

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 16, 1982

PRESIDING OFFICER: (SENATOR DONNEWALD)

The hour of ten having arrived the Senate will come to order. Would the guests in our galleries please rise. Prayer by Reverend Eugene Weitzel, Director of Chaplains, St. John's Hospital, Springfield.

REVEREND WEITZEL:

(Prayer given by Reverend Eugene Weitzel)

PRESIDING OFFICER: (SENATOR DONNEWALD)

Reading of the Journal.

SECRETARY:

Thursday, May the 27th; June the 1st; Wednesday, June the 2nd; Thursday, June the 3rd; Monday, June the 7th.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. And I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrects to offer. And Mr. President, I move that the reading and approval of the Journals of Tuesday, June 8th; Wednesday, June 9th; Thursday, June 10th; Friday, June 11th; Monday, June 14th; and Tuesday, June 15th, in the year of 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Resolutions.

SECRETARY:

Senate Resolution 590 offered by Senators Nega and Medza. It's congratulatory.

Senate Resolution 591 offered by Senator Maitland and it's congratulatory.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland moves that the rules be suspended for

immediate consideration of the Resolution 591. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senator Maitland now moves for the adoption of Resolution 591. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. House Bills 2nd reading, page 7 of the Calendar. House Bill 396...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just like to have the Senate note that it's Peter J. Miller's seventy-third birthday today. As you know, he's been a distinguished member of the General Assembly for over twenty years. He now does a little lobbying, and of course he's been the worst baseball coach we've ever had, and we just ought to take note that our good friend Peter Miller is seventy-three years old today. Hopefully, he'll last another seventy-three years.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Peter Miller...Pete Miller was in the Senate, believe it or not, when I was going to law school up here. All right let's get to business. Senate Bill...I mean, House Bill 396, Senator Sangmeister. On page 7. House Bill...579, Senator Grothberg. House Bill 608, Senator Berman. House Bill 712, Senator Marovitz. House Bill 891, Senator Marovitz. House Bill 958, Senator Hall. House Bill 1033, Senator...House Bill 1060, Senator Marovitz-Etheredge. House Bill 1178, Senator Egan. House Bill 1244, Senator Degnan. House Bill 1254, Senator Egan. House Bill 1423, Senator Egan. House Bill 1607, Senator Netsch. House Bill 1733, Senator Bruce. House Bill 1882, Senator Gitz. House Bill 1902, Senator Rhoads. House Bill 1925, Senator Walsh. House Bill 1938, Senator Nedza. House Bill 1992, Senator Lemke. House Bill 2038, Senator Carroll. House Bill 2044, Senator Gitz. House Bill 2079, Senator Netsch. House Bill 2116, Senator Egan.

HB 2181  
2nd Reading

House Bill 2135, Senator Lenke. House Bill 2147, Senator DeAngelis. House Bill 2175, Senator Kent. House Bill 2181, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2181.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this...amendment deals with the Real Estate Brokers License Act, and in committee it was amended that the amendment now is the bill which simply states that a real estate broker is not liable for fraud in the sale of a home unless he...he knows of the false misleading or deceptive character of such information. And I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Question is, shall Amendment No. 1 to House Bill 2181 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:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. 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 one amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment that was offered in committee I certainly support, and it simply says that where there's money raised for the special education...building tax fund, if...by proper resolution some of the revenue raised by such tax can be used for other special education purposes. And I have the support of both the State Board of Education and others, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Question is, shall Amendment No. 1 to House Bill...just a moment, Senator Rock.

SENATOR ROCK:

A question of the sponsor, Mr. President. I just wonder if we could run that...run through that again.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

All right. It would leave the law unchanged, except to specify that dollars levied, under the section could by proper local board resolution be used for a special education operation and maintenance instead of special education...in addition to special education building purposes. And...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

...where did this come from? My understanding was that this bill sponsored by Representative Matijevich was to apply only to military or naval installation problems.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The bill sponsored by Senate...Representative Matijevich was done to help the district, as you know, in north Chicago, in my area. I also cleared this amendment with Doctor Thomas, the superintendent of the same school district, and this amendment was proposed both by the Doctor Leininger and both by the IEA, and it's proposed in order to be a help to the school districts. In fact, there was no problem about it in committee and it was delineated in the committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion? Senator Bruce.

SENATOR BRUCE:

I would just...this amendment has not been distributed, as I understand, and that...all right, sorry.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Is the Chicago School District allowed to do this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Every school district is allowed to do this, Sir.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Well, as I read this amendment, it says, having a population of less than five hundred thousand inhabitants, unless I'm reading the wrong amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Last year, I guess this was done, Senator, and what this

amendment is doing is clarifying it...I...I've got the amendment in front of me here, and I'm trying to find out...here it is, if you'll wait just a moment, please. Perhaps Mr. Berman...Senator Berman can explain.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman.

SENATOR BERMAN:

This amendment dealt with...with clarifying the language under which the special ed tax levy may be utilized by these districts. I don't believe it...it applies in Chicago, it applied downstate and it was...it has been discussed previously on other bills. We...we thought there was no problem with this in committee. We'll be glad to take another look at it before we get to 3rd reading.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I was in error, it does not apply to Chicago and I want to apologize for that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Well, my point is that we went through a great deal of consternation around here, it seems to me, when Senator DeAngelis and his commission was...investigating the Chicago schools and it was suggested, at least, that there was the improper use of some monies by diversion from one fund to another. Now, your saying by Statute, yeah, you levy for special ed but if the board decides they want to use it elsewhere, they use it elsewhere. I...I don't know why we're doing that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It has to...I'll take it out of the record 'til we clarify it, but it refers to other special educational purposes.

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right. We'll...we'll take it out of the record. 2250, Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2250.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2262, Senator Nash. House Bill 2263, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2263.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2266, Senator Joyce, Jerome. House Bill 2277, Senator Grotberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just a moment, I've...there are no Floor amendments. 3rd reading. House Bill 2278, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

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

SECRETARY:

House Bill 2285.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. House Bill 2286, Senator D'Arco. Read the bill, Mr. Secretary. Will the members please be in their seats and all unauthorized personnel please retire from the Senate Floor.

SECRETARY:

House Bill 2286.

(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 Berning.

PRESIDING OFFICER: (SENATOR DONNEWALD)

HB 2286  
2nd Reading



Senator Berning.

SENATOR BERNING:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to 2286 will change the...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just a moment, Senator. We can't proceed. Would...would the members please be in their seats. Let's break up all the caucuses, please. Proceed.

SENATOR BERNING:

Thank you, Mr. President. Amendment No. 1 does a very simple thing, it changes the effective date for pension qualification from the last day of service to the last full year of service in the Judicial section. If there are any questions, I'll be glad to respond. Other than that, I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment...oh, Senator D'Arco, did you wish recognition? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would rise in opposition to this amendment. The substance of the amendment is possibly to disqualify some judges for some monies that may be due and owing to them, if, in fact, this amendment does pass. It seems inappropriate to change the way a judge qualifies for his pension at this late date in our Session, and I know that the judges qualify under the basis of the last day of service in the pension system, as well as other pension systems in the State of Illinois, and to do this to the judges would be discriminatory. And I would rise in opposition to this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Berning may close.

SENATOR BERNING:

Thank you, Mr. President. There is no justification for the current Statutory provision for the judges to receive a pension benefit increase for one day's service after a new salary scale. All this amendment does is require that the pension benefit be predicated upon the last full year of service. That is eminently fair, practical and will prevent an unusually heavy drain on the already sadly underfunded Judicial Pension System. No other system can or does give this unwarranted benefit to retirees that the judicial system now has the potential for granting. It is a simple, fair amendment, and I urge the members of this Body to adopt this amendment so as to prevent a further deterioration of the Judicial Pension System shortly after the pay raise is enacted. I would request a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

All right, the question is, shall Amendment No. 1 to House Bill 2286 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? Have all those voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 27. Amendment No. 1 having received...Amendment No. 1 is adopted. Senator...Senator D'Arco wishes a verification of the affirmative roll call. The Secretary...the Secretary will call the...the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berning, Bloom, Bowers, Coffey, Davidson, DeAngelis, Etheredge, Friedland, Gitz, Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Schuneman, Simms, Sommer, Thomas, Totten, Walsh, Weaver.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

Senator Gitz here?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz is on the Floor. Is there any other questions of the votes, Senator? Amendment No...

SENATOR D'ARCO:

...Simms.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is...Senator Simms is in his seat. Amendment No. 1 to House Bill 2286 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 2 simply provides that a...a widow is has receiving an annuity of less than a...less than two hundred but more than a hundred dollars a month may, in lieu of receiving that annuity, take a refund of the employee's contributions accumulated by the annuitant up to March 1st, 1983. And it would be reduced by any amount that was given to her as a refund prior to her election to withdraw from the pension system. I don't know of any opposition to this amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Berning.

SENATOR BERNING:

Well, contrary to my consideration of the sponsor in furnishing him a copy of my amendment, I haven't seen a copy of this. At least I'd like to know what it does, more that just partially hearing his explanation. With the confusion on the Floor it's difficult even to hear.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning is correct. If the members would please

be in their seats and all...unauthorized people remove themselves from the Floor, we could continue. Senator D'Arco.

SENATOR D'ARCO:

We'll take the bill out of the record then.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. 2310...House Bill 2310, Senator Grotberg. House Bill 2356, Senator Gitz. House Bill 2357, Senator DeAngelis. House Bill 2359, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2359.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman...oh, just a moment, are there...are there amendments from the Floor?

SECRETARY:

Well, we thought we had one. Do we have one, Senator Berman? Okay.

SENATOR BERMAN:

Yeah, there was one filed.

SECRETARY:

Here. Amendment No. 1 offered by Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 clarifies some of the vague language in the lottery bill. The amendment requires rather than...than allows the Lottery Control Board to...to promulgate rules and regulations regarding the Illinois Lottery law, and also, requires that the proceeds after distribution of expenses and prizes be placed in the General Revenue Fund. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussions? Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, I rise in support of the amendment. It does do what an earlier draft of the bill intended to do, it makes it more clear exactly what the bill is all about, and I support it.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Question is, shall Amendment No. 1 to House Bill 2359 be adopted. Those in favor vote Aye. Those opposed No. The Ayes have it. Amendment No. 1 to House Bill 2359 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2361, Senator D'Arco. House Bill 2381, Senator Bloom. House Bill 2391, Senator Marovitz. House Bill 2406, Senator Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2406.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2450, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

Mr. President, could we take this out of the record for a moment?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. House Bill 2451, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2451.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 by Senators Buzbee and Carroll.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Can we take that out of the record? Senator Buzbee is here and he's occupied. Take it out of the record. House Bill 2452,...Senator Carroll, I believe that you're handling 2451, can we proceed? All right. Let's go back to 2451. We've read the bill, so Amendment No. 1, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment making no dollar change. There were several typos in the bill as it came over from the House and we have corrected those, no substantive impact. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

(Machine cutoff)...is there discussion? Question is, shall Amendment No. 1 to House Bill 2451 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:

HB 2450  
2nd Reading

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2452, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2452.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Do we have leave to return to 2450? Leave is granted. Read the bill, Mr. Secretary. 2450, House Bill.

SECRETARY:

House Bill 2450.

(Secretary reads title of bill)

2nd reading of the bill. Committee on...Judiciary II offers two amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 1, placed on in committee, is a technical amendment only and provides for an immediate effective date. I would move for the adoption of Amendment No. 1 to House Bill 2450.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz. Is there discussion? Question is, shall Amendment No. 1 to House Bill 2450 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:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Amendment No. 2...divides the county portion of the funds which were twenty-five percent originally, now divides that between the county and the State Attorney Appellate Service Commission. This is pursuant to an agreement between the state's attorneys' offices of the State of Illinois and the Attorney General's Office's, and empowers the commission to consider cases involving the Narcotics Profit Forfeiture Act. I would ask for the adoption of Amendment No. 2 to House Bill 2450.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONNEWALD)

He indicates he will.

SENATOR ETHEREDGE:

Is this the amendment which also makes it possible for the...up to ten percent of the remaining seventy-five percent of the monies collected to be used for the...for assisting, financially, drug prevention programs?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

This...this amendment, Amendment No. 2, has nothing to do with that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Etheredge.

SENATOR ETHEREDGE:



Is there...is there such an amendment to contemplate it?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

There...there is language in the bill which would provide for distribution to some treatment centers like that, whether it's in the percentage, you say... I...I don't believe it's in the...it's designated as that percentage, but that has nothing to do with this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Question is, shall Amendment No. 2 to House Bill 2450 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. On a...I guess a point of personal privilege....

PRESIDING OFFICER: (SENATOR DONNEWALD)

State your point.

SENATOR GROTBORG:

I'm...I'm the sponsor of House Bill 2310, which is, of course, turning into a Christmas tree and I don't mind all of that, but there are unsigned amendments on the desk, and I would like the sponsor of the amendment that having to do with farmland evaluation and assessments to share with me what he's talking about...is that you...I don't know, but

HB 2498  
2nd Reading

whoever the sponsor is of the economic productivity language on Senate...House Bill 2310, I'd like to...and then go ahead and ask that all...amendments should have a name on them.

PRESIDING OFFICER: (SENATOR DONNEWALD)

That's the rules, Senator. House Bill 2507, Senator Kent. House Bill 2508, Senator Grotberg. House Bill 2511, Senator Chew. House Bill 2513, Senator Schaffer. House Bill 2520, Senator Geo-Karis. House Bill 2521, Senator Simms. House Bill 2541, Senator Schaffer. House Bill 2577, Senator D'Arco. House Bill...House Bill 2578, Senator Berman. House Bill 2588, Senator Grotberg. The Chair did skip 2498. Senator Savickas, you wish that called? Read the bill...just... (Machine cutoff)...Savickas, just a moment. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2498.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, committee amendment answered a couple of the questions that LRB in drafting the bill had some technical problems and it's just a technical amendment. It corrects a letter, deleting "F" and putting a "G" in there and puts the word "load shall." These are technical corrections and I move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Question is, shall Amendment No. 1 to House Bill 2498 be adopted. Those in favor indicate...indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

...no...no further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, Amendment No. 2 is in response to General Motors' concern that in providing a sixty-foot length on these articulated buses they have a energy absorbing bumper that exceed the sixty foot length by three inches, and amendment just reads, that the length of the bus shall not include energy absorbing bumpers provided that such vehicles are. It allows for these energy absorbing bumpers to be used on the articulated buses. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. (Machine cutoff)...purpose does Senator Hall arise?

SENATOR HALL:

I have that up there with the Parliamentarian, I mean that...second reading.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, I've been advised that Senator Hall was off the Floor and wishes to go back to House Bill 958. Is there leave...on page 7 of your Calendar is House Bill 958 under the sponsorship of Senator Hall. Is there leave to return to

that bill? Leave is granted. Bill is...read the bill, Mr. Secretary, please. (Machine cutoff)...just for the information of the members, we're going to go to 3rd reading on recalls. So, if you have a bill on the Order of 3rd Reading that you would like to have recalled, bring your amendments down now because we're going to that order of business right after this bill.

SECRETARY:

House Bill 958.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Let me look here. Amendment No. 1 offered by Senators Collins and Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins is recognized.

SENATOR COLLINS:

Thank you, Mr. President. Amendment No. 1 is an agreed amendment to clarify some of the provisions in House Bill...958. It is an agreed amendment between the Labor...Republican Minority person on the Labor Committee, and we did have a hearing on the bill, staff have been working on the bill together to make sure that, A, that no State monies...or the State would not have any obligation to funding any of these projects. B, to establish a designated time period in which the loan shall be paid off; to strengthen the...the structure and the administrative part of the bill by assuring that the...the Department of...of Community Development and Financial Corporation and the Department of Commerce and Community Affairs both be...and have administrative conjunctive...administrative powers in terms of the designation of...of search loans. It also required that the

community corporation members have expertise in the area of economic development and corporate management. And I think all in all, the amendment made the bill a much better bill and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? Senator Rhoads.

SENATOR RHOADS:

Mr. President, or Mr. Secretary, I have two different Collins-Keats amendments which appear to be the same, and have the same LRB number except for the last four letters. Can you read off the last four letters?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SECRETARY:

C...CBAM.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Senator Keats. Okay, on the motion to adopt, 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)

For what purpose does Senator Hall arise?

SENATOR HALL:

...Mr. President, have...have you finished adopting the amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

We have, Senator Hall.

SENATOR HALL:

Well, I would like to ask leave of the Senate to have Senator Keats shown as a hyphenated co-sponsor of House Bill 958.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. With leave of the Body, we will now go to the Order of 3rd Reading. Is there leave? Leave is granted. We are going to recall those bills that the sponsors have filed amendments of bills that are already on 3rd. I would like to just give you...we have six presently, but we will accept any amendments that you have. House Bill 1955. House Bill 2005. House Bill 2039. House Bill 2485. House Bill 2408 and House Bill 2409. 958 is...is moved to 3rd reading with no further amendments. All right. House Bill 1955, on the bottom of page 3 of your Calendar. Senator Marovitz asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on 2nd reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 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. Amendment No. 2 just takes out some language, "an outdoor" which was inadvertently put in the bill. There was absolutely no necessity for the language in the bill, and we're just moving it back to take this superfluous language out of the bill. I would move the adoption of Amendment No. 2 to House Bill 1955.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Is there 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 2005, Senator Marovitz. Senator Marovitz asks leave of the Senate to return the bill 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. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis is recognized.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, by an inadvertent oversight, I don't know whether it's mine or not, but anyway, what this amendment does it adds the provision that the Lake County Forest Preserve and the Serbian Orthodox Dioceses can exchange property. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR MAROVITZ:

Mr. President, at this I would ask leave of the Body to have Senator Dawson shown as a co-sponsor of House Bill 2005.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Well, House Bill 2039, Senator Geo-Karis. For what purpose does Senator Rock arise?

SENATOR ROCK:

I wonder if I could ask the sponsor to hold this. There

HB 2485  
Recalled

is a...I'm told there are probably one or maybe two additional amendments which apparently have not yet been filed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...want to return it to 2nd reading. May I do that?

PRESIDING OFFICER: (SENATOR BRUCE)

I think the request is, Senator, that there are several other amendments that we...the President would like to consider at the same time.

SENATOR GEO-KARIS:

Yeah, can we return it to 2nd reading? That's all I want. It's on 3rd and I'd like to return it to 2nd, that's all. And I'll hold it.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Geo-Karis, we'll be recalling bills tomorrow or probably later on in the week. All right. House Bill 2485, on page 6 of your Calendar. Senator Jeremiah Joyce asks leave of the Senate to return the bill 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 Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce. Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Amendment No. 2 to House Bill 2485 was discussed yesterday. I think that it has been distributed. There was some uncertainty with respect to what it did. At that time it was taken out of the record. I think those uncertainties have been cleared up and I ask for its adoption at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Discussion of the



motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments. I'm sorry...I'm sorry, wait a minute. Amendment No. 3 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 3 to House Bill 2485 requires that where downstate notices either published or mailed of assessments are provided that they should include the median level of the assessment for the township and include and explanation of how the taxpayer can complain to the Board of Review to get his assessment reviewed. I ask for your...for its adoption at this time.

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 2408. On page 5 of your Calendar, Senator Philip...Senator Philip, did you wish...Senator Philip asks leave of the Senate to return House Bill 2408 to the Order of 2nd Reading of the purpose of an amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce is recognized.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. These amendments...or this amendment is agreed upon by the Republican staff, and the Democratic staff, and Senator Philip and I. This deletes the natural resource theft and instead increases the penalty for commercial poaching from Class B in some places Class A, to...to misdemeanors in a Class Three Felony. The original bill created a crime of natural resource theft. This...this is the conservation wildlife bill and applied it to any...any violation of the Fish and Wildlife Code which affected three hundred dollars worth of fish or wildlife. This amendment gets rid of the term "natural resource theft" and merely provides a Class Three Felony for commercial poaching.

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:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2409, Senator Philip asks leave of the Senate to return the bill 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. 1 offered by Senator...Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce is recognized.

SENATOR JEROME JOYCE:

Yes, Mr. President, this amendment does a few things, it...it lowers the buy money, that's what we refer to in our committee as the snitch money, where...is limited to five thousand dollars a year, puts a ten thousand dollar limit on

it and it clarifies the responsibilities for hunters in certain counties. Now...hunters in certain counties, part of it was in the Union, Alexander, Jackson,...Williamson, Jefferson and Franklin Counties where they have goose hunting and duck hunting, the blinds are registered. As the bill came out originally it...you would not be able to hunt in any farm anywhere in the State unless they had a blind and that blind was registered. Now we have changed that and said that if you own a farm and you have someone out there pheasant hunting and he is legal, he has a duck stamp hunting license, and so forth, that if he shoots a duck on your farm that it is...is okay. So, we've changed that.

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:

Floor Amendment No. 2 by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce is recognized.

SENATOR JEROME JOYCE:

All right, thank you, Mr. President. This amendment is my amendment. I'm sure that...I'm not sure, I don't think the department would go along with this, it deletes all of the buy money from this bill. And right now the bill provides ten thousand dollars from DOC's Contractual Services line item to be used to buy evidence. That is to hire people to get evidence and otherwise finance DOC's culver poaching investigation. This would be in a...for instance, if I was hunting with someone and shot one too many pheasants, this person that I'm hunting with could get a reward or be hired by DOC to go hunting with me and then entrap me. So, this amendment deletes all of the money from there and, as I said before, it is my amendment, it is not DOC's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there...motion is to adopt. Is there discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is...is adopted. For what purpose does Senator Weaver arise?

SENATOR WEAVER:

I thought Senator Philip was off the Floor. I'm not sure that he's...agrees with this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. All right. House Bills 3rd reading, page 2 of your Calendar, go right down the list, House Bill 748, Senator Sangmeister. House Bill 869, Senator Demuzio. House Bill 1108. House Bill 1120, Senator Berman. House Bill 1229, Senator Chew. House Bill 1241, Senator Bowers. House Bill 1243, Senator Davidson. Read the bill, Mr. Secretary, please.

END OF REEL

HB 1243  
3rd Reading

REEL #2

SECRETARY:

House Bill 1243.

(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, it says exactly what...bill does exactly what it says on the Calendar, prohibits the sales of automobiles on Sunday. This is a bill that came from the Illinois new and used car dealers in the...the Chicago Auto Trade Association. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it comes with some amazement that a bill like this would come before us. We have heard time and time again from the business community that they would like less regulation by the State and less mandates, and in turn, today we are asked to ratify a proposal to mandate that certain businesses be closed on certain days. I think this runs contrary to our system of free enterprise, and I'm quite surprised that the business community would be even promoting such an idea. I think...we...we have heard this idea before. We have debated it before. It was a bad idea then, and I think it's a bad idea today, and this...this bill ought to be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Mr. President, further from the truth, as was just indicated about free enterprise, the dealers of Illinois have requested this, small dealers, large dealers all over the State. I must have a hundred and fifty letters, and of all the mail that I have received, only one questioned the right to close on Sunday, only one out of more than a hundred and fifty. So, it's something that they're asking for, free enterprise, communists, independents, or what. We're about giving the people in business what they're asked for as long as it's not an infringement on the rights of those that it affect. No potential buyers have communicated with any of us here asking that dealership be opened on Sunday, but dealers themselves have asked that they remain closed on Sunday. So, it's something that they have asked for, it came through our committee, we approved it unanimously, no one objected to it, it doesn't affect grocery stores, or gambling houses, or other houses, it merely affects the automobile dealers. And I would ask for your support on it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, I have Senators Geo-Karis, Johns, Schuneman and Mahar on my list so far...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this bill as amended. I think it's a good thing. I've had people tell me, the dealers themselves, that they feel that...their salesmen, they themselves, can have some family life on Sundays which they cannot have while they're permitted to be open on Sundays. I don't think it restricts free enterprise. I think it makes some common sense. It allows business to operate six days a week, and I don't...of the...in the car business, and what have you, related to it, and I don't think it's wrong at all. I speak in favor of it, I might say that if you had a hundred and

fifty letters, Senator Chew, I must have had about two hundred and fifty letters in favor of closing, and I haven't received one in favor of keeping the used car dealerships and the automobile dealerships open on a Sunday. I think it's a matter of helping a family unit stay together. And I think it's a good bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Quit grinning, Mr. President. I rise in favor of this bill. I think that a lot of these men and women that operate these dealerships want to close because of various reasons, but I think you've got to talk in term of economics. The car dealers of this nation...the car dealers of this nation are under very hard times with the interest rates and everything, and that's a very slow day from what I've known. My brother was a car dealer and he's not in the business now, so I don't have a conflict of interest, but I can tell you this, it gives them a day to recoop. It lets people walk around the lot and look at the cars, if they're interested, and just take it real easy and...and enjoy the day. But when you force people to go out and work and the...and the dealer and the salesmen have to sit around and there's a very dull day, it just costs them money. So, I say, let it be, and I'm in favor of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I...I've heard some silly arguments, but I think, perhaps, some of the arguments in favor of this bill go beyond what I've heard before. Nobody's forcing any business to stay open in Illinois on Sunday. Dealers have every right in the world to close their establishment if they want to. What this bill seeks to do is

to force those businesses to close who may not want to close, and...so contrary to what one of the previous speakers said, as far as...as denying rights, this bill certainly would deny the rights of those dealers who want to stay open. I don't particularly care whether...automobile dealers stay open or close on Sunday, but I think it's ridiculous for us to begin to single out certain individual business enterprises in the State and say that you must close on Sunday. Who's going to be next, the drug stores, the pharmacies, the grocery stores, perhaps? I think it's a foolish precedent to start, and as much as I appreciate the support and friendship of a lot of automobile dealers, I think this is a loony idea and we shouldn't start it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I rise in support of the bill. Every auto dealer in my district supports it, I've heard nothing against it, realize that seventy, eighty, eighty-five percent of the auto transactions have financing problems, the banks aren't open on Sunday so they can't handle that, the Secretary of State isn't open on Sunday, so if they want to search the title or check on that, they can't do it, and...and we also recognize the fact that if this is a bad idea, it isn't so in other states. All the states surrounding Illinois have Sunday closing laws. So, in a sense, there's no reason why we can't do the same thing in Illinois to allow for the dealers, I think, to probably conserve a little bit, maybe sell us a car at a little cheaper price. I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I'm going to



vote for this bill, although I, frankly, kind of agree with what Senator Totten said. And I'm going to vote for it because I didn't receive one letter, postcard, phone call, message against it, and I have a whole file folder like everybody else for it. But I'm going to save that file folder, and the first time I hear somebody from one of those agencies say that the State forced them to be closed on Sunday, I'm going to introduce a repealer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg. Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I have a question of either the sponsor or the Chair. Would this preempt a home rule unit from acting in this area, and how many votes would it take to pass this bill? That's two questions, I realize.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom, you raised a good point, the Chair will get back to you on that question. Further discussion? Senator Berning.

SENATOR BERNING:

I have a question of the sponsor. Senator, neither you nor I...nor I are attorneys, but have you satisfied yourself that this particular legislation will not contravene the equal protection of the law...amendment of the U.S. Constitution? In other words, are we singling out one group of citizens here and providing a prohibition which does not apply to the next group of citizens who might be running filling stations, or taverns, or massage parlors, or whatever?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Senator Berning, in response to your question, the Supreme Courts of Nebraska, Michigan, New Jersey, Colorado,

Indiana and Iowa have upheld the constitutionality of their state Statutes on Sundays closing, as well as on May 29th, 1961, the United States Supreme Court sustained Sunday closing laws in Magallan versus Maryland, Gallagher versus Crown Kosher Supermarket, two guys from Harrison and Allentown Incorporated versus McGinley.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berning...or Senator Kent.

SENATOR KENT:

Mr. President and members of the Senate, I also have a question. Would the State Mandates Act apply...State Mandates Act?

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. I have a question of the sponsor, if he will so yield. The question is, what's the penalty if you remain open, or if you continue to make sales on...on Sunday? I don't see anything in your amendment that provides for any penalty provision.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

I can only assume that whatever penalties it involved in the other section of the Statute this is being amended into would apply, Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, what would that be? I mean, what is it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

I cannot answer that question. I do not know at this time.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'll yield to some other member who may have the answer.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I guess I'm just a little bit surprised by this bill and suprised perhaps that two arguments, I believe, have not been raised. One, the idea of having one day on which a business will be closed is a very good argument from a lot of points of view. This bill, as I read it, specifies Sunday, and it seems to me that that raises some very serious problems for those who are of a religious faith where Sunday is not their Sabbath, and I would be deeply concerned...I realize that...Sunday closing laws have been...upheld by the U.S. Supreme Court. I, frankly, personally think incorrectly have been upheld. I've...and I don't think...all the proper arguments were made to the court, at least they were not dealt with in those series of opinions, but it seems to me on that ground alone that there are some very serious questions about a bill that specifies Sunday as the one day of closing. If it specified at least one day of closing without saying that it must be Sunday, that would be a different matter. The other thing that...that intrigues me is...and obviously, I don't know what the vote on this is going to be, but if there ever was a bill that was antifree enterprise, anticompetition, antigovernment interference with the conduct of private business, it seems to me that this bill is it, and I guess I would be shocked if some of you on the other side of the

aisle were to vote for this kind of reimposition of government interference in a way that you advocate doing away with. So, it seems to me, there are a number of very questionable provisions...or very questionable impacts from this bill, and I am shocked that some of you are supporting it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Well, Senator Netsch just convinced me. I'm ashamed of myself and I really will have to vote present on the bill, Senator Davidson, until we find out what the...what penalties might be involved here.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further discussion? Senator Chew.

SENATOR CHEW:

Yeah. The penalty is the same as assessed for violation of a State law. It's not a criminal offense to open. As far as the religious aspect of it is concerned, if Saturday is the Sabbath Day for those that are Seventh-Day Adventists and others, then we have no problem with them closing on Saturday. It's free enterprise, you close when you want to. Let me emphasize that the dealers of Illinois have requested this, and of all the mails that's been gotten, no one who is in opposition to this legislation has mentioned having received one piece of communication if there are dealers in the State that do not want to close. All we have gotten is a file full of letters asking support of the bill, and I would ask that we...do support this bill because it's an excellent bill. We know what problems the automobile industry is having. If you go back to the blue law of Pennsylvania, we'll find that that has stayed in there in Pennsylvania the blue law for closing all businesses, and we're just doing what the people of the...State of Illinois are asking for and it's the business in which they operate. I can't find that anybody

ought to have any opposition to it. So, I would...ask you favorite support.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cut-off)...discussion? Senator Bloom. Senator Bloom asked the question of whether or not this Act is preemptive. Under the sections involved, it deals with Article V of Chapter 95 and have dealing with licensing of dealers which is a right of the State of Illinois exclusively, and although under Section 2-121, the State has by Statute explicitly authorized local governments to issue a local government tax, the Chair finds nothing in this Act that would prohibit them from levying such a tax even though the business establishment might be closed on one day. And so, the ruling would be that it is not preemptive. Senator Bloom.

SENATOR BLOOM:

Nicely done. I...I admire the adroitness and footwork of the Chair.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Senator Bruce, I'm sorry, but if I read this Act, it...it says...and this is...I don't, to be perfectly honest, I don't care terribly...

PRESIDING OFFICER: (SENATOR BRUCE)

I just want to tell everybody this is...

SENATOR NETSCH:

...whether it passes or does not pass, but I am interested in the...the precedence we establish with respect to preemption. And if I read it correctly, it says, "No person licensed under this Act may stay open on Sunday," who does, you know, these various things. I...I cannot understand how that is not preemptive.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator...

SENATOR NETSCH:

It's got nothing to do with imposing a local tax or something, it just says, you can't stay open on Sunday, you can't sell automobiles on Sunday.

PRESIDING OFFICER: (SENATOR BRUCE)

That's correct, Senator.

SENATOR NETSCH:

There is nothing that a home rule unit could do to overcome that.

PRESIDING OFFICER: (SENATOR BRUCE)

But the licensing power of new dealers, under Section V, and used dealers, under Section VI, is an exclusive prerogative of the State of Illinois, and we are not precluding a city or a local...home rule unit from health and safety regulations. The...the Chair has searched, Senator, about six years ago we passed an Act which said that the Motor Vehicle Act was preemptive, and so...I tell you, it's always nice to have the first bill here. Alright, Senator Davidson, you may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I appreciate a favorable vote. This is a bill that was from a request from an industry, and as other Senators have mentioned, all the response I've had have been in favor of this bill. I...recited to the Supreme Court case that felt...that found Sunday closing constitutional. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 1243 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 42, the Nays are 11, 2 Voting Present. House Bill 1243 having received the

7HB 1271  
3rd Reading

required constitutional majority is declared passed. House Bill 1271, Senator Keats. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1271.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, very much, Mr. President. A...a quick explanation of the bill. It does amend the School Code for districts in the State underlevied. You know, there's a usual practice of...overlevying in order to...careful, Terry, none of that...to make sure that, regardless of what the final numbers come out, you have levied high enough to get yourself into the State Aid Formula. Four school districts in the entire State made a mistake. This is a hold harmless. The four districts, so you know where they are, the O'Fallon School District in Senator Donnewald's district, the Belle Valley District in Senator Hall's, the...let's see, Quincy Unit District in Senator Kent's and the Edinburg District in Senator Davidson's district. We have done this hold harmless before in 1980, we did Senate Bill 1172 for East Richland, a mistake in Senator Bruce's district. It's an honest mistake, we're telling them, you blew it, don't do it again but we will hold you harmless in this case. Passed out of committee 9 to nothing. Passed the House 161 to 2. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I supported the bill in committee and I will vote for the bill on the Floor. I just

think that it's important to note that here are three school districts that found themselves in a problem because of their fiscal management. One in particular, it was, in my opinion, totally their own error, and yet we are, I think properly so, expending and authorizing the expenditure of additional State money to bail them out. I just think it's interesting to note that in this case we are giving them under this bill more State dollars. This was not done for Chicago, Ladies and Gentlemen, and when we talk about bail outs I just think that it's important to note that when Chicago had to be bailed out, we took money away...or rate away from their own educational fund and made them do it out of their own resources. We're not making these three school districts do that, I hope we keep it in mind. Hopefully, we won't have to come back to you from Chicago for any bail outs, but I just think that there has been many times where there's a double standard involved. I think this standard is correct. I hope we keep it in mind in the future.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Is this money going to come from a reallocation of the State aid, or where's the money coming from?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Separate appropriation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:



A supplemental appropriation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Separate line item.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, where's it coming from?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

None of your business.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

An amendment will be offered to one of the school aid appropriations to line item this amount in there. I think it's about a million dollars or three hundred and...about seven hundred and fifty thousand dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it...it's still not answering my question. Okay, it's a line item. Is it a transfer or is it a supplemental approp. If it's a transfer, I want to know where it's coming from.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Berman.

SENATOR BERMAN:

It was the purpose of one of the amendments that provided for a separate line item that regardless of what else we do regarding general State aid, categorical aid, et cetera, that the Governor will have before him an additional commitment

from the General Assembly to spend approximately seven hundred and fifty thousand dollars to bail out these three school districts. If he feels that that money is available, he'll sign this bill. If he thinks that...and the appropriation. If he doesn't think it's available, he can either veto this bill and...line item veto that appropriation, or do as he sees fit.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, what you're saying is, it is an add on to the general State aid bill? Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, yes, I have a question, but I just became aware of this issue when Mr. Deacon informed me that we were going to have an amendment coming from your side in Appropriations Committee this afternoon to fund this little gem. And my question is, we have done hold harmless before, you're correct, we did a hold harmless for a school district in my legislative district a couple, three years ago not because of their mismanagement but because of...of their loss of Federal funds in a peculiar situation, but if this was a mismanagement item on the part of those school districts, why don't the school boards fire the superintendents and hire new managers? And why..what kind of mismanagement was it, why should we be bailing them out just because it was mismanagement?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

In answer to your question, on...on the first question is, why didn't the school board fire him? They did. It was

blatant mismanagement on the part of one. Now, concerning the other school districts, I just think they were extremely close, they were miscomputations. One guy really did blatantly blow it and was fired for it. Concerning, I think the second part of your statement...or question, in terms of in your Appropriations Committee today, I mean, this is the implementing legislation. What you do in Appropriations and what the Governor signs are different items. This is simply the implementing legislation. This does not include any money in this bill, this is implementing, only.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, I understand that. But what I...my point is that we're going to have the appropriation and...and you're right, Senator DeAngelis, this is a flat add on of seven hundred and fifty thousand dollars. We're going to have that amendment this afternoon in the Appropriations Committee to pay for this implementing legislation here. But again, my question is, why should we bail them out? Now, holding harmless is something entirely different than bailing out from mismanagement, and so I...I would be hesitant about calling this holding harmless if, in fact, it was mismanagement on the part of the school district, and why should all the taxpayers of the State be asked to pick up their mismanagement problems?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

In...in terms of your statement, there are four school districts involved. One was mismanagement. I am not arguing the point with you whatsoever. The other three, I think it's honest computational errors, I...I don't think we can argue that point. We have done this before, and I...I don't see this as a partisan bill at all and it isn't meant to be in

that way, 'cause it's two Republican, two Democrat districts. All I'm saying to you is, this bill will allow it to be done. Should you as chairman of Appropriations say, no, on the money, you're not going to get a big fight out of me. I'm saying those are two separate items. This simply leaves it open to you. If you don't pass this bill this afternoon, you might as well not discuss that amendment either. If we pass this bill, there is no hammer on you to pass that seven hundred and fifty thousand dollars, that's at your discretion, and as chairman of the Appropriations Committee, I would bow to your superior wisdom in this area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, you have finally recognized publically what we have both known for quite some time privately, but you still haven't answered my question, Senator. What...what...what happened...what I'm trying to figure out is, what happened to cause this? Was it...was it an overextension or an underextension of...exactly what...what happened to cause this problem?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce, Senator Keats indicates that Senator Davidson could answer your question. Senator Davidson.

SENATOR BUZBEE:

I'm Senator Buzbee, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

All of us downstaters look alike.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's right, Senator Bruce is the good looking guy with glasses. Senator Davidson.

SENATOR DAVIDSON:

Senator Buzbee, the real genius that started this problem, one, was two, the superintendent who is no longer there 'cause he was fired. The other part is that the Supervisor of Assessments of Adams County does not communicate with anybody, doesn't communicate with the county clerk or the school board in relation to the multiplier. This came about due to the...he not sending to the taxing districts, or the school district, as it was related us by the witnesses, what the multiplier was, and this is what got the school district in trouble. It also was part of the problem in St. Clair County, the rest of it Senator Hall will have to speak to, I don't know the...remember the other part. But we specifically got into that question of the witnesses when they were in the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, again, I am not opposed to holding harmless one individual school district in the State, because from time to time there are individual problems that...that come up that affect nobody else, and I understand that. But in a case of...of gross mismanagement or miscalculation, I...I don't see that the State has any liability to hold any...and I...I'm not...we should not even use the term hold harmless. This is a bail out, that's all it is, it's not holding harmless. And if we've got to hold somebody harmless because of some peculiarity that happened, I will support it in anybody's district. I...I don't...partisan politics aside. But a case of just pure old bail out because of mismanagement or miscalculation, or because public officials in that area aren't speaking to each other, that's not good public policy. And I suggest to you that perhaps this is not good public policy, and that perhaps we ought to just put the bill down the tubes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Let me explain why I think this is good public policy. Because a year ago I came to this General Assembly because my school district had underlevied, and I don't know who made a mistake, but I do know that what happens when those mistakes occur is the people who suffer are the little guys and little girls that get off the yellow school bus every morning, because they don't call the county clerk, and they don't talk to the assessor, and they don't talk to the superintendent, and they don't talk to the principals, they just go in the school building every morning and do the best job they can. Now, somewhere along the way in my school district someone didn't talk to somebody else. Now, this General Assembly gives two separate signals to taxing bodies. We've passed truth in taxation legislation in this Body that says, if you levy more than five percent of what you levied last year, you've got to have a public hearing and publish in every newspaper in your area because we want school districts and every other taxing body to quit overlevying. And so, they got the message. So they don't levy fifty percent more than last year knowing they're only going to get a five, or ten, or twenty percent growth, because they don't want to go through that truth in taxation legislation and they've heard us. Now, what happens when you don't overlevy, when you don't anticipate right to the dime what you're supposed to get, we come at them from the other end with the School Aid Formula, and we say, look you didn't levy enough local property taxes so we're going to back off of what we give you in the State Aid Formula. So, my school district and these four school districts lose two ways. They lose the State aid funding and they've lost the local funding. And so, for these four school districts, and we are back to the same

problem with the State multiplier. This...this Chamber and the House has spent hours debating the State multiplier, and Senator Buzbee had legislation on the multiplier. That is the bugaboo in most of these problems where you have a thirty, or forty, or fifty percent change in the multiplier. Now, eight years ago I put in legislation that we change the assessment date, and where we can change those back to December the 22nd. And Senator Netsch has legislation in for changing the board of review to set it up so that we can get the board of review work done quicker. But all of this boils down to is four school districts out of the some eleven hundred that did it right, for some reason, unique to their district, could not get it done right. And I think we got to keep remembering that it is this Body that does the assessment procedure, it is this Body that sets the truth in taxation legislation, it is this Body that passes the State Aid Formula, and when we pass all those things, it's our obligation, I believe, to pass legislation like this to correct errors that come up for whatever reason, mismanagement mistakes or just plain cannot see down the road how much your assessment is going to increase. So, I encourage Senator Buzbee and all of us to support this legislation, help these four school districts who are going to suffer immeasurable harm unless we pass this, and go about the business of trying to correct the formula, the truth in taxation, the assessment, the multiplier and everything else, but don't put that burden on these four school districts. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I apologize for rising for the second time, but I do want to clear up something for the record. If this is enacting legislation and no appropriation is made for that enacting legislation, then it would seem to

me that they do have access to what we're currently going to appropriate through the School Aid Formula, which would be the proper way to do it. Yes, Senator Bruce, I am concerned about those kids, but if we are, why not give them access to the current school aid rather than generate an additional...close to a million dollars of money that we are taking away from somebody else to take care of an error that somebody else made? Now, if we do want to take care of the error, and we are concerned about the kids, let's just give them access with this enacting legislation to what we're going to appropriate. But why take the money away from somebody else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. And you can understand, I couldn't put it any better than Senator Bruce has explained to you. Now, you realize that a number of these taxing districts don't really know up until...and they have problems getting this...the only thing that I would do is be reiterating what has been said. But this is something that's direly needed and that's why we've done this before, and I see no need why we shouldn't. We're not trying to encourage...it would be different if we were setting a precedence. Why should these schools be penalized? And I'm strongly supporting and ask everyone else to support this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'd rise in support. I think Senator Bruce very carefully put this in prospective. We're not setting a new precedent. If you'll remember eight years ago when a change



in ...the Legislature made the change in the percentage of evaluation, we in Winnebago County were the only county that was following the law, we were at fifty percent, we were following the statutory level. Some of you other folks in downstate Illinois, way downstate, were about nineteen percent. Correspondingly, legislation had to be enacted by this General Assembly for a two year hold harmless period for Rockford, Winnebago, Harlem Townships, other areas in Winnebago County for a two year period would have hold harmless legislation would...would get additional State aid because of the way the State had changed the...the multiplier, had changed the assessment level. So, we're not plowing new ground, we're only going to the aid of some districts that happened to fall into an area because of the assessment procedure. It's been done in the past, it's helped my particular district. When we followed the law and the rest of the State didn't, we had to have help for two years to come down to the thirty-three and a third level without totally bankrupting our school district. And I think this is a time now that we have to help out the other school districts that have similar problems. So, I think it's a good bill and it's a concept that's already been established.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

I have a hard time punishing school districts because they don't understand all the assessment laws we passed, because, frankly, most of us don't understand them either. But, Senator Buzbee, for the record, so we have a little less discussion in committee today, the...when you add up all four districts, it's a million four seven five. Just want to get that in the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Buzbee. Senator

Davidson.

SENATOR BUZBEE:

Well,...

SENATOR DAVIDSON:

I would like to have the opportunity to speak. The first time I responded only to the question because the sponsor of the bill asked me to respond to Senator Buzbee's question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator, I thought you had spoken before.  
Senator Davidson.

SENATOR DAVIDSON:

I rise in support of this bill, and it's not a bail out. All we're doing is...is to give these school districts full access into the formula because when the multiplier changed without they have any opportunity to be aware of it, it took...took they're levy below the floor of the full access figure. They're...consequently, if we don't correct this, they're getting penalized twice. It's a full access for them for this one year only, it is not a continuing thing. The amendment limits to the one year only, and I urge a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I think...Senator DeAngelis brought up an interesting point awhile ago. If we pass this enabling legislation and then don't pass the separate appropriation this afternoon, there's a possibility...and we'll check this out before the committee today, but there's a possibility that that would access this enabling legislation into the total formula money that we fund anyhow, and so, it would not be an add on. Senator Bruce's arguments have convinced me that...that perhaps we should go ahead and do this enabling legislation, but...but perhaps that is one way of...of

course, all of us then will take equal hits and each of our school districts would be penalized a little bit for these four school districts if we were to take it out as Senator DeAngelis suggested. That may not be statutorily possible the way this bill is written, but we'll check it out and see if it is, and if so, we might just go ahead and pass the enabling legislation and then kill the appropriation this afternoon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KEATS:

Thank you, Mr. President. I do want to clarify one thing, Senator Buzbee, I would have answered it in a question. This bill specifically requires that this money come from a separate line item, so it does not access into the formula. So that if you do not pass the appropriation, don't worry, we are not splitting this up throughout the State. There is an amendment on the bill that specifically requires separate line item. Now, I don't want to go into too much more depth, you've heard it all. Senator...Senator Bruce did an excellent job covering my concluding speech. I wish he hadn't taken my whole speech from me, but the reason I have had other people answering the questions is, I just was handling a noncontroversial bill to do Representative Hoffman a favor. Next time he hands me a noncontroversial bill, I'll punch him in the nose. But this bill is nonpartisan, it's...you've got Senator Donnewald's district, Senator Hall's district, Senator Kent's district and Senator Davidson's. I don't see any trouble with it. I think it's clarified and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1271 pass. 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 50, the Nays are 4, 1 Voting Present. Senate Bill...or House Bill 1271 having received the constitutional majority is declared passed. House Bill 1296, Senator Netsch. House Bill 1302, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1302.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill is massive in size but simple in purpose. What it is designed to do is to cut down on the amount of paper that flows into our offices, particularly as members of the General Assembly. It provides that...simply in the...the basic section of the bill that where reports are required to be distributed to members of the General Assembly that shall be satisfied by distributing a copy to the Speaker and Minority Leader and Clerk of the House, the President, Minority Leader and Secretary of the Senate, the Legislative Council. In addition, there must be deposited with the State Library, which is designated in this bill to be the distribution center, a copy, and that is, incidentally, generally the law right now, which has not always been complied with. The Legislative Council will then prepare a monthly summary of reports which we as legislators will receive in the regular course of business. If we want the full text of a report, we can then place an order and the form will be on the...that...on the request sheet with the State Library which is the distribution center and we can get the full text of the report. It is not the total answer to the amount of paper that flows around this General Assembly,

but it certainly is an enormous contribution to cutting down on it. I think it is well constructed, and I think all of us will be grateful when it is in place. I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. I wish to commend Senator Netsch for pulling off what I've been trying to do for ten years, to try to make some impact on the heavy cost of material that we probably don't read, and the postage cost involved in getting it to our home offices, it's bad enough it all comes down here but they send a duplicate set to our home offices of Journals, of every imaginable thing. We all know what we're talking about here. This is the first step in a long series of things. If we all come back, let's keep working at it to try to dry up some of the wasted printing paper and expense to the taxpayers involved in trying to keep people informed about things they could care less about. I move for a...Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, the question is, shall House Bill 1302 pass. 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 56, the Nays are none, none Voting Present. House Bill 1302 having received the constitutional majority is declared passed. House Bill 1434, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1434.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1434 would create a special fund in the State Treasury known as the Design Professional Administration and Investigation Fund. This bill calls for the licensing fees paid under the Architectural, Land Survey, Professional Engineering, Instructional Engineering Acts to be deposited in this special fund to be appropriated for the administration of these four Acts. This legislation is patterned in part after the Medical Disciplinary Fund and the Dental Disciplinary Fund both of which were enacted into law by this General Assembly in the 70's. House Bill 1434 has the support of the design professions involved, which are the architect, the land surveyor, the professional and instructional engineer, and it also has the support of the Department of Registration and Education. If there are any questions, I'd be most happy to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. A question of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GROTEBERG:

Senator Nedza, I may have missed it in your remarks, but is it...is the Architectural Association in favor of this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Yes, it is.

SENATOR GROTEBERG:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any further discussion? If not, the question is, shall House Bill 1434 pass. 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 52, the Nays are none, none Voting Present. House Bill 1434 having received the constitutional majority is declared passed. House Bill 1623, Senator Rock. Senator Rock. Senator Rock.  
SENATOR ROCK:

Thank you, Mr. President. Senator Philip requested that I hold this bill until next week, and I will certainly do so. I just want to indicate that Appropriations will begin at one-thirty. So, in an attempt to have some rationality prevail around here, we'll work 'till about twelve-thirty and then afford the members of that committee the opportunity for some lunch. And then when we adjourn, we'll adjourn until noon tomorrow. Appropriations I will meet, I'm told, at nine o'clock in the morning, and they have a lot of work to do. So, we'll meet at noon and we will attempt to conclude our business relatively early so that we can all enjoy the Father's Day weekend.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 1648, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1648.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Senator Marovitz wants you to

know that he's looking forward to Father's Day. House Bill 1648 is exactly as it is indicated on your Calendar. It requires boards of review and the Property Tax Appeals Board to notify a taxing district when an assessment appeal has been filed. The problem has been, for the taxing districts anyway, is that when an appeal has been taken of the assessment, obviously, they have relied on what the assessed valuation is in their particular taxing district, then all of the sudden, they found...find there's been an appeal which has been granted, and, of course, maturely affects that assessed valuation. So, what this bill will do, is that there has to be notification sent to the taxing district if it's going to change their assessed valuation more than two hundred thousand dollars, which I think is a reasonable figure. We have also limited it to counties between three hundred and four hundred thousand. This was done in the House by Representative Davis who is from my legislative district. And, of course, that pretty well confines it to Will County. The idea being, this will be an experimental program to see how it works, see whether there's a lot of confusion or whether it really does work to the benefit of the taxing bodies to let them know when that assessed valuation is being changed. That's all it does, and I would answer any questions. If not, a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. It is a very good idea and should be supported. And I think if any of us have objection at all, it is that the bill is confined as it is written to Will County and it probably ought to extend considerably beyond that. But on the...the assumption that it is an experimental program and that it will eventually be extended beyond that, it is indeed quite sound.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GROTBERG:

Senator, I have not read the bill, I'm sure I have it here somewhere, but time frames on notice, are they included in the bill? County boards have an awful time getting their agendas together, including, I'm sure, the Will County Board. How do you deal with that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we didn't change the existing law, we just added in the additional notice. The...the bill now reads, "The board of review in counties of more than three hundred thousand but less than four hundred thousand population shall also give notice to each taxing district in the county." So, whatever the present system is, is not being changed at all, and I, frankly, am not exactly sure when the notice goes out. All we're saying is, when the notice does go out, if it's a two hundred thousand dollar difference in assessed valuation, the taxing body is to be notified.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

I'm going to support you but look forward to all hell breaking loose on that issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1648 pass. 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 51, the Nays are none, none Voting Present. House Bill 1648 having received the constitutional majority is declared passed. House Bill 1651, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1651.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

House Bill 1651 tends to be a bit technical in nature. I'll try to simplify what this bill does. The Federal Home Loan Bank Board back in September 30th, of '81 published a final rule regarding the treatment of gains and losses on the sales of mortgage assets and related securities. In order for State chartered savings and loans to take advantage of this rule, we need to pass this bill so that the State Savings and Loan Commissioner can notify the FSLIC that we've complied with their requirement. Now, why do we need this? In the past six months seventeen State chartered associations have converted to a Federal charter just so they can take advantage of...of this kind of an accounting method. And if we want to preserve our State chartered savings and loans, many of them who, of course, who have been in trouble, we need this piece of legislation. That's simply what it does. I'll be happy to answer any questions if anyone has any. If not, would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1651 pass. 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 55, the Nays are none, none Voting Present. House Bill 1651 having received the constitutional majority is declared passed. House Bill 1913, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. House Bill 1913 amends the Vehicle Code and basically restricts the use of the CV plate. There's approximately eighteen thousand CV plates in the State of Illinois. The vast majority of those plates are legitimate and used in the right and proper manner. It was brought out recently that there is some question about how some are used. So, the purpose of the bill was to restrict the illegitimate use of the CV plate, which incidentally is eight dollars for a two year plate. It does several things. First of all, it defines charitable vehicle to restrict the terminology. It eliminates the...charitable vehicle plate for buses and other vehicles and now...we now just have one plate. It takes a lot of the language that's kind of redundant out of the...out of the Act and provides for an external identification. In other words, an individual who has a charitable plate must have some external identification on the car or on the bus. The bill also requires...it gives the Secretary of State the authority to require some proof that the organization is an exempt organization as far as the Internal Revenue Code. In addition to this, we've added a... by amendment, we've added a few things. We permit now for a retired legislator's plate at the regular fee, we permit a special plate for survivors

of Pearl Harbor, and we permit a special ceremonial plate at no fee. The request for the special ceremonial plate was at the request of the Secretary of State because the language is very loose, and this provides him the opportunity to tighten up the language to limit the number of plates that he can issue and limit the number of time they can be issued for. I think this is a good bill, I think it's better than it was last week, because on my way to Springfield this week I was passed by a Mercedes with a red CV plate on it, I had to...accede the limit to get up and get the number. I found that that plate was issued to a church in Chicago, and upon further investigation, it just seems to me they can better put their money in the activities of their church than in a...in a Mercedes. I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just a question of the sponsor. Senator, you said that, as I understood you, that the cars would be required to be identified in some way, and I'm thinking as you mentioned in your opening remarks, many of the charitable vehicles are...are certainly entitled to some kind of charitable plates. If a legitimate church buys a car for the use of its pastor, what kind of identification is going to have to be shown on that car?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

I would suspect that the..the name of the church to identify the organization that allowed for that charitable plate to be...in other words, the Secretary of State will have to authorize that plate and the name of that organization that asked for that plate to be put on that car would certainly be on the...on the door as a logo or whatever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

In a...to the sponsor. Are you saying that if a...if...Senator Schuneman said, Mercedes, the correct name is Mercedes Benz. Well, don't be so particular about who buys what. Just...if you're not able to buy one, just admire the fellow who can. And I would hate for you to have me pass you in a Rolls Royce and you called it a Rode. But in all seriousness, Senator Mahar, if a plate is issued to the pastor of a church and the plate identifies that automobile with the words CV, which are the last two letters on that plate, are you requesting that that car should have additional identification like some plaque on the door to say this is Shiloh Lutheran Church?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you. First of all, in my poor old Buick I could never catch you to find out what's on your...on your plate. As I understand it, that certainly the organization that receives the...the plate, there'd have to be identification as a logo or as a name on the door. The ME Church or the Chicago Archdioceses of Chicago or something like that. In other words, to further explain why that CV plate has been issued at the rate of eight dollars for two years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

END OF REEL

REEL #3

SENATOR CHEW:

Senator, I think the bill itself contains some excellent provisions, but to obligate a charitable organization with that kind of identification on a passenger car, I think, is totally extreme in the cost of having that plate or plaque mounted on a car. I think what we need to do is when those plates are issued, they are issued in the name of an organization, and if Reverend Husky is that concerned about who owns them, it's a matter of public record in the Secretary of State's Office, and certainly their identifications to that vehicle indicate to whom it's issued and to what charitable organization it issued to. Now, I know that part of the bill is strictly a piece of campaign literature. It's not designed to reduce. It's not designed to do anything. I think the present cost is four dollars. We're raising that a hundred percent, which I have no problems with, but the part of the bill that irks me, Senator, and Reverend Husky, is to display on a private automobile which is no longer a van, or a pick-up truck, or a bus, that the minister of that church which, according to law, is entitled to that plate and yet he has to go to the expense and disfigure that automobile just to say to Reverend Husky and...and...and Doctor Mahar as saying that this is the Liberty Baptist Church. Now I'm in favor of the increase which is set, I have no problem with, but the mere identification that's on the person who operates that automobile should by all means be sufficient to identify that car, and I would ask you to bring this bill back to 2nd reading and let's amend that portion of it out. The Secretary of State's Office does not agree, and we held meetings, and the Motor Vehicle Laws Commission does not agree that that car should be further identified with some kind of a plaque

on it. And nowhere in our meeting when I questioned Reverend Husky that he had any plan or uniformity in describing how these plaques would be attached to a car, and very frankly, many ministers of many churches drive automobiles that's purchased by the church and that CV plate, in my opinion, is totally sufficient to...identify that it is charitable. Now, of all of the rhetoric we've heard on this bill, nobody has been able to discover that a plate issued to a particular automobile has been erroneously issued. All of those plates are left to the discretion of the Secretary of State be he...whoever he is, or she, and it is ascertained before that plate is issued that it is a charitable organization. Now there was a piece in the Tribune, not long ago, that Reverend Husky was able to buy a ordination certificate from California for thirteen dollars which made him a preacher. That...prompted him to ascertain whether he could buy some plates under his ordination as a preacher. Unfortunately for him, he couldn't secure the plates because it was not an authentic ordination, but he was too proud to withdraw that part of his bill, and if you would hold that part until after election, after he's successful, then he would no longer pursue it. So, I'm asking you as a Senate sponsor, and certainly I support the balance of the bill, to bring it back to 2nd reading and I'll have an amendment for it to eliminate an automobile with a CV plate from having to display, on a door or top, some kind of plaque for identification. Would you be kind enough to do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Well, it seems to me there are several things we ought to consider. Number one, this is a voluntary type of thing. If the individual or the church doesn't want to reveal their operation, they can pay the full

price for the plate. It doesn't seem to me to track very well to have a charitable organization, which is there in behalf of people to help people, be riding around in expensive type cars. They might very well use that money which they've received from charitable means in behalf of their people. So, it does...it seems to me, it's appropriate and proper to know exactly what that organization represents. As I said, in my own case, I had to go eighty miles an hour to get up close enough to find out the numbers on this license plate, and I think that's important. Yet, if...you could...as a car goes by you, or a bus goes by you, you can see the name on the door. I don't see any reason why, since it's a one-time offering, if they have the car for four, or five, or six years they only have to paint the name on the side one time. It seems to me they have an option. They have an option to get a very cheap, inexpensive plate by putting their name on the door to advertise their church, to be proud of their activity, to show they really want to help people, or to cover it up. Now this bill also has several other good features, I think if there's a question and the majority feel that way or if there is a great feeling to take off that logo, since this bill has to go back to the House, it can go back to the House and the...the House sponsor, the original sponsor can take action at that point. The question of whether it's his...his election bill or not, I don't know. I think it's a good idea, it was brought...it was brought to us by virtue of a lot of publicity in this area as many, many bills on this Senate Floor in this Senate Session have been introduced and...are being passed because material has been brought to members of this Body from exposes in the news media. We react to it everyday, it seems to me, here is a chance to tighten up the laws, and, to my knowledge, the Secretary of State is in favor of this, and therefore, I would ask that we pass this bill and I would urge for your



support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He was in closing, we have Senator Rock, yet...was he answering your question? Senator Chew.

SENATOR CHEW:

...questioning the sponsor. Senator Mahar, do you have a special plaque on the doors of the Pearl Harbor Veterans' in...in your bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

No, Sir. That's just a license plate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Do you have special plaques on the doors of retired Senators and House members?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

I think it says so on the plate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

...on the plate. That's...that's not a...a...a qualified answer, Senator. If your going to mark the CV...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, your time has run out. It was on, it's shut off. Would you bring your remarks to a close, Senator Chew.

SENATOR CHEW:

Well, this is very important, Mr. President, we're going around here and we're going to penalize one...this is a religious organization, if they're going to be penalize, let's penalized everybody. It's not enough plates out there. The

sponsor knows very well, it's...very, very few CV plates in the State of Illinois, and just because he starts dreaming up an idea to penalize charitable organizations, the whole thing is totally unfair. They're buying these plates by Statute, and all I'm asking is to bring the bill back to 2nd reading whereby we can eliminate by amendment the provision in the bill that requires to put a sign on the door of anything that has a CV plate. I think it is totally unfair. Now is he rejecting the idea of bring it back, or is he going to bring it back to 2nd reading? I don't want to hear nothing about what the House can do, I work in the Senate, I'm not concerned about what the House can do. Now your answer is either, yes or no, and if the answer is no, then I'm going to be opposed to the bill, and I'm going to ask everybody on this side to vote against it, and all the free people thinking over here who have some religion to vote against it, because it is totally penalizing a church or a charitable organization and it is not fair, and I would ask that we vote No on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to House Bill 1913 as amended, and I would ask the membership to just take a look at what's in here. We are providing for the first time for retired members of the Assembly. All those lane ducks that the people of this State saw fit to create now get a General Assembly retired plate. We are additionally, and I would...ask of the sponsor, it additionally says, "Limitations on no fee plates. No individual shall be issued more than one pair of plates of any category for which no fee is required." I would ask of the sponsor, how many of those categories are there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The sponsor yields. Senator Mahar.

SENATOR MAHAR:

Yes. As I said earlier, Senator Rock, this bill was offered by the Secretary of State's people to tighten up the...existing language, to cut it down, to limit it. At the present time, there are no limits of any kind, either as to numbers of plates or as to the length of time the plates can be on the car, and this was an attempt to limit that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, my question, however, is, assuming that this is correct, that no individual should be issued more than one pair of plates for any category for which no fee is required, what I want to know is, how many categories are there for which no fee is required?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

I ask to take the bill out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar moves to...take House Bill 1913 out of the record. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 1924, Senator Joyce.  
Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Pursuant to the agreement that Senator Philip and I had before, in an attempt to afford the Appropriations Committee and staff an opportunity to get their act together, I...if there is no further paper work necessary up there, I'd move that we stand adjourned until noon tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Collins, for what pur-

pose do you arise?

SENATOR COLLINS:

Yes, thank you, Mr. President. I would like leave of the Body to have Senator Bloom shown as principle sponsor of House Bill 2481 and to add myself as just a regular co-sponsor. The bill is being heard in Appropriations II this afternoon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is leave granted? Leave is granted. Is there further business to come before the Senate? Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President, the Appropriations II Committee will meet at one-thirty in Room 212. We have a lot of work to do. We'll be voting on amendments today and voting the bills out of committee, so I would appreciate it if everybody would be there on time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Resolutions.

SECRETARY:

Senate Resolution 592 offered by Senators Nedza and Mega and...and all Senators. It's congratulatory.

Senate Resolution 593 offered by Senator DeAngelis and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A reminder to the members of Appropriations I, we will meet promptly at 9:00 a.m. in 212. It will be a meeting in which we will be offering and adopting amendments and moving all the bills that are in the Appropriations I Committee, so please be on time. Nine o'clock in the morning in Room 212.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there is no further business to come before the Senate, the Senate will stand adjourned until noon, Thursday.