow members. On December 1st, or thereabouts of this year, all county board members in the State of Illinois, and like all legislators, are going to take office, and the imperative of this bill being heard now is that this...we've passed it out of here a couple of times, it's got stalled for several reasons, but the County Problems Commission, I and several others of the people concerned with local government, are concerned that the county boards have a option of salary and per diem instead of salary or per diem to take care of the discrepancies and the highs and lows that

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are now apparent in most county boards. It's optional by board action. I would be glad to answer questions. It's been debated many times on this Floor, and we would like to, at this time, put it through and get it down to the Governor in time for the new county boards who serve this fall who may want to opt. I think Senator Chew has withdrawn his objection we had in committee and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2277 pass. Those in favor 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 58, the Nays are none, none Voting Present. House Bill 2277 having received the required constitutional majority is declared passed. Senator Dawson, 2278. On the Order of House Bills 3rd Reading is House Bill 2278. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 2278 strikes the word "residential" from the exemption of residential real estate loans from the general interest rate to make such exemptions apply to all real estate loans. It passed the House with a 118 votes and it's sponsored by the Illinois...supported by the Illinois Realtors and ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall House

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Bill 2278 pass. Those in favor 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 55, the Nays are 1, none Voting...1 Voting Present. House Bill 2278 having received the required constitutional majority is declared passed. The bottom of page 4, on the Order of House Bills 3rd Reading is House Bill 2284. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2284.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The bill essentially...there are other provisions, but the bill essentially provides that the board of managers of the condominium association can exclude a unit owner from participating in a board meeting if the board of managers is in the process of suing that unit owner. It also provides for easement rights for cable television, the laying of cable T.V., and there are other provision...notice provisions in the bill. We had an amendment...Senator Bowers offered an amendment on 2nd reading, a technical amendment, and there's no opposition to it and I would move for passage of...House Bill 2284.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 2284 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays 1, none Voting Present. House Bill 2284 having received the required con-

stitutional majority is declared passed. House Bill 2286, Senator D'Arco. House Bill 2289, Senator Maitland. House Bill 2303, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2303.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2303 is an amendment to the Public Aid Code, and it provides essentially that the Public Aid Department will have what's called an open formulary with respect to the issuance and reimbursement of prescription drugs. It is the feeling of many in this business that there are drugs that are currently not on the so-called restricted formulary...that the department is issuing, and will issue again in January...July 1 of this year, that there are certain drugs that will, in fact, prevent hospital stay and extended doctors visit, drugs in the area of cardiovascular, anti-infective, hypertension that currently cannot be reimbursed. It is, obviously, an attempt on the part of the Department of Public Aid to save some money. They maintain that their new restricted formulary, which will become effective July 1 absent this bill, will save an estimated seven million dollars. There is admittedly some additional cost pursuant to House Bill 2303 if approved. However, it seems to us, in the long-run, that if we can prevent further hospitalization of public aid patients by affording them the opportunity to get the prescription drugs that the doctor deems necessary, we will over the long-haul, save some money. The idea is a new one. It's been utilized in a couple of

other states. The statistical surveys and the studies that have been done, indicate that it is effective. It's kind of a revolutionary idea for Illinois, but I think, as a matter of public policy, it's one that we ought to adopt and I urge a favorable vote on House Bill 2303.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, this bill, like a lot of other things, sounds good but if you listen carefully, this is another one of these situations in which we're arguing that we can save money by spending more money. One of the things that was regrettable in the committee testimony was, that the department was not allowed or given a chance to, in...in fact, testify on the bill. True, the Department of Public Aid is, in fact, trying to cut down the number of drugs that are available through public aid in this State. I would suggest to you, that this State's record on handling public aid drugs is not the best. I believe there is some testimony somewhere in one of the judicial bodies in that large urban setting in the northern part of the state that the number one purchaser of illicit drugs in this State is, in fact, the Illinois Department of Public Aid. I have some serious reservations about throwing open all drugs approved by the, whatever the appropriate alphabet in Washington is, for public aid recipients. I would suggest to you that the Department of Public Aid has a procedure now where the doctor can prescribe the drugs that are on the list, or if they find that another drug because of allergies or unusual circumstances is necessary, they can by a phone call get permission and get that drug...get permission to use that drug for prescription purposes. Now like any other bureaucracy, I'm sure we can come up with some stories where people have tried this procedure and run into brick walls. My concern is that we are in no position now to be

broadening this type of a program in public aid when we are in the process of trying to figure out how we can underfund the hospitals by thirty percent, if you read the buttons properly. I just have some serious concerns that we don't have the money, that there is, in fact, a system working, which we ought to allow to continue to work, and two, that we are opening the door very, very wide for the illicite use of drugs and the abuse of drugs at the taxpayers expense. No, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. Senator Newhouse is not on the Floor, he is the Chairman of the Public Aid Advisory Commission, and as vice chairman, I thought I should rise and, at least, thank the sponsor for not mentioning the fact that the drug...there has been a drug company inferring that the Public Aid Advisory Commission was in support of this bill and that is not the case, they have not acted on it. If Senator Newhouse, I believe, were here had expressed that he would vote for it and I want to say that publically. But I share Senator Schaffer's remarks as we stand, and sit on that committee trying to carve two hundred million more out of the hospitals and all of the things that are necessary so we can pay State employees and balance this budget. So, I would recommend a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Question of the sponsor. Senator, I note that the bill has not been amended and as introduced, amended chapter 23. Now, Senator Netsch had the bill that she passed three or four years ago creating the postive drug formula of the Illinois Department of Health in order to implement the generic

drug substitution law. This bill, in no way, affects that positive drug formula, does it? Question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

It is my understanding, it does not.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill. I think it's time that formulary was open and not be that restrictive. There have been studies made in California which indicated that an open... formulary could save many millions of dollars, and studies in Michigan and...Louisiana indicating an increased Medicaid...expenditure could result and has resulted from a restricted formula. It's high time that we opened it up and I speak in favor of it. I think we can save more money in the long-run.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise, basically, in support of the bill, but just to put out a piece of information, I sit on the committee, we looked at the bill, and I've been saying all along to the Department of Public Aid, I've talked to the drug company people, I've talked to sponsors of the bill, it appears on a prima facie case that they're correct. Now, I'm saying to the Department of Public Aid, if they are not correct, if you have any evidence to prove them wrong, come and tell me, I can vote against the bill, it doesn't bother me in the slightest. The Department of Public Aid has not gotten us any information to say that Senator...the point Senator Rock is making are wrong. If there is any evi-

dence, whatsoever, that would say that Senator...Rock is incorrect, that this will not in the long-run end up saving us money because it keeps people out of hospitals, it has not been presented to us. We have waited for weeks, we've mentioned it before, we've said it in committee, and the Department of Public Aid has simply given us no information to refute, what appears to me to be a prima facie case that they've made an honest accident and that this bill, in reality, will save us money, and I think we're better off supporting the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Keats, I'm happy to hear you say that's a wise decision. Senator Grothberg, Senator Newhouse may not be but I'm a member of that same committee you are and everytime I look here, you know, Senator Grothberg now is like a country girl at a dance, he's on every setting. I haven't seen him miss any bill that's comes up here, but this is a doggone good bill and everybody here should support this. And you must remember that people who are on public aid should have dignity like everybody else. Are we going to treat them as second-sized citizens? They need this. It's a doggone good bill and the President has stated exactly correct. Please support this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Very briefly, I think this is an attempt as a matter of public policy to recognize, as Senator Hall rightfully pointed out, that those who are subject to reimbursement for their pharmaceuticals, the elderly, and, particularly, the

medically indigent may not under a restricted formulary receive the drug best suited to their illness, to their cure. And so a restricted formulary, I suggest, as proposed by the department and I think Senator Keats, is correct. This is admittedly experimental. We don't know but we are fairly sure, based on the available evidence, that over the long-haul we're going to save some money because a restricted formulary promotes the overutilization of hospitals and doctor visits, and if we can get them the right drug at the right time under a physicians prescription, perhaps we can cut down on extended hospital costs. And I would urge a favorable vote for House Bill 2303.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 2303 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 50, the Nays are 6, 1 Voting Present. House Bill 2303 having received the required constitutional majority is declared passed. House Bill 2335, Senator Rock. 2335. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2335.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2335 comes about as a direct result of action of this Assembly when we set up the Select Joint Committee on Regulatory Agency Reform, the so-called Sunset Committee. One of the jobs in the next two years that the Sunset Committee has to do is to review the utilization and

the being of the Illinois Commerce Commission, obviously, that's not a task to be taken lightly. And what this bill says, is that we will appropriate money out of the Public Utility Fund for the purpose of that study, that examination. Currently, as you know, there is a Public Utility Fund that is earmarked. It can be utilized only by the Commerce Commission itself and by the Illinois Department of Energy. This would provide a third alternative, namely the Select Committee on Regulatory Reform for the period of two years. If there's any money left in the Public Utility Fund, it is returned to the utilities on a pro rata basis. So we are taking nothing from General Revenue, we are freeing up...this year's appropriation, I believe, is a hundred and sixty-five thousand dollars. I know of no opposition. I solicit a favorable vote on House Bill 2335.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

Yes, what is the status of the appropriation bill, the companion bill to this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

There...there is an appropriation for a hundred and sixty-five thousand dollars out of the Public Utility Fund currently in the appropriation bill. The bill, I think, is on the Calendar, Senator, I'm...I'm...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Are you aware that the raw data for the Commerce Commission is...is also supplied by the Auditor General? In other words, they do...management audits and things like that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Rock.

SENATOR ROCK:

Yes, I am aware and I beg your pardon, the amendment...I mean, the appropriation is in House Bill 2370.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, I rise in opposition and maybe the only No vote in this Chamber. I don't think that this is necessary. We...I'm on the Select Joint Committee and we started off two years ago to try and contract out all reviewing through the University of Illinois. They didn't get the money to do it. It seems to me that there are enough reports and enough raw information floating around that we, as a Body, the Sunset Committee, don't really need to do this. Now, I think it's one of those, you pays your money and takes your choice, but the bottom line is, I think that there might be more beneficial uses that the Public Utility Fund could be...the excesses could be put to as in tax reform, other matters. As I said, I may be the only No vote in this Chamber, but it seems to me that these...this kind of...we'll be reinventing the wheel. This has been one of the...one of the problems with the Sunset Committee is that it has tended, in its Sunset function, to go off and...and try an reinvent the wheel, and I...I suggest that this is not the wisest public policy. There are...there's adequate information available. There are...adequate agencies to furnish us with the raw data and that this is not a necessary tool to the Sunset process. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Gitz.

SENATOR GITZ:

Well, I must disagree with Senator Bloom. I am also a member of the Sunset Committee, in fact, I'm not aware of any other member who stands in opposition to this need. Of all of the reviews that the Select Committee will be doing over the next several years, I dare say, very few of them, other than the Medical Practice Act, are perhaps more important than the review of the Public Utilities Fund. We are going to, without question, be faced with very hard choices, and it is the desire of that commission not to wait until the last minute, not to hear just a couple of lobbyists in one side or the other, but to do a very systematic review, now, and over the next several years, so that when we have completed that cycle, we are in position to know exactly what changes ought to be recommended. Everyone here, I'm sure, has strong views, one way or the other, about the Commerce Commission and whether they have completed their task sufficiently. It seems to me that the one thing we are definitely obligated to do is to make sure that when we are recommending public policy choices that we have maximum background to do so, that we don't just simply rewarn a couple of worn out reports, whether it be by the Auditor General or by one of the utility companies, and this legislation is a sensible way to address that issue without tapping very scarce General Revenue Funds. And for that reason, I think that it would be very prudent on our part to approve House Bill 2335 so that the commission can genuinely carry out its function, rather than simply shuffling some papers and reports back and forth.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

First of all, is this a permissive bill or is it a mandatory bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, it's mandatory to the extent that it...we are amending the State Finance Act to allow the General Assembly to appropriate money out of that earmarked fund for this purpose.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that House Bill 2336 which was the companion that...appropriations bill was Tabled in the House. What provisions are you going to make for this one then?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, my understanding is, it's in House Bill 2370. Now, I could be mistaken, but I...

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis. Senator DeAngelis on the Floor? Any further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think we...what we are confronted with is that we have established a Sunset Committee, and we have given them the charge that by 1985 they are to report back to this Assembly and to the Governor with respect to regulatory reform or recommendations with respect to, how do you regulate utilities? And in order to have a systematic and thor-

ough study and public hearings they need some money. And if they don't get it out of this fund, they're going to have to go to General Revenue. It's easier to come out of this fund, and that's simply all this bill does. I urge your favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 2335 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 9, none Voting Present. House Bill 2335 having received the required constitutional majority is declared passed. House Bill 2340, Senator Philip. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2340 as amended amends the Real Estate Brokers and Salesmen Licensing Act. Provides that the monies in the Real Estate Research and Education Fund may be invested in the same manner the funds in the Real Estate Recovery Fund, all these monies shall be deposited in the Real Estate Research and Education Fund. Also provides that the members should have expenses and per diems for the examining committee with the authorization of the director of R and E. There's no State funds involved whatsoever, it strickly comes out of license fees and revenue, and it's endorsed by the Department of Registration and Education, and the Illinois Association of Realtors. I know of no opposi-

tion and would hope that you would support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 2340 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. House Bill 2340 having received the required constitutional majority is declared passed. House Bill 2342, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2342.

(Secretary reads title of bill)

3rd reading...

PRESIDING OFFICER: (SENATOR BRUCE)

Take it out of the record. 2359, Senator Berman. Senator Berman on 2359, lottery. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill strikes language that is no longer applicable as a result of the lottery regulations and the loan to Chrysler. The amendment that was placed on it cleared up language in the related part of the Statute regarding the...utilization of these funds in the...in the General Revenue Fund. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator McMillan.

SENATOR McMILLAN:

The bill does as Senator Berman indicated. I rise in support of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall House Bill 2359 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. House Bill 2359 having received the required constitutional majority is declared passed. House Bill 2384, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

(Machine cutoff)...Bill 2384.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual School Formula bill. This is a bill that's been worked on in the public hearings, through the School Problems Commission, the Department of Education...State Board of Education worked out an agreement with the elementary school districts. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

I also rise in support of this bill. It's a compromise measure that addresses many of the needs throughout the State of Illinois. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill...Senator...Senator Davidson.

SENATOR DAVIDSON:

Well, one other...in case there was any discussion, but one other item which a request from the legal department from the IOE that needs to be read into this so it...legislative intent can be referred to if need be, and I need to read this statement into the record before you take the vote. "Beginning with State Aid claims paid in 1982-83, there will be a weighting of 1.05 for attendance, pupils in grades seven and eight computed in accordance with the procedure used in the preparation of the printouts of House Bill 2384. As far as districts meeting the threshold requirement for State Aid computations in 1982-83 is concerned, all districts that meet the threshold requirements for the law as it is, at the present time, will be considered to meet the threshold requirement for 1982-83." Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bruce.

SENATOR BRUCE:

Well, let's...let's...let's calm down here and find out what we're doing. Now, I know that you guy's don't want to amend this and send it back to the House, and there's been an ironclad agreement and we all have held hands on this, but you know, I'd like to take this out of the record, right now. I know what you said about threshold districts and who's going to get the money, but I don't think this Body ought to tolerate someone standing on the Floor and reading into the record an amendment to a bill that tells an administrative agency how to interpret our legislation. Now, Senator Davidson, if you want that in that bill, amend it and clarify that threshold districts that have seventh and eighth graders on your printout, which is not a part of our record. I've never seen your 2384 printout, I don't know whether my districts are going to get any of this money. Now we have a clear understanding about this formula bill, where the money

is going to go, and for you stand on the Floor, the last time, with no discussion and read into the record how IOE is going to interpret this flies in the face of good legislative procedure. This bill out to be taken out of the record. We ought to talk about what you want to do with this little statement and we either ought to amend the bill and put it on and run it back to the House, or we ought to say, put it in a letter to them or something else. But that is going to have impact on many districts in the State of Illinois, and we ought not to do that by a simple statement by you that that's our intent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Collins.

SENATOR COLLINS:

...I just...and listening to that statement and I...I wanted to know did it have any impact on the Title's I weightings...State Title I monies, and if so, what impact? I understand that the Urban League had some opposition to...to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, two things. Senator Bruce...okay, you should have a copy of the print out, if you didn't have a copy of the printout it's because your staff or Senator Berman didn't give it to you. Everybody else that I'm aware of had a copy of the printout, and the reason this is necessary is because IOE cannot count seventh and eighth graders at this moment because their grade schools don't give it to them, and the idea of the threshold is, protect your high school districts that are not levying the 110. If they're between 105 and 1.10 is so they will be and will meet the threshold, this is for those protection. I don't know of any district downstate that's going to be penalized for this. Senator

Collins, yes, the Urban League opposed this bill, but they opposed all of them. They wanted a higher weighting for Title I people and that just cannot happen. They were going to take more away from the rest of the State for the benefit of the City of Chicago. The City of Chicago has got twenty-two percent of the students in public school, you're now receiving 33.8 percent of the total money appropriated, and I talked to the Urban League and they understood thoroughly that...that we're not...no, I'm not going to take it out of the record, vote it up or down.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Well, I...I would just like to, you know, if...if he would take it out record for to...to see it...take time to see it.

PRESIDENT:

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm just trying to figure out, Senator Davidson, that they tell me that this has affect on many different districts. I...that's like an impact on the school districts where I am. Would...do you have that...do you have a breakout on that...on the printout? Do you have a printout? Senator Davidson, do you have a printout?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, Senator Hall, will you repeat the question, I was distracted.

PRESIDENT:

Senator Hall.

SENATOR HALL:

...I just wanted to know, Senator Davidson, now according to what I see here that it's...it says to be prudent to separate a lot of these formal changes, and I just want to understand what the printout, I haven't seen one, just say, like in the district where I am, do you have a printout on that district?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I have a printout for every district. Senator Berman there close to you has one closer to you. If not, I'll send mine over to you. But East St. Louis will probably lose some money, Senator Hall, because we reduced the effect of Title I, but it may also gain any. If you have the formula with Senator Berman, I'll yield to you to answer that whether his district does or does not improve, while I get my printout out of the record?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

As a point of fact...as a point of fact, East St. Louis has a very slight increase. Let me, if I may, while I have the mike, address the question regarding the Urban League. The two people that were down here during the committee hearings, both when this bill was in the Senate bill version and the House bill version were before our committee, I have discussed this with them, their...their position is a...is a formal one and I understand it fully. They are opposed to any decrease in the Title I weighting, especially the upper density Title I limit, that part of the formula is, in fact, lowered by this formulary. However, the representatives from the Urban League have looked at the...it's lowered from 6...65 to .625. The representatives from the Urban League had to...felt that they had to take the position, which I

understand very fully, as being in opposition to any further lowering. The realities of the situation are that without some adjustments in those factors, the only people that would probably be able to go home from this legislation...legislative session, as far as school aid is concerned, are those people from East St. Louis and from Chicago. So, there had to be some compromises, and what has in effect been done is that in this bill, Chicago increases from approximately 32.6 percent of the money to 33.6 percent of the money, notwithstanding the lowering of the Title I factor. The Chicago Board of Education is in support of this bill, and the position of the Urban League is essentially one in principle and I do not argue with their principle.

PRESIDENT:

Senator Rhoads.

END OF REEL

Reel No. 6

SENATOR BROADS:

Quick question of Senator Berman. Senator, I'm looking at the printout and suburban Cook County appears to lose twenty-five million dollars below what was paid out last year but gains back a million from what it otherwise would have received if this bill had not passed. Am I reading the printout correctly?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I...I believe you are. Let me explain to you what's happened in suburban Cook, especially in the northeast quadrant. They were substantially impacted by the quadrennial of last year. For example, Evanston, which I represent and Roger Keats represents, is going to lose approximately two-thirds of their State aid, two-thirds of their State aid is being lost under this formulary. However, Evanston has a fifteen percent increase, a...a budget increase in their high school from twenty-one million to twenty-four million dollars as a result of their substantial increase in assessed valuation. If we have...if we do nothing, and let me tell you, Senator Davidson said vote it up or down, if you vote this amendment...if you vote this bill down, I'll go home a hero, because the only school district, virtually, and maybe a couple of others, that will go home with money is Chicago, that doesn't bother me, Gentlemen and Ladies, that would be great. But like any other formulary that we...come to with the School Aid Formula, it is a compromise so that everybody can go home with a little piece of the total pie. The...the impact in suburban Cook is substantial, but they have more than made up their decrease as a result of substantial

increased assessed valuations and substantial decreases in pupil enrollment.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. For those of us who serve on the Education Committee have been working with this formula for some time, I want to back up what Senator Davidson and Senator Berman are saying. Certainly...actually, Senator Berman and I probably ought to vote against the formula where we split Evanston, I mean, but due to certain assessment changes that those of us in the northeastern quadrant and Cook County are aware of, this year we get hung. Four years from today we're going to make out like bandits when the four year assessment procedure comes around. For you downstaters with minor exceptions, this is the best deal any downstate school district is going to get. It is a compromise solution, the guy in...in here who's nuts to vote for it is probably me, because my district is hit harder than any other district in the whole State, but being realistic, this is the fairest way to do it for the whole State. We could run through district by district and most of the downstate legislators would see this is a pretty good deal for you, and for Chicago guys, believe me, it's the only long-term way you're going to be able to continue to work with us. We have to shift some of the waiting in Title I, as Senator Berman was saying, it's a practical need. And the only area that is hit very badly is the northeastern quadrant and that's an area like mine, and I hate to say it this way but I guess we're just going to have to suffer this year. But then, as we go around the various quadrants of suburban Cook, every fourth year one of us gets hung, that's just part of the assessing process and there's nothing you can do about it in the State Aid Formula. So I would urge all of us to support the bill,

although I recognize it certainly isn't perfect.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I guess at this time of the year on school aid and pensions and so forth, all of us tend to get a little paranoid, but I guess you'd be paranoid too if they'd been following you as long as they have me. And I've never, Senator Davidson, seen an example of when a Senator asks another Senator to take the bill out of the record because there was some misunderstanding about the statement that you've made, that the Senator refused to take it out of the record. Now this is something that is very important to all of us, and I also am...am, quite frankly, suspicious of the statement that you read into the record. When you tell the IOE, an organization that some of us have not complete total trust in, confidence in, when you tell them through a statement in the record how they're going to run a computer printout and how they're going to distribute money, that is a contravention as far as I'm concerned of the whole legislative process. As Senator Bruce said, if you wanted to do that, why didn't you put an amendment onto the bill. Now if you're not willing to take it out of the record, I for one, am perfectly willing to vote No and I know that my school districts would not benefit from my No vote. But until I can get it straightened out and until I can find out what's going on, I'm going to vote No. Now I don't know why you refuse to take it out of the record and have some discussion, this is only Tuesday, we have until Friday. So if it's...if it's your intention to do this, I hope that enough of our colleagues vote No or just don't vote until we get this little gem worked out. Now the Governor saw fit to not adequately fund the School Aid Formula this year. I've been, for one, very confused about all the process that's been going on. I was the sponsor of a School Aid

Formula bill, then I was asked to relinquish sponsorship of it, which I did. And then suddenly I was asked to not call an appropriation bill for the School Aid Formula, in the spirit of compromise, I agreed to that. And then suddenly when the House Bills get over here, I am told, now whatever you do, you can't amend the House Bills, you got to leave them just as they are. And I, for one, do not intend to vote that way, just as they are, because they stick it to my schools in downstate as far as I'm concerned. And I'm getting very, very paranoid about this whole School Aid Formula business and I'd just like to know who's dealing with whom. And since I'm not one of the dealees, at this point, I'm not going to vote for your bill.

PRESIDENT:

Further disussion? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. I have a question for the sponsor.

PRESIDENT:

Indicates he'll yield.

SENATOR BERNING:

Senator...Senator, I have a letter from one of my school districts that I think is contrary to what I understand you said the bill does, and I wish you would help me straighten it out. This letter says that House Bill 2384 places a 1.10 weighting on all kindergarten through eighth grade...pupils, is that correct?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

That is not correct. It puts a weighting of 1.05 on seventh and eighth graders for the elementary district, that was the compromise worked out with the elementary district. A school district from your area wanted a weighting of kin-

dergarten through eight, amendment which you tried to put on this...this bill which was defeated.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

I well remember the failure on that amendment, but I thought perhaps, according to this letter, that somehow it had been accomplished. My next question is then, Senator, if I'm reading this printout correctly, for Lake County we will be losing about three and a half million dollars over the current appropriation year, is that correct?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

You could very well get less, but it has nothing to do with the formula, your less money has to do with there's less money being appropriated in the Common School Fund, something like thirty some odd million dollars less than last year's funding.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

That then, Ladies and Gentlemen of the Senate, leads me to comment that in spite of any and all justifications that any one or any group is able to muster, in my humble opinion, this weighting process, wherein now I'm informed the Chicago schools get thirty-three percent of the available dollars or some such thing, is totally unfair. I cannot accept that one area of the State deserves to be treated so much more handsomely than the rest of the State of Illinois. I submit that we are all part and parcel of one State, and it makes no difference to me in what area some school child resides, there isn't anything that justifies him or her benefiting at the expense of a child somewhere else.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. If I'm sounding a little angry it's only because I am. Now, you know, we work on this, Senator Davidson, a long time and you talk about your printouts, and we've all got printouts of what this thing did until you read your little statement into the record. And the problem, and I don't, you know, the...the longer you keep this alive, the one...more I wonder about what it does shift. I don't know what procedure...let me just read what your statement is, then...then we'll find out. It says, "Claims computed in accordance with procedures used in the preparation of printouts." Printouts is nowhere defined in your statement, those are not legal documents to find anywhere in the Illinois Statutes, printouts are printouts. And I know damn well that IOE tomorrow can change the way that they decide to...to develop whatever a printout is and you have not stated what the procedure was. So now, first of all, we don't know what the procedure is, so we say put it in the record, and if someone wants to take my districts on, they change the procedure. Now, in the second paragraph of your statement, it says, "All districts meeting threshold requirements." And I'd just like for you to set forth in your closing debate every one of those districts that meet the threshold requirements. I would also like for you to tell me which one of these districts will not meet it in 1982 and 1983. Now we work a long time on a compromise, but here's what you and Senator Berman are asking us to sign on for, a very long cruise and we don't know where we're going. Now it's one thing to be shanghaied and...and taken on board, but at least we ought to know where we're going to end up. And what you've done is change the rules at the very, very end of the day and say, look, we don't know where

we're going to go but jump on board with us anyway. Chicago is going to lose money with this formula, suburban Cook County loses money with this formula, downstate schools lose money with this formula, we're all losing money already. And then you say, don't worry about it, some districts are going to lose more...money than others, but we don't know yet because we just read this statement in and let IOE take care of it. Well, I'm like Senator Buzbee, I...I don't have the undying confidence that you do in the Illinois Office of Education. Let me tell you one...one reason why and it's kind of personal, there are five bills over here appropriating money to schools located throughout the State of Illinois. If you take a look down the Calendar, all five of those appropriation bills are handled by people from the City of Chicago. Now, maybe that doesn't make any difference to anybody here, but there are school districts all over the State and maybe those appropriation bills ought to be handled, some downstate, some suburban, some Cook County, some Chicago, but that's not the way it works out. Now, sometimes some of us get suspicious, like Senator Buzbee mentioned, we wonder why that works out, and Mr. Gill hasn't given me an explanation but I'm...I'm waiting for it. But I just think that we ought to take this bill out of the record. I am prepared to vote against it today. I can go back to my district and say, with this bill passing, my districts lose money, I wanted to vote against it. That's what going to happen because the Governor hasn't put enough money in there that we can fight over anyway. But I am not going to vote for a bill which states the procedures have been delegated to an authority that I don't want to have the delegation and...and a procedure that's not set forth, and a printout that we don't know about being the law of the State of Illinois is just outrageous.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I want to apologize for getting up the second time, but, Senator, I'm a member of the School Problems Commission like you, now if there was a...request made from here, I think the right thing for you to do is to take this bill out of the record right now. We...we all work hard on the School Problems Commission, but I can't see why you would be so adamant that you wouldn't take this bill out of the record.

PRESIDENT:

Further discussion? Senator Leake.

SENATOR LEMKE:

Senator Davidson, does this give more authority to the Office of Education, a unelected body?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

No, it does not. But, Mr. President, while you're recognized, I'm ready to pull this bill out of the record, but before it does, Senator Buzbee, I want you to feel a little bit, just like I...I feel when I walk into Appropriation Committee and don't see an amendment, what it does to my appropriation bills till after the fact. Talk about some of the rest of us getting shanghaied, doesn't feel so good, does it? You know, you ought to understand that...that's a two-way street, we like to be informed about something, I don't like to walk into committee cold and you hand me something and say, here it is, Buddy, you got it, you know. Some of the rest of us resent some of the highhanded things you do, it doesn't feel so good, does it? Now I've made a request by a member of the School Problems Commission and by my Minority Leader, Senator Bruce who's been asking...I'll take it out of the record so you can all understand what it was. I read that verbatim statement in for a specific reason, at a request, so the attorneys who have to interpret

how this is going to be divided on a 1.05 weighting for the seventh and eight graders would know what we intended to be done for your benefit. And, Senator Berning, Chicago's got additional money for the last ten plus years. If we don't pass this formula, they're not going to get 33.6, they're going to get 34.8, you just give them more. Maybe you ought to all understand some of these things before you all go flying off the handle. But now you understand how some of the rest of us feel when we get something shoved down our throat without being explained to you. Mr. President, I request to take this bill out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR BUZBEE:

I just wanted to say to Senator Davidson that any point in the future, I'd be glad to give him any sort of assistance to make him feel better when we shove it down his throat.

PRESIDENT:

Any further business...Senator Philip, what do you think, I think the day is long enough, right? Further business to come before the Senate? If not, Senator Donnewald moves that the Senate stand adjourned until ten o'clock tomorrow morning and the Committee on Executive Reorganization will meet at nine. Senator Nimrod, for an announcement.

SENATOR NIMROD:

Yeah, ballgame tonight with the lobbyists, at seven o'clock on Capitol Street, two blocks west of Stratton Building, seven o'clock.

PRESIDENT:

All right. If there's no further business, no further announcements, Senator Donnewald has moved that the Senate stand adjourned until Wednesday, June 23rd at the hour of 10:00 a. m., 10:00 a. m. The Senate stands adjourned.