

85TH GENERAL ASSEMBLY

REGULAR SESSION

June 15, 1988

PRESIDENT:

The hour of one-thirty having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Father John Spreen, Church of the Little Flower, Springfield, Illinois. Father.

FATHER JOHN SPREEN:

(Prayer given by Father John Spreen)

PRESIDENT:

(Machine cutoff)...Father. Reading of the Journal, Madam Secretary. Senator Hall. Oh, Madam Secretary, I'm sorry.

SECRETARY:

Senate Journals of Friday, May 20; Tuesday, May 24; Wednesday, May 25; Wednesday, June 1; Thursday, June 2, 1988.

PRESIDENT:

Senator Hall.

SENATOR HALL:

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

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, June the 7th; Wednesday, June the 8th; Thursday, June 9th; Friday, June 10th and Tuesday, June 14th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Any discussion? If not, all in favor indicate by saying Aye.

All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports, Madam Secretary.

SECRETARY:

Senator Carroll, chairman of the Committee on Appropriations I, reports House Bills Noed. 3230, 3232, 3238, 3239, 3243, 3244, 3318, 3511 and 4024 Do Pass.

And House Bills Noed. 3116, 3150, 3162, 3199, 3200, 3201, 3202, 3204, 3207, 3208, 3209, 3210, 3224, 3225, 3226, 3227, 3228, 3231, 3234, 3235, 3236, 3237, 3240, 3241, 3242, 3463, 3663 and 3846 Do Pass as Amended.

Senator Hall, chairman of the Committee on Appropriations II, reports House Bills Noed. 3539 and 3540 Do Pass.

And House Bills Noed. 3203, 3205, 3211, 3212, 3229, 3233, 3280, 3281, 3282 Do Pass as Amended.

PRESIDENT:

(Machine cutoff)...resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 1200 offered by Senator Kelly.

Senate Resolution 1201 offered by Senator Berman.

Senate Resolution 1202 offered by Senator Geo-Karis.

Senate Resolution...pardon me, 1203 offered by Senator Etheredge.

Senate...oh, pardon me, they're all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 1204 and Senate Joint Resolution 1205 offered by Senator Weaver, they're also congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1206 offered by Senators Dudycz and all members, it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolutions 1207 and...1208,...and 1209 offered by Senators Kelly and Mahar, they're all substantive.

PRESIDENT:

Executive. Resolutions.

SECRETARY:

Senate Resolution 1204 offered by Senators Hudson, Philip and Topinka.

Senate Resolution 1205 offered by Senator Zito.

They're all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 140 and Senate Joint Resolution 141, both offered by Senator Weaver and they're...both congratulatory.

PRESIDENT:

Consent Calendar. All right. If I can have the attention of the membership, we will begin today on page 14, House bills 2nd reading and we will go through the Order of House Bills 2nd Reading, and if we have time, we will...then begin on House bills 3rd reading on page 2 and the same procedure will be followed tomorrow. We will commence tomorrow at twelve-thirty. We will start on Friday morning at nine o'clock, and I assure you, we will be out of here by noon on Friday. Monday...if you'll turn to the back of the Calendar...on the back, Monday the 20th, it was indicated we will be in Session. We will not be in Session. Monday, we...Senator Philip and I have decided that it is not necessary for us to be here Monday the 20th. So on the 21st we will...on the 21st we will amend the appropriation bills if we don't...if we have not yet gotten to them and we will be prepared to meet our next week's deadlines. So twelve-thirty

HB 589  
2nd Reading

tomorrow, nine o'clock on Friday, and both today and tomorrow we will work approximately till five o'clock. So we'll begin on the Order of House Bills 2nd Reading, go through 2nd reading in order and then revert to the Order of 3rd Reading, so I'd ask the members to stay alert. (Machine cutoff)...the Order of House Bills 2nd Reading, top of page 14...page 14 on the Calendar. 253, Senator Jones. 589, Senator Luft, top of page 14. 737, Senator Smith. 741, Senator Netsch. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Mr. President, I was prepared on 589. Did you go past House Bill 589 while I was...waving my hand at you.

PRESIDENT:

For you, we'll go back. On the Order of House Bills 2nd Reading, top of page 14, is House Bill 589. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 589.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

There is one, they tell me.

SECRETARY:

I apologize, there is one Floor amendment on...Amendment No. 1 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President...Amendment No. 1...provides that utilities shall not be required to purchase electricity

HB 923  
2nd Reading

from a qualified solid waste energy facility if the purchase would result in tax credits exceeding the utility's estimated tax obligation.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 589. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...741, Senator Netsch. 812, Senator Jacobs. 923, Senator Schaffer. On the Order of House Bills 2nd Reading, top of page 14, is House Bill 923. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 923.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers Committee Amendment No. 1.

PRESIDENT:

Senator Schaffer on Committee Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Committee Amendment No. 1 simply provides that the conditions that apply for failure to cooperate in child support enforcement activities, in other words, the courts being able to order someone to seek employment who is not paying their child support, does not apply to women who are pregnant during that period that they are pregnant.

PRESIDENT:

Senator Schaffer has moved the adoption of Committee Amendment No. 1 to House Bill 923. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

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2nd Reading

it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Schaffer on Committee Amendment No. 2.

SENATOR SCHAFFER:

This amendment clarifies that the minimum child support guidelines shall be used in proceedings for modifying a child support order. There apparently was some confusion out in the courts on this issue.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 2 to House Bill 923. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1254, Senator Fawell. 1374, Senator Degan. On the Order of House Bills 2nd Reading is House Bill 1374. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1374.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Jacobs, for what purpose do you arise, sir?

SENATOR JACOBS:

I'm...I'm sorry, Mr. President, but we passed by 812 awful quick there...is there an opportunity to come back to that bill?

PRESIDENT:

Yeah. We...we didn't pass by it awful quick. On the Order of House Bills 2nd Reading is House Bill 812. Read the bill, Madam Secretary. (Machine cutoff)...812

SECRETARY:

(Machine cutoff)...812.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers Committee Amendment No. 1.

PRESIDENT:

Senator Jacobs on Committee Amendment No. 1.

SENATOR JACOBS:

Committee Amendment No. 1 deletes everything after the enacting clause and reinserts similar provisions of the bill. It clarifies public notice provisions concerning downstate park district annexation and authorizes forest preserve districts located in a county with a population in excess of a hundred and fifty thousand but less than two hundred thousand and contiguous to the Mississippi...River to levy an annual tax not to exceed one cent for the purpose of constructing or maintaining a zoological park. This is agreed upon with the Illinois Association of Park Districts. Taxpayers' Association originally had a...was opposed to this legislation, they are now in favor of this legislation and would ask for support of this amendment.

PRESIDENT:

All right. Senator Jacobs has moved the adoption of Committee Amendment No. 1 to House Bill 812. Discussion? If

not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1576, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 1576. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 1576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1729, Senator Macdonald. On the Order of House Bills 2nd Reading is House Bill 1729, Madam Secretary.

SECRETARY:

House Bill 1729.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2293, Senator Zito. House bills 2nd



reading is House Bill 2293, Madam Secretary.

SECRETARY:

House Bill 2293.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. Committee Amendment No. 1 to House Bill 2293 simply adds an immediate effective date and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 2293. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2569, Senator Netsch. Senator Netsch on the Floor? 2755, Senator Savickas. 2862, Senator Schaffer. Senator Schaffer on the Floor? (Machine cutoff)...get back. Page 15, 2906, Senator Marovitz. 2917. (Machine cutoff)...2925, Senator Holmberg. Senator Holmberg on the Floor? (Machine cutoff)...2993, Senator Jacobs. 3007, Senator Jones. 3010, Senator Rock. 3010, Senator Rock. On the Order of House Bills 2nd Reading is House Bill 3010, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3010.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 attempts...this...this is the Act to provide additional fees if the county board feels it necessary for the functions provided by the county clerk. Amendment No. 1 attempts to tighten up this bill in that it requires a statement of the cost of providing each service, program and activity to be prepared by the county board so that the...this language was suggested by the chairman of the St. Clair County board to clear up any ambiguity in the determination of direct and...indirect cost, and it makes the information available to the public. I know of no objection to the amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock has moved the adoption of Committee Amendment No. 1 to House Bill 3010. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further...further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3124, Senator Karpziel. House bills 2nd

reading is House Bill 3124, Madam Secretary.

SECRETARY:

House Bill 3124.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr...Mr. President. The committee amendment removed all the language in this bill that dealt with paying a community's money for their sewer projects, and all it leaves in the bill is that if state standards are more strict than the federal standards, that in communities under six thousand, they have to not meet those standards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel has moved the adoption of Committee Amendment No. 1 to House Bill 3124. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...Senator Woodyard, for what...purpose do you arise?

SENATOR WOODYARD:

On a...thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WOODYARD:

I would like to introduce to the Senate, and they have already been...introduced to the House, two visitors from Japan, particularly Hokkaido, and I wish that our Senate would also welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our two...guests will please rise and...welcome to Springfield. 3179, Senator Macdonald. Oh, I'm sorry, I...I skipped a bill. 3125, Senator Welch. On the Order of House Bills 2nd Reading is House Bill 3125, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3125.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Welch offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does that I'm amending is provide that the plaintiff in a review proceeding concerning a landfill local siting process pay for preparing and certifying the record. The bill was opposed in committee by the Environmental Council. We now have an amendment on the Floor that's been drafted by the Environmental Council they support. What the amendment does is say that this provision of paying for the fees does not apply to citizens' groups or not-for-profit organizations that have participated in the proceedings. So I would move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved adoption of Amendment No. 1 to House Bill 3125. Discussion? Senator Hall. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3179, Senator Macdonald. 3261, Senator Weaver. House bills 2nd reading is House Bill 3261, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3261.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Committee Amendment No. 1 removes language which could have expanded involuntary annexation powers and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Committee Amendment No. 1 to House Bill 3261. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3262, Senator Weaver. House bills 2nd reading is House Bill 3262, Madam Secretary.

SECRETARY:

House Bill 3262.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3264, Senator Berman. Senator Berman on the Floor? Page 16, Senator Berman...all right. Page 16, 3303, Senator Schuneman. Senator Schuneman on the Floor? 3311, Senator Holmberg. All right. 3338, Senator Marovitz. 3345, Senator Macdonald. Senator Macdonald, 3345? 3380, Senator Zito. 3389, Senator Holmberg. On the Order of House Bills 2nd Reading is House Bill 3389, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3389.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg.

SENATOR HOLMBERG:

Basically, this amendment allows E & R to issue recycling loans or grants to businesses and not-for-profit organizations or governmental entities instead of just grants. Loans just seemed another option that we should give. It was requested by the administration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to House Bill 3389. Discussion? Senator Macdonald on...Senator Macdonald, on this issue? All right. Those in favor of the adoption of Amendment No. 1...Committee Amendment No. 1 will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Holmberg offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Amendment No. 2 to 3389 directs the E & R to prepare a report on strategies for distributing and marketing landscape waste compost by 1989...March of 1989, and several cities including Chicago have been concerned what to do with composted material and this report will hopefully identify potential markets for that material.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg has moved adoption of Amendment No. 2 to House Bill 3389. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3408, Senator Brookins. Senator Brookins, 3408, page 16. 3415, Senator Donahue. House bills 2nd reading is House Bill 3415, Madam Secretary.

SECRETARY:

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2nd Reading

House Bill 3415.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3425, Senator Macdonald. Senator Macdonald, 3425? Page 16. 3444, Senator Keats. On the Order of House Bills 2nd Reading is House Bill 3444, Madam Secretary. Read the bill.

SECRETARY:

House Bill 3444.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator...Senators Ralph Dunn and Keats offer Committee Amendment No. 1...pardon me, offer Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

...thank you, Mr. President and members of the Senate. Senate Amendment No. 1 to House Bill 3444 would change a section of the School Code to allow Kaskaskia School District, which is a small school district really nearer in Missouri than it is in Illinois, allow them to annex if they want to or to...or to consolidate into Chester School. They had to do this last year and evidently did it without the authorization of the State Board of Elections and this is the State Board's amendment. I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)



All right. Senator Dunn has moved adoption of Amendment No. 1 to House Bill 3444. Is there discussion? Senator Keats. Further discussion? If not, those in favor of the adoption of Amendment No. 1 will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Senators Schuneman and Keats offer Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen,...can we have some order, please. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. The Senate unanimously passed Senate Bill 2181 which dealt with the consolidation issue around this state and, in effect, made it possible to include on the ballot the proposition that...that school board members in the new district could be elected by subdistrict. The bill passed the Senate on a unanimous roll call but when it got to the House was held in House Rules. So Amendment No...this...this amendment simply reenacts that proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman has moved adoption of Amendment No. 2. Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on...pardon me, Senator Berman. Can we have some order, please. Senator Berman.

SENATOR BERMAN:

...I'm advised that this amendment has been put on a Senate bill in the House. Why are we doing this this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I think the idea is to simply protect the issue. As you well know, that...it often happens around here that the...that the same issue is put on a number of bills. I'm told that the bill to which this amendment was attached in the House may be controversial in some quarters. I, frankly, I don't know what the issues are, but I felt that since this was a Senate initiated issue that we ought to protect the rights of the Senate issue to remain alive. So this is another attempt to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, this amendment is to help your school district. The bill that was put on in the House is to help Senator Savickas' school district. I think that if we're going to help yours, we ought to help ours. I think that's where it belongs, let it stay right along with the amendment in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schuneman, pardon me. Ladies and gentlemen, can we have some order, please. We take our conferences off the Floor. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, two things, Mr. President. First of all, the basic part of this bill is not directed at any school in my district. The basic part of this amendment is to help all the downstate school districts who are seeking consolidation. Now it is true that there is a specific portion of this bill that would apply to a consolidation effort in my district,

but the basic part of the...of the amendment addresses the entire state. I have no problem in supporting the bill, Senator, that you're mentioning, but I don't know that everybody agrees with that...everybody else agrees with it.

I'm only trying to keep this issue alive because it's important. You know, I...I worked with Senator Poshard and...and you and a number of other people particularly downstate people are interested in this issue and we want to keep it alive. So I think we ought to adopt the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 3444. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Ayes have it. Amendment No. 2...all right, there's been...all right. There's been a roll call requested. Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 3444. Those in favor of the amendment will indicate...will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 23, 2 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Weaver and Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver. (Machine cutoff)...Weaver.

SENATOR WEAVER:

(Machine cutoff)...you, Mr. President. Senate Amend-

ment...Amendment No. 3 would allow the Homer School District to deactivate its high school for the 1988-89 school year and send its students to adjoining districts. The Village of Homer in November will have a...referendum to consolidate the Homer School District with the ABL School District. They've been working with the ABL School Board to implement this and I would move for the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved adoption of Amendment No. 3 to House Bill 3444. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Will...will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator Weaver,...was this bill not presented in committee and defeated in committee? This amendment was...was it presented in committee and...and beaten in committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Yes, Senator Jacobs, but I think there was...some confusion and particularly bad timing in the offering of Senate...or House Bill 711. The...there were some questions about their ability to tuition out students. A letter from the Illinois State Board of Education reflects to me that they cannot tuition out an entire class without deactivation here. I...it's against the School Code to tuition out an entire high school, but...that's why this legislation is necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Jacobs.

SENATOR JACOBS:

So...so that is what has changed then from the committee assignment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, I didn't know for sure whether you could or could not, but this letter clarifies that you cannot tuition out an entire high school.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Well, I just want to state that I think that we on this side of the aisle should oppose this amendment, that it should be heard in full committee and if the committee accepts it, then be willing to go along with it. But at this particular point in time, I think we should vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver, you may close.

SENATOR WEAVER:

Thank you, Mr. President. Well, I think there was pretty full discussion in committee. We tried to answer all the questions involved. As you know, the Homer High School went through a terrible strike last year. The kids have gone through three and four teachers in that school district last year. Many of the people of Homer sent their children to other school districts because of all the conflict involved. This is going to be solved by referendum in November, but in the meantime, I don't think we should ask the kids in the high school at Homer to go through another four...another year of all this turmoil. This is just for the one year, 88-89, and I would appreciate your favorable support of this Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Weaver has moved the adoption of Amendment No. 3 to House Bill 3444. Those in favor will indicate by saying Aye. Opposed Nay...roll call has been requested. All right. Senator Weaver has moved adoption of Amendment No. 3 to House Bill 3444. Those in favor will indicate...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 28, the Nays are 28. Amendment No. 3...none voting Present. Amendment No. 3 fails. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Verification of the roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Weaver has sought verification of the...affirmative roll. All members will be in their seats...of the negative votes, I beg your pardon. The Secretary will read those who voted in the negative.

SECRETARY:

Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, do you question any of those that voted in the negative?

SENATOR WEAVER:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Senator Marovitz. Strike his name. Senator Weaver.

SENATOR WEAVER:

Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch is talking with the...having a press conference at the rail. Senator Weaver, you question the presence of any other member voting in the negative? Senator Weaver, do you question the...all right. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you. I would request a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested the verification of those members who voted in the affirmative. Will all members be in their seats. The Secretary will read those members who voted in the affirmative. Madam Secretary.

SECRETARY:

Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpziel, Keats, Kustra, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, do you question...any presence of any member voted in the negative?

SENATOR ROCK:

Affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, the affirmative.

SENATOR ROCK:

Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer is in the middle of the Chamber.

SENATOR ROCK:

Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra is at the back of the Chamber, Republican side.

SENATOR ROCK:

I have no further questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the...on that question, there are 28 Yeas, 27 Nays, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, I passed over...the Chair passed over 3408. With leave of the Body, we'll go back and pick up that bill, I...I inadvertently missed it. On the Order of Senate Bills 2nd Reading, the...middle of page 16, is House Bill 3408. Madam Secretary.

SECRETARY:

House Bill 3408.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Amendment No. 1 was...purely technical and just cleaned up some language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins has moved the adoption of Committee Amendment No. 1 to House Bill 3408. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is



adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senators Watson, Brookins and Topinka offer Committee...offer Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment allows for messenger vehicles to use smaller signs when necessary on their vehicles, and it also says that in a package of...less than ten pounds, they don't have to put the identification on the package. This amendment has been worked out between the messenger carriers and the commission. I know of no opposition, move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 2 to House Bill 3408. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Etheredge, 3445. On the Order of House Bills 2nd Reading, bottom of page 16...all right...3455, Senator Collins. 3464, Senator Etheredge. On the Order of House Bills 2nd Reading, bottom of page 16, is House Bill 3464. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3464.

(Secretary reads title of bill)

HB 3495  
2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3477, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 3477. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3477.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Jones offers Amendment No. 1.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate...Amendment No. 1 exempts shampooers who work under the supervision of a registered barber from the Registration and Regulation Act and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 3477. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 17, Senator Schaffer, 3489. 3495, Senator Davidson. On the Order of House Bills 2nd

Reading is House Bill 3495. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3495.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT:

Senator Davidson on Committee Amendment 1.

SENATOR DAVIDSON:

Committee...excuse me. Move the adoption of Committee Amendment No. 1. It does three things. One, it says you don't have to be a sworn officer to be a division head. Two, apparently, in one state police district the superintendent...or the district commander was able to appoint auxiliary and now would be the director and was divided up into five different divisions. They add the Illinois State Police Academy. Move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Davidson has moved the adoption of Committee Amendment No. 1 to House Bill 3495. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Welch, 3499. On the Order of House Bills 2nd Reading is House Bill 3499. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3499.

(Secretary reads title of bill)

2nd reading of the bill. The Committee...on Elementary and Secondary Education offers Committee Amendment No. 1.

PRESIDENT:

Senator Welch on Committee Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. Committee Amendment No. 1 requires school districts to provide the exclusive bargaining representatives with a copy of the teacher evaluation plan or an amended plan filed with the State Board of Education. Currently, some districts are reluctant to provide a plan copy to the bargaining representatives. I would move for the adoption of House Amendment...Senate Amendment No. 1 to House Bill 3499.

PRESIDENT:

All right. Senator Welch has moved the adoption of Committee Amendment No. 1 to House Bill 3499. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Topinka, 3564...65. 3570, Senator Smith. 3586, Senator Dunn. On the Order of House Bills 2nd Reading, the middle of page 17, is House Bill 3586. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3586.

HB 3626  
2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers Committee Amendment No. 1.

PRESIDENT:

Senator Dunn on Committee Amendment No. 1.

SENATOR THOMAS DUNN:

Thank you, Mr. President. Amendment No. 1 removes the City of Chicago and it preempts home rule in both the county and municipal portions of the bill. There was no opposition to the amendment in committee. I urge adoption.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Committee Amendment No. 1 to House Bill 3586. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments...committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Degnan, 3615. 3626, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 3626. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3626.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Barkhausen offers Amendment No. 1.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 3626 corrects a glitch in the draft of the bill as it came over to us to make it clear that law enforcement authorities are hereby given the power to impound a motor vehicle driven by a drunken driver for six hours...for up to six hours, and I move the adoption of the amendment.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 3626. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The Chair inadvertently skipped over 3620. On the Order of House Bills 2nd Reading is House Bill 3620. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3620.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Welch offers Amendment No. 1.

PRESIDENT:

Senator Welch on Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. Amendment No. 1 will give an exemption to...municipalities over five hundred thousand people basically from the Aboveground Storage Tank Act. I

would move for the adoption of this amendment.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 3620. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Newhouse, 3662. 3668, Senator Karpziel. 3-6-6-8, bottom of page 17. (Machine cut-off)...Order of House Bills 2nd Reading is House Bill 3668. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3668.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers Committee Amendment No. 1.

PRESIDENT:

Senator Karpziel on Committee Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. As this bill was...originally introduced and came from the House, it...it broke the landfills into small landfills and large landfills and had the postclosure five years for small and fifteen for large, et cetera. All that has been taken out. What the bill does now is say that the postclosure period for monitoring is fifteen years for all sizes of landfills.

PRESIDENT:

Senator Karpziel has moved the adoption of House...Committee Amendment No. 1 to House Bill 3668. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Mahar, 3712. On the Order of House Bills 2nd Reading, top of page 18, ladies and gentlemen, is House Bill 3712. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3712.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Netsch offers Amendment No. 1.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Senate Amendment No. 1 deals with the Chicago Avenue Armory and it is a proposal that I think now has the support of everyone involved; the administration, the National Guard, the community, all of us and just about everybody else. What the amendment does is it authorizes the...the adjutant general to transfer jurisdiction of the property that is, in fact, the Chicago Avenue Armory to the Department of Conservation subject to this qualification; at such time as the adjutant general determines that the property is no longer needed by the Illinois National Guard and after legal title to some other described property has been transferred to the National Guard. I should mention that that other property is in Chicago, it is



HB 3806  
2nd Reading

sometimes known as the Donnelly Building. It is owned by the Museum of Contemporary Art and the agreement is that it is going to be transferred to the state for use as an...armory to replace the use of the Chicago Avenue Armory which will then be torn down and, ultimately, there will be used...put up on that property a Museum of Contemporary Art, a program that is widely regarded by everyone involved. This is an essential part of that long-term process. I would move the adoption of Amendment No. 1.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 3712. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3739, Senator Degnan. 3789, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 3789. Read the bill, Madam Secretary.

SECRETARY:

House Bill...House Bill 3789.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3799, Senator Joyce. 3800, Senator Joyce. 3806, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 3806. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3806.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

(Machine cutoff)...amendments from the Floor?

SECRETARY:

Senator Jones offers Amendment No. 1.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Amendment No. 1 prohibits the Department of Insurance from approving the charter of any organization seeking to...to provide medical hospital services through health plans under this Act unless the organization also is approved for a certificate of authority under the HMO Act. It also require HMO...representative who solicit public aid recipients to obtain a limited license representative...limited insurance representative license and...let's see, what else does it do? That's all. The amendment actually incorporate that portion of 3589 which was the Department of Insurance bill into this piece of legislation and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to House Bill 3806. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3840, Senator Hudson. 3857, Senator Schaffer. 3858, Senator Netsch. 3888, Senator Geo-Karis. 3891, Senator Marovitz. On the Order of House Bills 2nd Reading, the bottom of page 18 is found House Bill 3891. Read the bill, Madam Secretary, please.

HB 3895  
2nd Reading

SECRETARY:

House Bill 3891.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3895, Senator Demuzio, bottom of page 18.

On the Order of House Bills 2nd Reading is House Bill 3895.

Read the bill, Madam Secretary.

SECRETARY:

House Bill 3895.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers Committee Amendment No. 1.

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1.

SENATOR DEMUZIO:

Committee Amendment No. 1, Mr. President and Ladies and Gentlemen of the Senate, simply changed the time periods from April 6th of 1917, to November the 11th of 1918, to December 7th of '41, to December 31st of '46, and from June 27th of 1950. Also this is a bill that, as you know, creates the State Treasurer's Employment Code. I would move adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved the adoption of Committee Amendment No. 1 to House Bill 3895. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 19, on the Order of House Bills 2nd Reading is House Bill 3896. Read the bill...oh, I beg your pardon. Senator Berman. Okay. 3900, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 3900. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3900.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDENT:

(Machine cutoff)...Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Before we get to this order of business, I'd like to introduce to the Body Alderman Joe Cullars from the 35th Ward who is joining us here this afternoon.

PRESIDENT:

Alderman, welcome.

SENATOR LECHOWICZ:

Thank you.

PRESIDENT:

All right. The question is Committee Amendment No. 1 to House Bill 3900. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 is to correct a technical drafting error and I would move for its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Committee Amendment No. 1 to House Bill 3900. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 2.

PRESIDENT:

Amendment No. 2, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill as presently postured has an effective date of January 1, 1990. A year and a half...more than a year and a half from now. If you've studied the bill, I honestly don't know why we have to wait for a year and a half to start this. This amendment moves up the effective date so that the program will start January 1, 1989. I solicit your Aye vote.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3900. Discussion? Before we get there, I'd like to have your attention. Channel 2 has asked permission to shoot some footage of the Senate. Without objection, leave is granted. Discussion on Amendment No. 2? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. To the contrary, there is a great deal of preparation time required for a bill like this to be implemented. First of all, the public education, the preparation that must go on in

the Secretary of State's Office including the preparation of new forms. I might also add that a lot of the old forms if we adopt this amendment are going to have to be thrown away. It's been calculated that the cost of this amendment would cost something like four hundred and...four and a half million dollars. Insurance company preparation, these folks have to be prepared to know exactly just what kind of insurance card they're going to be working with; insurance agent preparation, law enforcement preparation. I don't want to belabor the point but this is a most unreasonable amendment. If we want this system to work, let's give the Secretary of State and related agencies the opportunity they need to implement it. I would urge a No vote on Amendment No. 2.

PRESIDENT:

All right. Further discussion on Amendment No. 2? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I also stand in opposition to this amendment. Presently, the Secretary of State has eight million registration forms in his office. If this amendment is adopted, he would have to scrap eight million forms and order new forms. That cost is approximately...it was pointed out by Senator Kustra the total cost is 4.1 million dollars; it's two million for mailing of information about new law to the seven million registered voters...of registered vehicle owners, three hundred thousand to replace the two million registration application forms already being printed for January and February, eight hundred thousand for contractual computer programmers to write the needed programs in time. And the important aspect of this legislation is that you're going to have ample period of time for consumer education, let alone to making sure that the computer programs are written and tested properly, making sure that the forms are accurate so there's only one mailing, and for that reason, this

amendment is in poor taste and should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BERMAN:

Thank you, Mr. President. I think I've heard it all now and Senator Kustra with a straight face says that this is going to cost four and a half million dollars. That's ridiculous. The only thing that this bill requires is not four and a half million dollars, it's a forty-five cent rubber stamp that says I have insurance. That, I'll pay for for the forty-five cent rubber stamp that the Secretary of State will put on the same forms he has now. That's all that's involved in this bill. If the Secretary of State is serious and he thinks it's a great bill and the sponsors of this bill think it's a great bill, I'm not sure why we have to wait a year and a half to do it. The only change...the only change in any of this stuff is a blank on the form that says, yes, I have insurance. That doesn't cost four and a half million dollars. Let's get the program moving so we see whether it really will be effective or not. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman moves the adoption of Amendment No. 2 to House Bill 3900. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? (Machine cutoff)...voted who wish? Take the record. On the adoption of that amendment, there are 20 Yeas and 33 Nays, 1 voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

(Machine cutoff)...you, Mr. President and...and members of the Senate. Amendment No. 3 is an effort to provide the citizens of this state due process in the implementation...I mean, resulting from the implementation of mandatory insurance. It's evident from the votes that this...that the...Senate Bill 3900 will probably pass. I don't think any of us in this Chamber is opposed to the basic concept of mandatory insurance. The problem is fairness, that the citizens of this state be treated fairly. If, in fact, that the State of Illinois says that you should...shall have insurance, then the availability of...we have to make sure that that insurance is available across the board to every citizen in this state who is required to have that insurance. What this amendment does, it set up a three-member panel to hear complaints, it is not just one-sided, it is also frivolous complaints brought against the insurance companies as well as complaints by citizens over such issues as whether or not they were denied insurance in their areas based on their geographic location, whether or not they...based on their sex and any other reason that they would be denied. And while this amendment also does not...and let me state...it is stated in the amendment does not interfere with an insurance company's right to have differential rates based on standard rating practices already existent in this state, it does not deal with that at all. It also gives the commission the authority to look at rates to determine whether or not those rates are excessive and out of line based on the same risk class across this state using the same rating factors that they use now. So it doesn't really attempt to change that process. I think this is a good amendment and a fair amendment, and if we're going to pass mandatory automobile insur-



ance as we often quote that other states have done, then we ought to get in line with other states and give something here to protect the consumers in the process. I move for the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Collins has moved the adoption of Amendment No. 3 to House Bill 3900. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. May I have a ruling from the Chair as to whether this amendment is germane?

PRESIDENT:

Yes. The Chair will be prepared to rule on germaneness if you wish to proceed.

SENATOR KUSTRA:

Okay. Yes, thank you. Let me just say...point out a specific portion of this particular amendment. It amends the assigned risk plan by providing that if an applicant is unable to obtain such insurance at a cost which is less than a hundred and twenty percent of the statewide average within the same risk class, the Secretary of State shall collect a reasonable down payment on such insurance and forward the down payment and application to the director of Insurance who shall designate an insurance carrier which shall be obligated to issue a policy. Ladies and gentlemen, if you're interested in moving down the path to insurance rate regulation, this is your chance to do so. If you're opposed to that and to the bureaucracy that would follow and the cost that would follow, then you'll vote against Amendment No. 3.

RESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Mandatory insurance is an important issue and we're all going to have a chance to vote

on that issue, but this isn't the way to go to mix an issue that deals with rating and excessive rates and all kinds of insurance related issues established by this commission. This may be an very...very important bill on its own, but we shouldn't mingle this type of bill with another bill that is before this Body and will be voted on on 3rd reading. This amendment can't stand on its own on this bill and it should be defeated.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I simply want to point out to you that whenever you begin to mandate the purchase of a product by all the citizens of our state, then you're going to more and more hear cries to regulate the price of that product. It's just a natural happening. It happens around here before we even pass the bill that would mandate the purchase of the product. Those of us that are so anxious to vote for this bill, I simply want to make the point that from now on you're going to have amendments like this, you're going to have bills in this form and it seems to me that ultimately one of these things that's going to pass and it would result in the increase of insurance costs to most of the citizens of this state if we're going to blend rates or protect people against the rates that probably are correct for their particular exposure. It's a bad idea, we shouldn't adopt the amendment, we probably shouldn't adopt the bill.

PRESIDENT:

Any further discussion? Further discussion? Senator Collins, you wish to close prior to the ruling?

SENATOR COLLINS:

I don't think...the bill may have a technical error because it has been redrafted and as to...let me speak to the

germaneness of this...of this...particular amendment. Now, in the Reference Bureau I repeatedly raised the issue of germaneness, and if this amendment is ruled nongermane, then we need to maybe go into some kind of consultation with the drafters to ensure that they know when a...when a bill is germane...amendment is germane or not germane, because I think that they did give this every consideration and they researched it and researched it and we talked about it over and over and over again. I still...feel that it is germane. However, I don't see why the sponsor of the bill objects to the bill...the person when they come...for registration of their cars, if they cannot...and have shown good faith...through good faith efforts that they have tried to obtain insurance and have not been because someone has refused to write that insurance, the person needs that automobile for work, it is not out of line to come to whoever the administrative agent is and say through the...the assigned risk plan that I cannot obtain the insurance and it's up to the state then to ensure that that person is allowed to purchase insurance through that assigned risk plan. So that person is no longer without an automobile and...and cannot go out and...and either seek employment or maintain their employment. Several other states do it this way, it is not unusual nor is it out of line.

PRESIDENT:

All right. The Chair is prepared to rule that Senate Amendment No. 3 is not germane to House Bill 3900 and is therefore out of order. 3900 is an amendment to the Vehicle Code to require liability insurance before a registration may be issued for a vehicle, and Senate Amendment No. 3 amends the Insurance Code and establishes a commission to adjudicate certain disputes between citizens and insurance companies. The Chair therefore rules that Amendment No. 3 is out of order, Madam Secretary. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones.

END OF REEL

REEL #2

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Amendment No. 3 provides that no driver shall be required to pay more than one hundred and ten percent of the statewide average rate for the same coverage charged to a driver that based on driver record only holds a similar risk. It also provides that the Secretary of State shall publish a...a quarterly basis for the statewide average rates for the various coverages and the various risks. The purpose of this amendment is to assure those persons, particularly those who live in urban areas, that they will not be penalized based on their residence. Those of you who represent areas in the City of Chicago full well know that from the southwest, from the northwest and from the south suburbs the traffic that flows into the City of Chicago increased the possibility of one having an accident. It increases the possibility of cars being...being stolen. If we, at the state level, are going to mandate that a consumer has a product, it is our responsibility equally as well to mandate that that consumer receive that product on a fair and equitable basis. Not too long ago,...a couple of weeks ago, as a matter of fact, on Channel 2 in the City of Chicago, when they...when Pam Zeckman...gave her report on highway robbery, and what that series pointed out was simply this...it's very difficult, Mr. President, to hear myself even though I talk very loud.

PRESIDENT:

I understand that. Will...can I ask the staff to take the conferences off the Floor. Going to be a long afternoon.

Let's keep the noise down. Senator Jones.

SENATOR JONES:

And in their report on Channel 2, you have many second and third rate unscrupulous insurance companies doing business in the State of Illinois. They will give you a product but...and that product is inferior because the...the consumer cannot get the car repaired. If this bill becomes law, what we are saying to the people in the City of Chicago or any urban area in this state that whatever the company decides to say the price is, you have to pay it. It is our duty as legislators who are concerned about the citizens to put this protection in. There is no reason why the people in the urban areas and particularly the City of Chicago should be penalized. This amendment is germane, Mr. President, because I checked into that so I don't expect any ruling as such, but if we are...if we are concerned about mandatory insurance, if we are concerned about the people, you will support this amendment and I ask for a favorable vote.

PRESIDENT:

All right, Senator Jones has moved the adoption of Amendment No...all right, Amendment No. 4, the Chair was in error...Amendment No. 3 was ruled nongermane, so we are now on Amendment No. 4. Senator Jones has moved its adoption. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. On this very germane amendment before us at this time, Senator Jones, let me point out to you you act as though this bill or this law is...somehow going to prohibit people from going around the City of Chicago or anywhere else in the State of Illinois to shop for insurance. We have a market system for insurance and that's what will happen under this particular law. More importantly, if the last bill was the first step toward rate setting, this bill gets us there. This is rate setting and I

don't think we want to do that in this state. I urge a No vote on Amendment No. 4.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Hall, what I want to know...I mean, Senator Jones, that I live in an area three hundred miles from Chicago and because it's...it's East St. Louis, I'm the only driver, I pay over eleven hundred dollars a year just for liability. If this is the kind of thing...if I lived in the surrounding area, it'd be one-half that. I'm penalized because my car is garaged in that city. Now people in and out of there all the time and they get...in six months...I pay as much in six months as they do in an entire year. Will this help these people?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes,...yes, Senator Hall, this would definitely help persons like yourself in the East St. Louis area, but one other thing I didn't point out in my opening remarks as a response to Senator Kustra, this bill does not compel all insurance companies licensed to do business in the State of Illinois to give you that product. So, as a result, if it's not offered to you as a product, you should not have to shop all throughout the State of Illinois in order to receive a fair and equitable price for insurance.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, if that's what this bill will do, I can't see anybody opposing this. This is...I've shopped all around and I'm with Allstate and I'm still paying that tremendous amount and they don't hesitate to tell me...if we're going to share and if we're going to treat everybody the same, everybody ought to be voting for this amendment. I urge that you vote for this good amendment.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is definitely rate making, make no mistake about it; and if you think that this is going to solve the problem of decreasing rates for people, you're absolutely wrong, because when this amendment goes on this bill, the effect of it is going to be to increase everybody's rates across the State of Illinois. This is the wrong amendment. It should not be adopted on this bill and everyone should vote No on this amendment.

PRESIDENT:

Further discussion? Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. That question of germaneness of the amendment, is it similar in nature to the previous amendment?

PRESIDENT:

The Chair has determined after a thorough reading of this small amendment that it...it is, in fact, germane. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I knew it was. Senator Jones told me it was.

PRESIDENT:

He told the Chair too.



SENATOR SCHUNEMAN:

Senator D'Arco, I think, has hit...hit the nail on the head. Amendments of this kind and...and prepare yourself, you're going to see this all the time now, because the people that are being forced to buy a product that they don't want to buy are going to come...primarily because they will tell you they don't have the money to buy it, are going to come...to you for relief...they're going to come to you for relief from that system and you're going to see scads of bills like this from now on if...if this bill, in fact, does pass. One thing I think ought to be cleared up...where you shop for insurance hasn't anything to do with its cost. Come downstate and shop for insurance. If the use of the car is in a metropolitan area, like Chicago, it's going to cost a lot more money. Now what this amendment, of course, would do would be try to seek to get everybody else in the state to pay for the cost...the higher cost of operating a car in those areas where they have the greatest number of accidents and where the risk is the greatest. The amendment should be resisted.

PRESIDENT:

Further discussion on Amendment No. 4? If not, Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the...the Senate...I'm shocked at the former chairman of the Insurance Committee, my good friend, Senator D'Arco, for opposing this amendment, and I'm equally shocked at the minority spokesperson about talking about raising rates, but here we have a bill, ladies and gentlemen, that we are mandating that the consumer have something, but there is no consumer protection whatsoever in this bill. Phil...Phil Rock, President of the Senate, you live in Oak Park, but you drive in the City of Chicago, you have offices there, you increase the

possibility of accidents, why penalize me? Why penalize me? And anyone who resides in the City of Chicago, even the co-sponsor, Senator Ted Lechowicz, his constituency going to pay a much higher rate once this bill become law without this amendment. If you are for fairness, if you...you are for having the rates equal in the metropolitan areas in this state, then everyone should share that cost who causes the congestion, who increases the possibility of accidents. This is a people amendment. It protect that little consumer. It protects that pensioner. But once you mandate something and that consumer cannot go to his or her...her broker and get that product on a...on a fair and equitable basis, then you are cheating the citizens and you don't want to be caught in that posture. If you're for the consumers, you'll vote for this amendment. I ask for a favorable vote.

PRESIDENT:

The question is the adoption of Amendment No. 4 to House Bill 3900. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 10 Ayes, 42 Nays and 1 voting Present. The amendment fails. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This amendment strengthens the bill, I believe, and requires more than a mere affirmation to be presented upon registration. It would require the same things that exist in Section 7-602 to be presented at the time you seek registration of your vehicle and I urge an affirmative vote.

PRESIDENT:

Question is the adoption of Amendment No. 5 to House Bill 3900. Discussion? Senator Kustra.

SENATOR KUSTRA:

(Machine cutoff)...you...thank you, Mr. President and members of the Senate. This...this is an important amendment and I hope that people are paying attention. I think Senator Dunn has a good intention here but, unfortunately, it just simply isn't going to do anything to do improve the bill and I'm afraid it's going to make the system much worse. You have to understand that the way people in the State of...Illinois get their registrations is as follows. About forty percent of them do it through financial institutions, about another thirty percent do it by mail and another thirty percent through the facilities in the Secretary of State's Offices across the state. Obviously, submitting proof is going to be difficult when you're getting your registration through the mail. Also, there's very good reason to suspect that if you require financial institutions to go through this process, they simply drop out of the program which makes it more difficult to administer. Even more importantly, under this particular amendment, I think what you're doing is encouraging one-day-only insurance policies, all right, one day only; get your insurance for the day you have to submit proof and then it no longer becomes...important. The important thing about the bill as we have drawn it is that once you go before one of these financial institutions or by mail or at the facility and you have verified by signing the affidavit that you have insurance and you have listed the name of your insurance company, then you can be verified by the Secretary of State's Office, and if that insurance company verifies that you have it, fine; if they don't, you are now subject to the penalties of the bill. The enforcement procedures in this bill have been strengthened compared to old bills; to move to this particular system would be costly,

unworkable and eventually lead to the downfall of this whole program. I urge a No vote on Amendment No. 5.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. To the sponsor. Senator, you cited a section of the Statute but I don't think you told us in layman's terms what your amendment does. What does it require?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Senator Schuneman, this requires exactly what the Secretary of State calls for in Section 7-602 requires an insurance card. It requires an insurance policy or bond or a copy thereof. It requires an insurance binder, a certificate of insurance or a receipt for payment for an insurance premium or bond. It's the same thing that's exactly in the bill as it exists now. This takes nothing away from it. It merely speeds up the point in time when you're going to prove that you have automobile insurance at registration, not when you're stopped by a policeman for a stop sign.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, the...the Secretary's bill simply requires an applicant to affirm on the application that...that insurance, in fact, does exist. Are you saying that...that your amendment would require them to offer proof in addition to that affirmation? They have to bring an insurance card or one of these other things along when they...when they order their application...or order their license?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

That's exactly correct. It...it prevents what you're seeking to prevent at an earlier period in time.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Brookins.

SENATOR BROOKINS:

Yes. Senator Dunn, are...are...are you saying that large companies such as banks and corporations and other people that's driving cars will also have to...have proof on their persons?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Yes.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

So, in other words, what's fair for the little guy in the streets would be fair for the big guy?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

That's my intention.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Unfortunately, the intent is good but it's not workable. Forty percent, as pointed out by Senator Kustra, of the volume of the renewal on license plate applications is done through financial institutions and cur-

rency exchanges. They do not want to assume this type of responsibility. And the other drawback is if you can have the card one day and cancel your insurance the next day, then the application is...is in process. The Secretary mentioned this problem in committee. It was addressed in committee. He opposed the concept because of those two reasons and I strongly object...and...and will ask you to vote No on this amendment for those two reasons. Thank you.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I stand in support of this amendment. You know, if you went back home and just as ninety some percent of our constituents think that everybody ought to have insurance, those same people think that this amendment is in the bill, that there is proof of insurance in order to get your plates, and that's what this amendment is about, not random checks; and let me just say, when we wanted to move up the effective date, we talked about training, I think that was one of the arguments against the moving up of the effective date. Well, if the banks and the currency exchanges can undertake a lot more complicated things than this, they can certainly look at a piece of paper to see if the guy has insurance. This amendment is what everybody at home thinks this bill is about. Let's not kid them. Let's vote Aye.

PRESIDENT:

Any further discussion? Senator Dunn, you wish to close?

SENATOR TOM DUNN:

Thank you, Mr. President. Well, I would just suggest to you that if a bank person taking an application can accept an affirmation, they can certainly accept an insurance card. This does nothing to take anything away from the bill, it merely strengthens it. It preserves everything in the bill,

it just brings it about at a more proper time. I urge an Aye vote.

PRESIDENT:

Question is the adoption of Amendment No. 5 to House Bill 3900. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 29 Nays, none voting Present. The amendment fails. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Thomas Dunn.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This amendment raises the minimum amount of insurance to be carried and it raises it from twenty to forty...strike that, it raises it from twenty/forty to forty/sixty. Now for those of you that are concerned about the cost, I would suggest to you that the other day I checked with the...the rates on several individuals for the average male twenty-seven years of age driving an average car. The difference between Joliet, Granite City and Springfield amounts to twenty to twenty-four dollars for a year, that's less than fifty cents when you raise the amount of insurance from twenty/forty to fifty/one hundred. This is even less. So, I'm suggesting to you that if you're going to have mandatory insurance, then put somebody on the road with an amount insurance that will actually take care of the injuries that that individual causes. I urge an Aye vote.

PRESIDENT:

Question is the adoption of Amendment No. 6 to House Bill 3900. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I...I am concerned about the

cost because that's one of the things that the critics have continued to bring back to us is that what is this going to cost the average automobile driver who is not now insured. The fact is that the rates...the...the limits that are in the law were just raised last year. So, the limits that we are using are not limits that we have created this year. They're in the law already and they were raised last year to take account of inflation. Now, I have a list, and I'm not going to bore the Senate with the list, of all of the states that have mandatory and where we are right now is exactly where we should be compared to our other states. I would suggest that if we're concerned about cost, let's start this program out at the levels in the bill which is existing state law. We have a saying around here when we're initiating new law, let's learn to crawl before we learn to walk. Let's see how that works and then, Senator Dunn, if next year or the year after you think this is a problem and somehow it's not covering certain accidents of which you're aware, I think then you could come back with an amendment like that but, in the meantime, I suggest a No vote on Amendment No. 6.

PRESIDENT:

Further discussion on Amendment No. 6? Senator Dunn may close.

SENATOR TOM DUNN:

Well, I would just say if...if that...you may have that saying around here, I haven't been around here long enough to hear it, but I would say that if you have a...a recognized problem, you ought to solve it and I think this solves the problem of the motorists going down the road with inadequate insurance, when he hits a family of four, he's going to eat up every bit of that twenty thousand dollars and there won't be sufficient amount. This will give us sufficient amount of money. I urge an Aye vote.

PRESIDENT:



Question is the adoption of Amendment No. 6 to House Bill 3900. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 20 Ayes, 35 Nays, none voting Present. Amendment No. 6 fails. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Berman.

PRESIDENT:

Senator Berman indicates he wishes to withdraw that amendment, Madam Secretary. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Jacobs.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I fully realize that the Secretary wants no amendments on this bill, but I think I have one here that even the other side of the aisle...your side of the aisle,...Senator Kustra, should like because we have talked about accountability in education and that's what this amendment does. It allows for accountability of the program. It...the amendment allows us to track the...the general random samples, the number of suspensions, number of people, et cetera by zip code so we know where the problems are coming from, so we know whether to make midcourse adjustments and then allows for annual review to see how the program is being administered and it boils down to strict...strictly accountability that lets us know if we're spending a million and a half to...to maybe get fifteen suspensions. I...I plan on voting for the bill, but I think that this is a important amendment from my standpoint to be able to track the progress of the program.

PRESIDENT:

All right, Senator Jacobs has moved the adoption of Amendment No. 7 to House Bill 3900. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I...a...a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Kustra.

SENATOR KUSTRA:

I...I have just now seen the amendment, Senator, and I...I'm not so sure I understand why you have the Secretary of State submitting a report to us on the progress of the law before the law goes into effect.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

If you'll...if you'll check...it really calls the...the starting date...shall submit is December 1, 1989. I think that's the preliminary...start-up. The real meat of it comes at April 1st of the year after the Act becomes effective and on April 1st of each year thereafter, that's whenever the Secretary shall compile and furnish the following information to the Illinois General Assembly.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, if I could continue, I...I do think that it still creates a problem right in the middle of the administrative start-up to a program to require the Secretary of State to detail out the cost when they're literally in the middle of the stream doesn't seem to make a lot of sense. Secondly, let...let me remind each and every one of you that this bill, like no other bill that has ever preceded it, has a sunset

date, December 1993, so there is a fixed amount of time in which this bill is given a...a chance to operate; and I'm looking through the amendment just very briefly, it's three pages long and there's a lot of very specific information required here. I simply don't think that it is fair before we even have the bill started up that you want to require all of this various information. I would suggest that if this is something that's necessary, we could do this in 1990 or 1991, you can do it any time there's an appropriation hearing, the Secretary is going to have to provide all this information any...anyhow, he'll have to provide it to the Legislative Audit Commission, if they want it, there's all kinds of forums in the General Assembly for this kind of information. I don't think that this is the appropriate time to do this and I'd urge a No vote on Amendment No. 7.

PRESIDENT:

All right, further discussion on Amendment No. 7? If not, Senator Jacobs may close.

SENATOR JACOBS:

Well, first of all, I...I...in closing, I would just like to say that I ask for support on both sides of the aisle on this one. Accountability is something that we have been discussing at length. I think that's vital. In...in regards to the last remark made about getting all these costs up-front, all we're asking for on December 1 is the detailing of cost, direct or indirect, expended or incurred in preparation for meeting his responsibilities. I have yet to see a time whenever I feel that this Body should be concerned with being accountable. I think that's what we're here for, that's what we're asking the Secretary to do is to be accountable and I ask you to be accountable with an Aye vote.

PRESIDENT:

Question is the adoption of Amendment No. 7 to House Bill 3900. Those in favor will vote Aye. Opposed vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 Ayes, 29 Nays, none voting Present. Amendment No. 7 fails. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 8.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. This is a very simple amendment. What it does is to move the effective date of this Act from January 1, 1990 to July 1, 1989, and if January 1, 1989 is too soon, then July 1, 1989 will give the Secretary of State and his staff ample time to implement the program. If the program is so important to the people, then let's start it on July 1 next year, and within a year's time we'll be back in Spring Session of 1990. We...we will know then what the premiums are, how much the people are being gouged and at that point in time, we can make some important decision. There is no reason why the Secretary of State Office could not include that little stamp or checkoff block for those persons who want to apply or to indicate whether or not they have insurance. It's a very good amendment and I ask for your vote.

PRESIDENT:

Question is the adoption of Amendment No. 8. Senator Jones has moved its adoption. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I think the arguments have been made. There are those who don't think this program will work. At least give those of us who think it will work the time to implement it. It's the Secretary of State who is going to make this program work or not and I think we have to

give him the time he feels necessary given his staff and what he knows about the expertise on that staff. I suggest to you that we're not doing a service to this bill if we were to adopt this amendment. I ask for a No vote.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

...thank you, Mr. President. Well, just a comment. It seems to me that the Secretary has structured this bill in such a way with the effective date that he, in fact, may not ever enforce it, depending upon what his political plans are for the future. I think this is a reasonable amendment. Maybe...maybe he ought to be required to at least enforce it for a little while and...and live or die with...with the way the bill really works. I think this is a pretty good idea.

PRESIDENT:

Any further discussion on Amendment No. 8? Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President. I didn't want to mention that, but now...since it's been brought up, we might as well deal with the real issue. It doesn't take the...Secretary of State staff that long to prepare the necessary paper work to implement this Act. This Act really could be implemented January 1 if he was really sincere. If he was really sincere and not want to play politics because maybe he want to attempt to elevate himself, but if...if we implement it on July 1, 1989, then we will know whether or not the Act is really working and the high premium rates that everyone will be charged across this state when he's administering this Act, he will have to face the people of the State of Illinois in November of 1990. So, those of you on this side of the aisle who claim to be of opposite party, you should support this amendment. It's a very good amendment and I move its

adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 8 to House Bill 3900. Those in favor will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 24 Nays, none voting Present. Amendment No. 8 is declared adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Barkhausen.

PRESIDENT:

Senator...I beg your pardon, Senator Kustra.

SENATOR KUSTRA:

Verification of the affirmative roll call.

PRESIDENT:

All right, that...that request is in order. Senator Kustra has requested a verification of the affirmative vote. Will the members please be in their seats. Madam Secretary, please read the affirmative vote.

SECRETARY:

Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Ralph Dunn, Thomas Dunn, Hall, Holmberg, Hudson, Jacobs, Jones, Jerome Joyce, Luft, Macdonald, Netsch, Newhouse, O'Daniel, Philip, Poshard, Rigney, Savickas, Schuneman, Vadalabene, Zito and Mr. President.

PRESIDENT:

Senator Kustra, do you question the presence of any member?

SENATOR KUSTRA:

Senator Degnan.

PRESIDENT:

Senator Degnan is in his chair.

SENATOR KUSTRA:

Senator Savickas.

PRESIDENT:

Senator Savickas is in his chair. All right, the roll has been verified. On that question, there are 29 Ayes, 24 Nays, none voting Present. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 9 to House Bill 3900 is a simple and straightforward amendment and is not meant to be unfriendly. I know it's the position of the sponsor and the Secretary of State's Office that they don't want amendments and until...even without the last action of this Body on Amendment No. 8, there already was a minor amendment and that's really what this is. It makes a simple change in the Vehicle Code to provide that the Secretary of State shall, and the word "may" is changed to "shall," upon receipt of a written request furnished to a person who requests a record of a traffic law violation and accidents shall make those reports available and it increases the fee for this service from two dollars to three dollars. I'd be happy to answer any questions and would, otherwise, ask for the adoption of the amendment.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 9 to House Bill 3900. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would like a ruling as to whether or not this is germane, and if I may comment.

PRESIDENT:

Yes, please proceed.

SENATOR KUSTRA:

Thank you. It's clear that the insurance industry is...interested in slowing this bill down as much as they possibly can and...and this amendment will do that. It may have a legitimate purpose somewhere in our process but it really isn't related to this specific issue, and I suggest to you that there will be an advisory committee formed to review the implementation of this program. The insurance industry will be sitting on that advisory committee and they will have an opportunity at the appropriate time to address questions like this. I would ask that we not address it now and I'd urge a No vote on Amendment No. 9.

PRESIDENT:

...further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator Barkhausen, we got enough fees being raised around here. Now why are we going to put another dollar on to this? People are having a hard enough time meeting all these things we have now. Why would you not leave it at the same rate?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, as I understand it, Senator, costs keep going up and it just goes from two to three dollars and it's just meant to pay for the cost of the service being provided.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, that just goes to show you we got too much paper



shuffling around here. Maybe if we got rid of a lot of this stuff, we'd save some money.

PRESIDENT:

Further discussion? Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. As I understand it, Senator Barkhausen, the fee that you are increasing here is the fee to be paid by those who purchase abstracts of the driver's information from the Secretary of State. Is that correct?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, I...I would just say to Senator...I don't have any strong feeling about the amendment and I have no idea what its motivation is, but, Senator Hall, these are not the...the poor people who are having to get a license. Most of these are people who are buying the lists in order to solicit them for some kind of business or some other such purpose. So, you don't have to feel quite as sorry for them if their fee is raised from two dollars to three dollars. As a matter of fact, we oughtn't to be selling anything from private records of the state including those of the Secretary of State for commercial purposes which we do and if we had any sense, we'd go back and undo all of that, but to charge more is no problem.

PRESIDENT:

Further discussion? Further discussion? Senator Barkhausen, you wish to close?

SENATOR BARKHAUSEN:

First, Mr. President, on the question of germaneness,

amendment does amend the Vehicle Code. It deals with the Vehicle Code as does the bill itself; in that sense, it's germane. And it is...as to...as to the motivation and the reason behind this, the fact of the matter is that the requirements of the industry in underwriting those who will be seeking insurance or may be seeking insurance should be if they're going to be complying with the law as a result of the new Act, assuming it passes, are going to be considerably increased and made more difficult. There's always been an assumption that a substantial percentage of those who are now driving uninsured are the less responsible drivers in the sense that they've had a number of violations and accidents or perhaps more violation than accident prone than are drivers who are presently insured. For that reason, it makes sense to make sure that this information is readily available to those who are going to be...going to be in the business of underwriting those who may for the first time be seeking insurance and that is its purpose and that is why I ask for its adoption.

PRESIDENT:

Question is the adoption of Amendment No. 9 to House Bill 3900. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 12 Ayes, 35 Nays, none voting Present. Amendment No. 9 fails. Further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 10. The Senator seeks leave to withdraw that, Madam Secretary. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, with leave of the Body, Senator Philip has asked that we momentarily go to another order of business. With leave of the Body, Madam Secretary, we'll go to the Order of Resolutions. Resolutions. We're not finished, we're just taking a little break. Yes, please read the resolution, Madam Secretary.

SECRETARY:

(Machine cutoff)...Resolution 1213 offered by Senator Philip, President Rock and all members.

(Secretary reads SR 1213)

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd ask leave to suspend the appropriate rule and the...immediate consideration of Senate Resolution 1213.

PRESIDENT:

All right, Senator Philip has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1213. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Philip now moves the adoption. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, we all love and admire Senator Weaver. Any member of the Senate who can stay married for forty years certainly is going to go to heaven. Anybody who could stand Stan Weaver for forty years certainly deserves a monument, a statue or a medal, and Mary is certainly going to go to heaven, we all know that, and I'll just tell you this, beware of undertakers and never play poker with them, never liar's dollars, never shuffleboard because they're going to beat you every time. Stanley, we want to wish you and Mary another

happy forty years and...Stanley and I've got a deal, he's not going to leave this place till I do, so he's going to be around here for awhile. Congratulations. Also, I think we have some cake up at the Well. If anybody wants a piece of cake, let's have it on Stan and Mary.

PRESIDENT:

All right, the question is the adoption of Senate Resolution 1213. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Congratulations, Senator Weaver. The cake is available for the members and the resolution is adopted. With leave of the Body, we'll go back now to page 19 on the Calendar. Senator Savickas, 3914. On the Order of House Bills 2nd Reading is House Bill 3914. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill...3914.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers Committee Amendment No. 1.

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President, it just adds a typographical error or...or adds the word "member" after board...it stopped after "each service board" and it should have read "each service board member." So, that's basically what the amendment does.

PRESIDENT:

All right, Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 3914. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The...the amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

HB 3990  
2nd Reading

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3931, Senator Maitland. 3938, Senator Marovitz. 3968, Senator Kelly. 3990, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 3990. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3990.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Berman offers Amendment No. 1.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. I...I would ask for a little bit of attention on this amendment because it will affect or could affect just about everybody in the State of Illinois. A little bit of history. As you are well aware, for many, many, many years, if I took a bad check and deposited it in my bank, the check bounced, the bank would send me back the check and would charge me a service charge. A couple of years ago we changed the law and prohibited any charge-back against the payee, the person that's depositing the check, and we said that the bank has to chase the guy that made the check. Well, that's academic because, for the most part, the bank doesn't know who made the check. So, there was no charge for the bad check processing. This bill as introduced came from the Continental Illinois Bank and a deal was worked out

so that the bill as presented to us today says that banks can now charge individuals for their bad checks but they can't charge commercial accounts. Now what that means is that the citizens of Illinois, the people that are individuals, are going to be charged for depositing bad checks but businesses aren't going to be charged for depositing bad checks. To me, that's crazy. My amendment puts the bill back to where it was before we passed the original law change. If I deposit a bad check, I'm...I can be charged for that bad check...for the servicing of that bad check, and that's the way it should be because I take the check from the guy that gave it to me, I should know whether that person is good or bad. If that check bounces, I should be charged with the service charge, whether I'm a business or whether I'm an individual. If you pass...if you don't adopt this amendment, individuals are going to be charged a substantial amount to make up for the bad check service charge that is not...still not going to be allowed to be charged against businesses. It's upside down logic. Adopt my amendment. Let the person that accepts a bad check be responsible for it. I urge the adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 1 to House Bill 3990. Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I hope that I understood you correctly. The person that actually writes the check and the check bounces is going to be charged a fee by his bank. Is there any ceiling on what the fee is, number one. And, number two, if you ask me, we ought...we ought to also have a fee for that business that cashed the check. So, as far as I'm concerned, if you go into the Kroger Grocery Store and give them a bum check and that

manager okays that check, he has some obligation because he okayed it. The bank gets it and there's no funds there, quite frankly, the...the retailer ought to pay a fee and the person that bounced the check ought to pay a fee and there ought to be a ceiling on it. If...if there is no limit on what they're going to charge, I can see somebody in Elmhurst charging more than somebody in Cicero, and it should be uniform, we probably ought to put a ceiling on what we let them charge.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator, I just want to be sure that I hear you correctly. In other words, they're going to put it on the poor individuals and the companies, they don't have to be charged a fee. Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's what the bill without the amendment would do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I'm just shocked that Keats and Zito would introduce something like that. In other words, you're putting something on us and allowing business to go free? I don't know what's going on here. I'm...I'm just telling you, it's...it's...it's terrible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I think we're all confused as to what your amendment is going to do and would you just refresh our memory. If I can recall correctly, our present law says that the assessment of a ten dollar bad check fee plus interest costs, expenses and attorneys' fees can be done against the drawer of the bad check. Now, the bill,...3990, would you tell us what...I...I don't have it with me, could you tell us what it does that you're trying to amend, 'cause I don't think anyone really knows what's going on right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

It does get a little confusing and let me try to explain it again. There is a person that writes the check, he's the drawer. There is the person to whom the check is issued, that's the payee. In the typical situation, I give you a check. I'm the drawer, you're the payee. You deposit that check in your bank. Under existing law, if that check bounces, the bank cannot charge you; whether you're a business or an individual account, they cannot charge you for the bounced check, that's the existing law. The bill...the bill, without my amendment, says that they still cannot charge you for the bad check...I'm talking about a service fee, we're not talking about the dollar amount, they cannot charge you a service fee if you are a commercial account. If you're an individual, they can. My amendment strikes that difference and says, if you deposit a check which bounces, regardless of whether you're an individual or a business, and there's a service charge, you're going to be charged for bouncing...for depositing a bad check.

PRESIDING OFFICER: (SENATOR DEMUZIO)



Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, you're saying then, if you're an individual and you get a bad check from someone, then you're not going to be charged because the bill at its present time does not charge the commercial accounts. Is that it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The law today does not allow a charge to be made against either a business or an individual. The bill would change it so that they could charge individuals. My amendment says charge both or don't charge anybody.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. Let me explain to you what the problem with this amendment is. It is not the banking industry who decided they can't charge back. This Legislature by a vote of 44 to 10 said they can't charge. I and the other sponsor of this bill were two of the ten who said, wait, this is unfair, he who sends the bad check should be charged. We were on the losing end of a vote of 44 to 10. If the Legislature says that's unreasonable, hey, we're the ones who passed the law. Do not castigate the banking industry for saying this is unfair that we can't charge, castigate yourselves and ourselves because we said that. This amendment attempts to reverse a vote of what the Legislature did roughly two years ago. If you feel that strongly, we shouldn't have passed the bill, but if this amendment goes on, what has been a worked out agreement within various industry groups would fall apart. The bill itself would die. I can understand the frustration, but remember, Senator Zito, Senator Keats are not the ones who said no charge-back. This

Senate voted 44 to 10 and the House voted like ninety something to say they can't charge back to the appropriate person. All this does is say, here is one person who should know better and they can be charged. If at some later date you think businesses who should know better should be charged, then offer the bill or the amendment, but do not come back now and complain that...was we tried to offer a fairness provision. Remember, there are two people cashing these checks, an individual who has a right to decide what kind of check they want cashed and a business who has to decide whether they should deposit it. If you feel that strongly on this point, then come back next year or later with a bill to do exactly what Senator Berman is saying across the board or...I mean, that would be the fair way, but don't sit here and feel that Senator Zito as sponsor is being unfair. He was opposed to the concept to begin with. So, this amendment is totally inconsistent with previous legislative action, goes back on a 44 to 10 vote of this Senate recently and that probably would then demolish this whole agreement here which...which I think would be unfair to those people who spent a great deal of time trying to find a way to be sure that some of the larger banks don't...end up eating millions of dollars in costs because people don't pay a lot of attention on this bad checks. Please oppose the amendment, and if you feel that you want to change it in the future, do it with a full bill and consider it at that time. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have several speakers. We're getting bogged down. Senator Zito.

SENATOR ZITO:

Well, thank you, Mr. President and members. I was not going to speak on this amendment but I rise in strong opposition. Senator Berman would like you to...excuse me, Senator

Berman would like you to believe that the business, in fact, wrote the bad check. Let's...make no mistake, no hocus-pocus, Senator Hall, I hope you're listening. It's the individual that wrote the back check. Banks should go after the individual, not after anybody else. The individual was the...one that knowingly...unknowingly maybe wrote the bad check, those are the individuals that should be responsible...for that check, nobody else. I would ask that we oppose this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. If I understand this amendment correctly, let's assume that we're talking about a business such as a Kroger Store, especially a...a store that...that deals a lot with checks. Most people that would be coming through a grocery store are going to be paying for their food with a check. Now when the manager or owner of that store then goes to the bank to make a deposit, it's my understanding, under this amendment, if any of these checks bounce, there would be a charge against the owner of the store. What we could effectively do is make every grocery store a cash basis, maybe that's a good idea, I don't know. But I don't think it's fair for a business that in good faith takes someone's check for their food or anything else to charge that business for a bad check.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

I...I'm sorry, Mr. President, for the second time, but I never got an answer and...and I was wondering...it seems to me, number one, there's two responsibilities, a person in that store who's in management that okayed the check; now, whether you like it or not, that person has said, you know,

we know you, your credentials are good, you've cashed checks before, I okayed the check and the check bounces. So, you got him, he's at guilt; the person who wrote the check is at guilt. In my judgment, there ought...you ought to charge both of them, but we ought to have a limit on how much you can charge them, and my question, which I haven't received the answer yet, how much are we allowing these banks to charge when the guy bounces the check?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Philip. I...I...I wanted to answer you. The bill...the law says that they shall be liable in the amount of ten dollars or for all costs and expenses incurred by any person in connection with the collection of the amount. So, there's a...a ten dollars is...appears to be the amount of the cap, and let me just add, this amendment does exactly what you think ought to be done. The guy that okays that check is responsible under my amendment. Under...without my amendment, he's not going to be responsible. So, I appreciate your support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman...I'm sorry, Senator Philip. Senator Philip.

SENATOR PHILIP:

Now, am I...I'm...I'm trying to figure this out. So, I'm to assume there's a limit of ten dollars on what the bank can charge. Can they charge the manager of the retail store ten dollars and the guy that bounced the check ten dollars, is that what you're telling me and no more?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

They both...whoever bounces the check can be charged by

his bank when they try to clear it. The issue here is the depositor, the person that takes the check. In your example, that food store or the guy who okays it, the manager, he will not be charged without this amendment being on this bill. As I read the law, it says, "He shall be liable in the amount of ten dollars or for all costs and expenses including reasonable attorneys' fees incurred by any person in connection with the collection." Now, I...I don't know what that means. I'm...I'm reading it to you. I don't know if that's a cap or not, but that's the existing law. The bill doesn't change that charge and I don't know whether banks charge more than the ten bucks or some other explanation, but all we're doing here is to do what you said ought to be done, the guy that okays it for deposit, and if it's a bad check, the bank can charge them a service charge whether they're an...individual or whether it's a business. That's all the amendment does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I rise to support Senator Berman's amendment. Even though I read the bill that's coming through here and I know we're on the amendment, it provides for the...a charge...no charge to the commercial business and a charge to the consumer. I happen to think the consumers will carry the extra burden of the charge and it will be a large amount. You know, you used to have a check go through and it'd have a small charge, nowadays they're charging ten dollars and more for each check. You can be talking about a lot of money and I...I don't think the amendment is outstanding, but I don't think the bill is either...but I still think it's worth supporting it. It makes it better than it was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Berman

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may close.

SENATOR BERMAN:

Thank you. It got a little complicated but all my amendment does, ladies and gentlemen, if you take a bad check and deposit it, whether you're a business or an individual, you ought to be subject to that service charge. I ask for your Aye vote on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Amendment No. 1 to...to House Bill 3990. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take your time. Take the record. On that question, the Ayes are...8, the Nays are 44, the...the Nays are none. Amendment No. 1 fails. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, 4005, Senator Watson. On the Order of House Bills 2nd Reading is House Bill 4005, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4005.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment

No. 1 was brought to me to be put on by the State Police and it would delete lines through to ten and it would add...I'm sorry, does not delete lines two to ten, it...it would add...inserting "police officer" before "firefighter" and this is in relation to...in relation to any health care provider, employee of a health care facility and any fighter...firefighter or ambulance attendant involved in accidental direct skin contact. This would add the police officer who, according to the State Police, is there usually before any other service organization and many times are the first ones to be treating either mouth-to-mouth resuscitation or treating injured persons before the fire or ambulance services arrive, and I would ask your concurrence with its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 4005. If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator Raica.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is very basically a clarifying amendment. It deletes the word "ambulance attendant" and inserts the wording "EMTA and EMTI" in two places. That's all it does, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica has moved the adoption of Amendment No. 2 to House Bill 4005. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4009, Senator Etheredge. Senator Etheredge, 4009...House bills 2nd reading is House Bill 4009, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4009.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4045, Senator Weaver. House bills 2nd reading is House Bill 4045, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 4045.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4053, Senator Madigan. 4068, Senator Hall. House bills 2nd reading is House Bill 4068, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4068.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)



Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4096, Senator Woodyard. House bills 2nd reading is House Bill 4096, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4096.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I wish to withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Woodyard seeks leave to withdraw Amendment No. 1. Leave is granted. Amendment withdrawn. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 4113, Senator Ralph Dunn. Senator Ralph Dunn, 4113. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 4113.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4116, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4116.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 4116 allows the finding of unfitness after two findings of physical abuse if the most recent finding was established by clear and convincing evidence and that's extremely important. It also allows the finding of unfitness based on a single finding by the juvenile court of physical abuse leading to the death of a child by clear and convincing evidence. Currently, a parent can be declared unfit if two findings are made of physical abuse of a child. Earlier this year, the Supreme Court in the Ennis case interpreted our Statute to require that both findings had to be made by clear and convincing evidence which is a standard of proof in civil law higher than a preponderance of evidence and...lower than the criminal standard. This just says that the most recent finding has to be by clear and convincing evidence and would make it easier to...to find that parent unfit where there have been two cases of physical abuse and I would ask for your adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 4116. Those in

favor will vote Aye. Those...those in favor will say...say Aye. Those opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This amendment just clarifies something that was brought to our attention by the courts...a question regarding fees. In any dissolution of marriage case, as some people in this Body know, fees may be assessed by the courts. This just further says that those fees can also be assessed in paternity cases and I would ask for your adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 4116. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4156, Senator Barkhausen. House Bill 4191, Senator Watson...4196. 4191. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

H.B. 4234  
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd Reading. House Bill 4233, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4233.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4234, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4234.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 4256, Senator Netsch. House Bill 4269, Senator Lechowicz. Senate Bill...4277, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to be a hyphenated cosponsor on House Bill 3469 and Senator Jones has agreed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. I want to ask Senator Topinka, when can I come over?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...well, what is this the dating game? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I...I would like you to convey to, you know, our good Senator over there that we have now customized this seat next to me, the plumbing is in, all the...the paneling, the desk, everything that he may need to make him comfortable is ready, we are ready and we welcome him aboard any time he wants to come over.

PRESIDENT:

(Machine cutoff)...was going to rule that move out of order. Senator Lechowicz.

SENATOR LECHOWICZ:

Emil, I just want you to know she gave me the same offer.

PRESIDENT:

Resolutions. We will do some resolutions and then we will begin again on House Bills 3rd reading. So, I'd ask the

members to...if they wish to have their bill called for final passage, that's Senators Hall, Senator Savickas, Senator Berman, Senator Hawkinson, Senator Jones, Senator O'Daniel, Senator Philip, Senator Davidson, and then tomorrow we will deal with a recall list if...if, indeed, members wish to have a...bills recalled. We'll ask the Secretary to prepare a recall list for first thing tomorrow. So, if you're...if you're on the recall, just skip it today, we'll get back to it. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1210 offered by Senator Macdonald.

Senate Resolution 1211 offered by Senators Fawell, Philip and Karpel.

Senate Resolution 1214 offered by Senator Brookins.

Senate Resolution 1215 offered by Senator Brookins.

Senate Resolution 1216, 1217 and 1218 offered by Senator Severns.

All congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1212 offered by Senators Lechowicz, Rock, Degnan, Kelly, Zito and Carroll. It's substantive.

PRESIDENT:

Executive. Messages from the Governor.

ACTING SECRETARY: (MR. HARRY)

Message for the Governor by Zack Stamp, director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message of this date.

PRESIDENT:

Committee on Executive Appointments. If any members have filed, and the Secretary indicates some have been filed, motions in writing, we'll just ask leave to place those on

the Calendar and we will deal with them at the appropriate time. All right, with leave of the Body, we'll move to page 2 on the Calendar. This is final passage. On the Order of House Bills 3rd reading, 196, Senator Hall. On the Order of House Bills 3rd Reading is House Bill 196. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. HARRY)

House Bill 196.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amends the Metro-East Sanitary District, provides that the boundaries of the district which serve Madison and St. Clair County shall include each municipality, township or part thereof which utilizes the drainage facilities of the district. And what happened, year before last,...that we had a flood which they did not really...declare the flood because the area has such a high water table down there that they pump continuously against the Mississippi River. It so happened that the gates blew and the backwater which included filth and sewerage and everything backed into the city and really put the housing authorities, many of their homes, a lot of people's homes, schools and everything under water, which caused very...harm to that area. As a result, we have here a bill with a front-door referendum. And the Illinois Department of Transportation says that for...or support of this and it requires that the tax increase information was based on the assumption that the Metropolitan-East Sanitary District existing tax rates was two million per year. Now last week, Mr. Walter Greathouse, executive...the rector of the MESD said the assumption was in error. So, in order to capture the federal money that is necessary to get this, it provides...House Bill 196 provides a tax referendum to allow



the Metro-East Sanitary District to raise the local share of a federal funded construction grant for improvements in the district. The total improvements are expected to cost about twenty-three million of which 5.7 million will constitute the local share. So, in other words, to get twenty-three million, that area has to come up with five million. In order to raise the local share, it's imperative that the State Statute which currently limits the taxing authority of the Metro-East Sanitary District be amended to provide the district the additional revenue needed for nonfederal sponsorship. So, I'd ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor...yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

...Senator Hall, does this apply only to the Metro-East Sanitary District?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall, there's a question.

SENATOR HALL:

...I'm sorry, Senator, would you...ask again.

SENATOR GEO-KARIS:

Yes,...would...does your bill apply only to the Metro-East Sanitary District? 'Cause I notice that there is a maximum...tax rate going from .21 some percent to .47 percent for five years. Is it only for your district or does it apply to other districts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Just that district,...Senator, it doesn't apply else-

where.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you. I'd like to question the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Just to follow up on that...that question. There is a referendum on this tax rate increase?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

It's a front-door referendum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, thank you. Now, the Metro-East Sanitary District...the geographic boundaries, does that take in Fairview Heights, Caseyville, is that all part of it? Could you give me an idea of what communities are involved here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, it's mainly in...the...East St. Louis, Cahokia, Dupo, part of Senator Vadalabene's area and that, but it doesn't go over to where you are.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HALL:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 196 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 3, none voting Present. House Bill 196 having received the constitutional majority is declared passed. Senate Bill 917, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate...House Bill 917 provides for the licensure and regulation of fire equipment distributors and their employees by the State Fire...Marshal. It sets qualifications, fees, grounds for discipline and disciplinary proceedings. It establishes criminal penalties for violation. There is a sunset of December 31, 1997. Requires the State Fire Marshal to require by rule that all fire equipment be inspected and maintained. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, we have another licensure bill here and this group has violated one of the cannon rules, they haven't even had a reception. Obviously, they do have a good lobbyist but there was no reception, so...seems like a dearly held tradition is dying, I...I wonder. Why in the world do we want to license these people? I haven't...no one...none of my fire people...no one has ever suggested to me that there is one conceivable good reason to license these people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SCHAFFER:

Is there one conceivable good reason?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Berman.

SENATOR BERMAN:

Safety.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Says who?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Anyone want to answer that one? Senator Berman.

SENATOR BERMAN:

Says who? The United Fire Equipment Association, the Illinois Fire Equipment Coalition, the State Fire Marshal. Shall I go on and on and on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

...I'm tempted to ask you to go on and on and on but I won't. These are the people who are going to be licensed. Are they saying they are unsafe right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

They are saying that the equipment that they deal with, fire...fire safety equipment, requires a degree of safety and a degree of competency and professionalism that is important to the safety of all of the people of Illinois. They think that these standards should be imposed. Just like every other of the hundred plus businesses and professions that we regulate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Geez, is it only a hundred? Seems like several hundred. I would just respectfully point out that I doubt very many of my colleagues on the Floor have received a phone call, a post card, a letter from anybody in their district suggesting that this is a problem. What we obviously have here is an industry attempting to lock out competition, to drive up cost to the taxpayers. It's clear cut, and on top of everything else, they didn't even have the...the courtesy to have a reception. I think we ought to kill this bill forthwith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I'd like to explain a Present vote. I have a conflict of interest and therefore will be voting Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Well, I'd just like to say, number one, I have received a phone call, Jack, and one of great concern. I'd like to ask what the fee structure deals with and is there any impact or...what have you for a small business...enterprise or small business concern?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The fee...the fees involved for a fireman...fire equipment distributor would be a hundred dollars, and a thousand dollar annual fee; if it's...five employees or less, it would be five hundred dollars. And the examination for the fire equipment employees is twenty dollars annually. They must maintain a liability policy and...bond or security.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, all right. I...I think we ought to think a little bit about this too. I...I have some other concerns and I'm sorry I didn't have my notes up here, so I do apologize. But I think that this is, again, as Senator Schaffer has pointed out, another licensure bill. It does carry considerable fees when you look at a thousand dollar annual license fee. And with some of the smaller concerns that we have in our local districts I would think that this would be a bad legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I just stand in...in...favor of this legislation. I know I have been informed...by my local people quite in numbers and they have all expressed an interest in this legislation. But I would just like to address to Senator Schaffer, they did have a reception. I was invited, it was tremendous, Senator Schaffer, and...and maybe in the future you may be invited. I'll see if I can get you on the list.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, in...in committee I raised some of the same objections that we've heard here on the Floor but...and I...I guess I have no big problem with licensing some of these people if it doesn't do a lot of damage to other small business people. In some of the rural towns of Illinois there are some people who service fire extinguishers so that for those who are in...who happen to live in that area they can usually go to the local plumber or hardware store or someplace and get service on fire extinguishers. Is there anything in this bill that might tend to eliminate some of those people being in the business? And what I'm concerned about is...is the cost of licensing and the procedure they have to go through for filing certificates of insurance and so forth that might simply make some of those people say, well, forget about it, we're...you know, I'm not going to do it anymore, and, consequently, some of those fire extinguishers aren't going to get serviced because it's going to be...require a trip to some other community. I...I really do have a concern about that, could you address it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I'm not sure because I...I'm not sure which category the person that you're dealing with or talking about falls into. We have six types of licenses provided in here; Class A is a fire equipment distributor who deals with all types of fire extinguishers, Class B is...deals in preengineered systems, Class C is...deals in engineered...engineered systems, Class I is a fire equipment employees who work for...for the Class I distributors, Class 2 is for the Class B distributors. In other words, what they've provided in this bill is...is...my impression is the full range of the people that service this fire equipment...fire safety equipment. I'm...I wouldn't

think that there would be anybody that would be excluded such as the people that you're describing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...I guess...I guess what. I have to ask you is...would...would people who simply provide recharging services for fire extinguishers be required to be licensed? That's one question. And secondly, what is the license fee for the lowest...classification of that business?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The answer to the first part of the question is yes...I...if it's an employee, it would be a twenty dollar charge; if it's a...if it's a business, it would be...if he has five or fewer employees, the license fee would be five hundred dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

How much?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Five hundred, according to the way I read the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN

Well, are...in effect are...are we saying that there would be a five hundred dollar charge for the podunk hardware store incorporated if they are in the business of servicing fire extinguishers? And if so, Senator, you know, I think that would deal a...a serious blow to a lot of the small



towns of Illinois. I don't really think that's what these folks want.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is that a question, Senator, or a statement?  
Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah,...well, it...it was...it was a question, I guess, if, in fact, it is a five hundred dollar fee on the business that services fire extinguishers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

As I read this, the five hundred dollar fee that I mentioned to you would be the...on the...a distributor. That's the word that's used in the bill. I...I would say that I don't think that a...the hardware store that services is a distributor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, frankly, I don't know the answer to the question either, Senator, and I'm not...I...I just wonder if we ought to take this thing out of the record for now until we can get the answer to some of these questions, because I think it's a legitimate...a legitimate concern and I doubt that you want to do that either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I'll defer to the request, we'll take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Out of...917, out of record. House Bill 952, Senator Hawkinson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Two years ago when we provided the hole in the doughnut annexation bill one of the situations that...would...arose was the annexation of a town hall and maintenance building in my district, and the annexation caused that town hall and maintenance building to become part of another township. This bill is limited to that particular situation, it affects nobody else but it simply provides that that town hall will remain with the township to which it belongs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 952 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 1, none voting Present. House Bill 952 having received the constitutional majority is declared passed. House Bill 1491, Senator Jones. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you, Mr. President. On House Bill 2793, the record should read that I am the principal sponsor and Senator Hudson is a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We will rectify that error on...on the...Calendar. House Bill 1584, Senator O'Daniel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 1584.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Senate. House Bill 1584 as amended requires that a...a drilling...operator planning to drill a new oil well notify the service owner in writing prior to the commencement of operations and provides for reasonable compensation to be paid to the surface owner for damages and property losses caused by the drilling operation. What this bill does, it gives some consideration to the surface owner who does not own any of the underlying mineral rights. And I know of no opposition. The Oil and Gas Association supports this, the petroleum industry and the farm organizations feel it's a step in the right direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1584 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 1584 having received the constitutional majority is declared passed. House Bill 2004, Senator Philip. House Bill 2159, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2159.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, does exactly

what it says on the Calendar. This bill came...the support from the State's Attorneys' Association and from the Cook County State's Attorney. And it really arose over a situation we had here which wound up being the death of the person who had been getting the threatening phone calls but there was nothing that law enforcement could do about it. And you may remember reading about the gentleman who was slain who was the public information officer for Sangamon State in the parking lot out there three or four years ago. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2159 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 2159 having received the constitutional majority is declared passed. House Bill 2555, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2555.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Last year the Legislature passed and the Governor signed Senate Bill 1112 which had...subject matter was the Illinois Development Finance Authority Act. At that time some of the provisions were vague. What we attempted to do with House Bill 2555 is to establish and clarify some of the vagueness that was in Senate Bill 1112. For example, we clarify the meaning of public purpose project, we define a person and a unit of

government. The bill also allows for IDFA to transfer unused funds in the Industrial Project Insurance Program to the Credit Enhancement Development Program. We permit school districts to pledge targeted revenues as bond security in the same fashion as we now do units of local government. We allow...IDFA to establish a direct loan program and make provisions that the capital obtained entered into agreements with financial institutions and other persons to sell loans and develop a secondary market, and we make sure that the loans on this program shall not exceed three hundred thousand dollars, also establish that at least eight out of the fifteen members on the IDFA board must approve a loan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the speaker...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Is there any fiscal cost to this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2555 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 2555 having received the constitutional majority is declared passed. House Bill 2794, Senator Keats. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2794.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This bill was sponsored at the request of the Commissioner on Banks and as amended what it does is two things. It cleans up the definition of a banking house to...to confine the term to apply to places where the bank receives deposits, pays checks, makes loans, et cetera. It excludes the back room services or back offices services processing checks or whatever from being part of the banking house definition. The second part of the bill amends the definition of a state bank to simply include the banks who are covered by the Commissioner of Banks. That's all it does. It's very technical and is not a dramatic change. I'd appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2794 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 2794 having received the constitutional majority is declared passed. House Bill 2909, Senator Netsch. House Bill 2913, Senator Netsch. House Bill 2918, Senator Netsch. Bingo! Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2918.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2918 is the current version of the bill that would create an income tax refund account in the State Treasury into which would be transferred every month a certain percentage of the receipts from both the individual and the corporate income tax. The money would then be held there and would be available for paying income tax refunds as they are cleared by the Department of Revenue. We have already dealt with this bill...I think it was Senate Bill 1167 in an earlier version. This is the version that has been approved by the Bureau of the Budget and all of those concerned and I think it's one that all of us think is long overdue. In the first year, the transfer would not begin until January 1, 1989. That was the recommendation of BOB and others to try to adjust to cash flow problems. That means that the transfer would begin in those months where our cash balances tend to be at their highest and so it would have the least impact on any of our cash flow problems. After the...and the percentage during this first year is six percent of the individual income tax receipts and...and eighteen percent of the...of the corporate and personal property replacement tax receipts, those would be the amounts transferred every month during the first year. In years thereafter a new percentage would be determined each year on a formula which basically is based on the prior year's experience plus any...funds that are left in the fund at the end of the year, so that we would have a different percentage or conceivably might have a different percentage from year to year. It is estimated, and of course it will be, that it will take care of the annual amount due in refunds, again, so our constituents, whether individual or corporate, would not have to wait for a long time for their income tax refunds and so that we would, in effect, not be balancing our state's

budget on the backs of the taxpayers. There is one other point that I do want to mention because this is somewhat unique. We have provided by amendment, again, with the urging and encouragement of the Bureau of the Budget, that the...any of the sums in the Local Government Distributive Fund and the Corporate Personal Property Replacement Tax Fund are subject to a continuing appropriation. Those are all monies that are put into the fund and...and allocated out by formula but they are still subject to appropriation process. There have been times when local governments have had to wait for those funds because the appropriation authority was not adequate. This will help their own cash flow problems, I think, a great deal and is a provision that is devoutly sought by local governments throughout the state. I would be happy to answer any questions. If not, I would urge the approval of House Bill 2918.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2918 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2918 having received the required constitutional majority is declared passed. 2921, Senator D'Arco. House bills 3rd reading is House Bill...2921, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2921.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 2921 provides that



the Department of Public Health shall conduct a study to determine why certain groups have a high incidence of diabetes within those...within those groups; people of Hispanic, African, elderly, obese, people with a high blood sugar content and persons with a family history of diabetes. The department can do this within the confines of the present budget. There is no appropriation for this. It's needed, it's necessary, it's a factual determination that has to be made. And I would ask for passage of House Bill 2921.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2921 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2921 having received the required constitutional majority is declared passed. 2930, Senator Savickas. House bills...bottom of page 3, House bills 3rd reading, House Bill 2930, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2930.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2930 is a recommendation of the Governor's Council on Developmental Disabilities and it is modeled after laws in Iowa, Colorado and Hawaii. The purpose of the Act is to create an advisory committee to develop a developmental disabilities bill of rights implementation plan and expressly indicates that rights are not conferred by the bill and that no right listed in the Act shall be enforceable except as

expressed in the...implementation plan. That is the bill, that's what it does, and I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Well, thank you, Mr. President. It's difficult for me to stand up and...and oppose this bill, especially since it came out of committee unanimously. I just want to point out however that there is a fairly small short-range fiscal impact but in the long-range...excuse me, it's projected to cost six to nine million dollars. And I just wanted to bring that to the attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Actually, Senator Karpziel, our...our estimate says six to nine billion. But I think that frankly is kind of a...an exaggeration. The bill, as Senator Savickas just mentioned, does call for the creation of a committee and a study. As originally introduced, the cost implications were staggering. I guess...doing the study is probably a good idea and I'm going to support the bill. But I think we...we probably have the expertise to put together this document in a matter of a couple of days but the problem is we don't have the money to fund what we know this committee will put together. I can't oppose doing a study on such a worthwhile cause but the bottom line is that that committee if it's diligent is going to come up with a report that's going to suggest, urge and...and probably work for a rather substantial increase in funding, a large portion of which probably is something we need to consider. I would point out though that the cost figures that are showing up a couple place over here, six to nine billion, are way out year and I don't think anybody ought to be too terrified of those. The...the study the

committee could come up with could have some major cost implications but I think it only will be pointing out what's really going on out in the world in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Savickas may close. The question is, shall House Bill 2930 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. House Bill 2930 having received the required constitutional majority vote is declared...required constitutional majority is declared passed. Page 4. 2981, Senator Berman. Top of page 4, House bills 3rd reading, House Bill 2981, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 2981.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. What this bill does is allow a judge who reaches the retirement age of seventy-five to finish out his term of office before he must be retired. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2981 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2981 having received the required constitutional majority is declared passed. House Bill 2986,

Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2986.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 2986 specifically provides that the Baccalaureate Trust Authority, who is in charge of the college savings bond program, may make other college savings plans available to the public which really strengthens the authority's current limited advisory only capacity. We felt that they needed additional options as various kinds of investment programs are created that are beneficial; time payment plans, things like that could be considered. And this should be a great help to making certain that our young people can find the finances to go to college.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Question is, shall House Bill 2986 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2986 having received the required constitutional majority is declared passed. House Bill...I'm sorry...3024, Senator Jones. 3055, Senator Poshard. House bills 3rd reading is House Bill 3055, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3055.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3083  
2nd Reading

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This would create the Benton Civic Center Authority and define its powers and duty, Benton, Illinois. Territorial boundaries of the authority would be the same as the corporate boundaries of the City of Benton in Franklin County. Nine-member board would be appointed by the mayor with the advice and consent of the Benton City Council. And I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3055 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3055 having received the required constitutional majority is declared passed. House Bill 3083, Senator Joyce. House bills 3rd reading is House Bill 3083, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This does, indeed, create the Farm Debt Mediation Program in the Department of Agriculture. It creates a nineteen-member advisory council, requires mediation of agricultural debts of forty thousand dollars or more prior to court proceedings, and with certain limitations, it repeals after three years. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House...beg your pardon, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. I...I will say this for...for Senate bill...House Bill 3083, I think Senator Joyce and others have...have done their best to accommodate the desires and wishes of everyone and...and there are certainly more groups that have been opposed to this bill in the past who are now on board. I guess I still stand in opposition, really from a philosophical point of view. I, as Senator Joyce knows, did make a number of contacts over recent years with...with bankers and...and myself as a farmer went through very difficult financial times as well, and I have just always felt that a...that a banker worth his or her salt, a farmer worth his or her salt is always going to work with the bank in an attempt to...to work through some difficult situations. And I think getting government involved in this issue as we are doing here ought not to be the way we'd go. And I stand in opposition to House Bill 3083.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Senator Joyce, I don't know whether you've gotten many comments from small country banks. I've had several letters stating that instead of being able to work with their local farmers, it's going to hamper their ability to finance their next year's crops, equipment, et cetera. I...I realize what you're trying to do through this but I'm wondering whether we're not maybe stifling the ability of the local banks to...to finance...small farm operations. Do you have any feel for it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

...thank you, Mr. President. Yes,...I...I do. I think that when a farmer is in the position where he is going to be foreclosed upon and it reaches the...the case where we need someone to come in and mediate, that probably that banker and that farmer are already at odds and perhaps it isn't going to help that working relationship at all. In fact, there probably won't be a working relationship after that year. And I think that it would give the...the farmer a better chance at getting out a little more gracefully. It's working very well in Iowa and other states where they have it, and I would like to see this given a chance in Illinois. I might say one thing, Senator Weaver, I don't feel nearly as strongly about this bill as I did about ten minutes ago, because it's raining in Kankakee County right now. So...but other than that, I think it's something that we should give our farmers...the chance and the opportunity to...to have a better exit from farming and I think that's no doubt where they're going to be when...when they need...this kind of a bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, I guess my only concern is for those who...in the future who are...have done business with their small country bank and...and is it going to really hamper them in the future to extend credit to...the farmers they've been doing business with for...for years that are not now in trouble? That's my only concern.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I, too, rise reluctantly in

opposition to this legislation, and I would have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

In committee, the Illinois Community Bankers' Association raised a point that I think has some of us concerned dealing with the federal program called Farmer Mack. And in that program it says that a surcharge would be charged on a...a state that has a mediation legislation. Do you have any...have you checked through and what the impact that that would be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

...yes, we tried to and we can't find what implication that would have. Other states such as Iowa have this, they are eligible for federal money now that they have it and the...I...I...I guess what I am saying is that I don't think it makes any difference what we do, the community bankers are not going to support this. Now the other banking groups and virtually everyone else has signed off on this but I...I don't think that the Independent Community Bankers are going to support this no matter what happens. And I guess I'm at the stage where we've negotiated with everybody possible and...and, you know, I'm...I'm to the point now either where you're...you're going to agree with this bill or...or not. So, that's what...what I'm asking for today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I can appreciate your position and your ability to negotiate and I thank you for that. But I...I...I think there is some concern here and I feel that it could be somewhat nega-



tive to the farming...lending...the farmer-lender relationship. And I would just stand in opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. I wish to somewhat echo the comments of Senator Maitland, and I have mentioned this in committee in the past. It seems that we're in a posture of...of a lot of associations and organizations that are promoting or opposing this kind of legislation. And while we've had this issue before us for the last two or three years, I've never had the first farmer in my district, not the first one, by phone call, letter or various individual meetings, ask for this kind of legislation. And...and I question why we are,...why...why the bankers are fighting it and the farm organizations supporting it and yet the guys that it really deals with, the farmer themselves, are not really asking for this. And so, for that reason, I guess I will be opposing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. Senator Maitland.

SENATOR MAITLAND:

I...I apologize for rising a second time, Mr. President. I just wanted to say to Senator Joyce, if he can find some way to get that Kankakee rain down to McLean County, I'd support his bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...it's on the way. Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, I think that...that what we're about here is...is helping hopefully very, very few farmers. But I think the ones that are in need are the ones that we should reach out

*HB 3100  
3rd Reading*

to and...for...most part through reasons not of their own making, they are in this trouble today. And if this bill would help those few, why, then, I think that we would be remiss in not passing it. So, I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3083 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last time. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Question is,...on that question, the Ayes are 27, the Nays are 25, 1 voting Present. House Bill 3083 having failed to receive the required majority is declared lost. Senator Joyce requests postponed consideration. Postponed consideration. 3085 is on the recall list. 3096, Senator Jones. 3099, Senator Mahar. 3100, Senator Welch. House bills 3rd reading is House Bill 3100, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3100.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. 3100 is a bill that is designed to, number one, resolve the unconstitutionality issue of the Solid Waste Management Act. As all of you know, that law was declared unconstitutional by a court last year. This bill has remedied the provisions of that unconstitutional Act and that part of the bill is agreed upon. It also...reinstates certain caps on fees that may be charged. It was amended in the Senate to...take off the effective date. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Could you briefly tell us, Senator, what was the unconstitutional phase of it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Basically, Senator, the court said that there were certain exemptions granted without any legislative justification. They...they were kind of granted...basically they were granted to get the bill passed and the court said, you...you went too far.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3100 pass. Sorry, Senator Philip, I didn't see your light, either that or you were late. Senator Philip.

SENATOR PHILIP:

I...I apologize, Mr. President, but I have been doing the work of the citizens of the State of Illinois and just came back on the Floor. I've cut no deal. But anyway,...I...I want you to know that we...we in DuPage County put a surcharge on the garbage that we receive. I hate to say this but about seventy percent of the garbage we receive comes from the City of Chicago and Cook County. We have two landfills that will be down the chute in anywhere from three to five years. We have no other place to put another landfill in DuPage County. And I...I don't care what neighborhood or what area it is, nobody wants a landfill in their community anywhere close, or an incinerator. To limit

us...and we do have a surcharge, to limit us by this is...is crazy, we shouldn't do it, it's unfair, it's unnecessary. I...I wish you'd give us the opportunity to say to Cook County and...keep your damn garbage, we don't want it. But at least if you're going to stick it with us, we...we ought to have some compensation. So, I think it's a bad idea. If...if you're a downstater or a suburbanite, I don't know how you can vote for this in good conscience. And I suggest we vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

It's my understanding that this bill would put a forty-five cent a yard cap on the local fee. My local people tell me that to do the job correctly they are looking at between a dollar and a dollar and a half a yard to...provide a...a decent system in our area to handle the garbage disposal. My instincts tell me if we settle for forty-five cents, that's what we're going to be stuck with for the next few years and those areas of the state that want to develop good comprehensive garbage disposal systems with recycling programs and composting and all the other things that should go into a program, possibly leading up to and including a...an environmentally safe incinerator, are going to find their hands tied financially. In addition, they are going to probably find themselves without the funds to handle the...applications for landfills that many of our areas are now receiving. Frankly, if the cap is going to be forty-five...cents, this bill is a tremendous victory for the landfillers. I can't believe that we're about to let that happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise to declare a conflict of interest, this bill would clearly benefit me. But I would...just want to say something. Even though the bill would benefit me, this is a terrible bill. If you actually look at the provisions, they try to basically differentiate between various types of waste. I'm going to vote Present because of my conflict. Even though the bill would benefit me, I'm telling you, this is a ridiculous bill. Please read the provisions. I mean, it's just ridiculous. We are making an absolute mess out of solid waste situation in Illinois. Even though it would cap charges people could put on me, clearly benefit my operations, it is still a ridiculous bill. Please read the provisions. You won't believe some of this stuff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I...I don't want to editorialize after Keats' comments, but, Keats, I think you better read the bill too, particularly if you're going to be in that business. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Well, this...capping has made this bill like watching your mother-in-law go off the side of the cliff in your new Cadillac because we really do need to clean up 1867. And...I have...so I have a question of the sponsor. Is there any quasi-commitment or understanding or expectation or hope that this bill might end up in conference committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's...that was the whole purpose of the amendment that

I put on deleting the...effective date was to get this in a Conference Committee Report...conference committee to continue resolving this. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator...Welch, without putting you under oath, will you make your best effort if we pass this out of here to ensure that we get another crack at it so we can resolve this other problem of the tipping charge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is certainly my intention and I would promise to do that. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, in that case, I think I would urge the members from our side to vote for it, and with that commitment, be it understood that we then, if it isn't kept, Senator Philip, that we go to the Governor to get him to...because of the legislative intent that's been exhibited here. Because we need to get that issue resolved...the unconstitutional issue resolved, and the longer we delay, the more we're putting off an opportunity to take care of this horrible problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may answer all of his opponents.

SENATOR WELCH:

...there's been so many, I don't know how I can begin. But what I told Senator DeAngelis is true. We're trying to get this in a Conference Committee Report. All the other provisions of this unconstitutional law that we passed a

couple of years ago have been resolved with the exception of the amount of a cap, whether it's forty-five cents or ninety cents or some point in between is...is basically the issue. The reason that cap is so important is that if one landfill charges more than another landfill, obviously the garbage is going to go to the cheapest landfill. I agree one hundred percent with Senator Philip that, you know, he doesn't want Chicago's garbage, we don't particularly want it either. And the problem is that if you create higher rates at other landfills, it discourages the garbage from going to that landfill, goes to the cheaper landfill. So it ends up kind of like the Islip Barge only this time they have somewhere to put the garbage. I would ask for an affirmative vote with the promise this is going to be in a conference committee and you will have a chance to vote on a final product again the end of this month.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3100 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 14, 6 voting Present. House Bill...3100 having received the required constitutional majority is declared passed. 3104. House bills 3rd reading is House Bill 3-1-0-4, Madam Secretary.

SECRETARY:

House Bill 3104.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3104 was introduced

at the request of the Retail Merchants' Association. In the State of Illinois a major retailer such as Sears or Walgreens have no idea what the various taxes in the different communities are. What House Bill 3104 in an attempt to solve that problem does, requires a home rule unit imposing a tax substantially similar, which would be either income tax or sales tax, to a state tax or a tax on retail purchasers...purchaser of goods or services when a similar state tax is collected that home rule unit must file a copy of the tax with the Department of Revenue within ten days following its passage. It prohibits the tax ordinance from becoming effective until a copy is filed with the Department of Revenue and requires a home rule unit that has already imposed such a tax to file a copy of its ordinances within ninety days of the bill's effective date.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3104 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3104 having received the required constitutional majority is declared passed...3109. On the Order of House Bills 3rd Reading is House Bill...we'll get to the bottom of the page, ladies and gentlemen, and then we're going to call it a day. Everybody is getting a little tired. On the Order of House Bills 3rd Reading is House Bill 3109. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3109.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.



SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 3109 was introduced at the request of the sheriff...Cook County Sheriff's Merit Board and it's in conjunction with the Cook County Board President, George Dunn. It would require each sheriff to obtain at least twenty hours of training in law enforcement in the operation of a sheriff's office each year in a course conducted or approved by the Illinois Sheriffs' Association. And it adds that the Illinois Local Government Law Enforcement Officers Training Board may conduct or approve training for county sheriffs, mandates that reasonable...expenses incurred by a sheriff in obtaining training shall be reimbursed by the county upon presentation by the sheriff to the county board of a certificate of completion from the person or entity conducting such training. And it raises the maximum compensation for members of the Cook County Sheriff's Merit Board from seventy-five hundred dollars to ten thousand dollars. I would move your concurrence with this passage.

PRESIDENT:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDENT:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I have not heard from any of my sheriffs about this. Does the Sheriffs' Association support this bill?

SENATOR SAVICKAS:

Yes...yes, they do.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Does the County Board Association, Urban County Council support this bill?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I've been informed by the staff that they did not testify in committee.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

...can you...can you tell me what annual training the sheriffs and their deputies are required to receive now?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

(Machine cutoff)...being informed that the local law enforcement training board is involved in the process for the sheriffs now. The amount of hours of training, I...I do not know at this point.

PRESIDENT:

Senator Hawkinson. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much. Just for my members of the...of this aisle...I just want...

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

It does raise the maximum compensation for the Cook County Sheriff's Merit Board from seven thousand five hundred to ten thousand dollars and apparently the state is going to pay it.

PRESIDENT:

Further discussion? Any further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Watson.

SENATOR WATSON:

Thank you. Who's going to pick up the cost of this training, who pays for this?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, I understand it's permissive and in this case, it will be the Cook County's Merit Board.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

He just said this was permissive and our analysis says it requires every county sheriff to obtain twenty hours annually of training approved by the Illinois Sheriffs' Association. This is a requirement and a mandate from what I can read here.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I'm getting informed here that we are on a wrong wavelength. The...Cook County portion already is budgeted by the County Board of Cook County. The training of the officers in the downstate portion would be paid for by that county. I would imagine that any county would be happy to have the minimum training of at least twenty hours for their sheriffs...and the cost is very minimal...it's...I can't conceive of any major cost to any county board government in downstate...Illinois.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, my counties tell me and...that they've got problems in dealing with costs that we mandate onto them...we have a situation in southern Illinois in which the tax base has been literally destroyed with the Farmland Reassessment Act and various homestead exemptions and all that we've passed here have really taken the...the tax base and just destroyed it locally. They just simply don't have the money to pay for this type of a...of a mandate, and I think it's the wrong direction to head. Thank you.

PRESIDENT:

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, I think that if we're talking about a county that cannot pay to have their sheriff have twenty hours of training in law enforcement, then we have serious problems in those counties. I mean, this is...my God, this is a minimum twenty-hour course for a sheriff that is protecting your life and running the laws of the county and the state in your community. I would move its passage.

PRESIDENT:

Question is, shall House Bill 3109 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 24 Nays, none voting Present. House Bill 3109 having received the required constitutional majority is declared passed. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

I'd like to ask for a verification.

PRESIDENT:

That request is in order. Senator Watson has requested a

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verification. Will the members be in their seats, please.  
Madam Secretary, please read the affirmative vote.

SECRETARY:

Berman, Carroll, D'Arco, DeAngelis, Degnan, del Valle,  
Demuzio, Dudycz, Geo-Karis, Jones, Jeremiah Joyce, Jerome  
Joyce, Keats, Kelly, Lechowicz, Luft, Mahar, Marovitz,  
Netsch, Newhouse, Philip, Poshard, Raica, Savickas, Topinka,  
Vadalabene, Weaver, Woodyard, Zito and Mr. President.

PRESIDENT:

Senator Watson, do you question the presence of any  
member?

SENATOR WATSON:

Jeremiah Joyce.

PRESIDENT:

He's sitting right next to me. Thank you.

SENATOR WATSON:

Thank you. Bill Marovitz.

PRESIDENT:

Senator Marovitz is in the back of the Chamber.

SENATOR WATSON:

Senator Newhouse. Oh, I'm sorry...

PRESIDENT:

Senator Newhouse is at his desk.

SENATOR WATSON:

Okay. Thank you.

PRESIDENT:

The roll has been verified. On that question, there are  
30 Ayes, 24 Nays, none voting Present. House Bill 3109 hav-  
ing received the required constitutional majority is declared  
passed. Senator Luft, 3135. On the Order of House Bills 3rd  
Reading is House Bill 3135. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3135.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3135, I'll give you a little background, this is very technical. The 1985 Telecommunications Act called for the introduction of competition to all segments of the telephone business. The introduction of competition in the long-distance business has resulted allegedly in consumers' choice, new services and prices twenty-five percent lower than 1985. However, a recent court decision could halt the introduction of new services and stop the spread of competition resulting in lower prices. What we're doing with House Bill 3135 is to correct the court decision and put Illinois back on a competitive track. It clarifies the ambiguous language in the Act. What the bill does specifically is clarify which services may be offered by the various telephone companies, allow the offering of new services to our constituents now available in forty other states and continues the introduction of competition in the telecommunications market. I would like to point out that this bill is an agreed bill by the following people; AT&T, MCI, Sprint, Chicago Fiber Optics and Illinois Bell.

PRESIDENT:

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. As Senator Luft has correctly said, House Bill 3135 is a very, very technical bill, and he and I both have been discussing this and are...on opposite sides of the issue. You may notice that one major carrier in the state has chosen not to be in agreement, that being GTE, and primarily their opposition stems from the fact that they are going to be

losing some very profitable service with some very major companies in some of their exchange areas. It could possibly lose companies like State Farm and...and other major companies like that, and when you take them away from the carrier service, then this will have the effect of increasing the cost that...I believe to...to individual consumers. Not an exact fact but...the possibility is there. And I just believe that that's a...something we ought to be concerned about. So, for that reason, I stand in opposition...stand in opposition to the bill. Senator Luft, I have discussed with...this with you earlier and I do have a statement of legislative intent that I would like to read into the record, if I might, please. "It is my understanding that House Bill 3135 is that it is a limited amendment to the...Universal Telephone Service Protection Law. The amendment of Section 13-403 would only allow interexchange carriers to provide limited types of services on an intra-MSA basis using one plus dotting arrangements. It would reserve one plus dotting arrangements on message toll service and similar services for the local exchange carriers. The addition of Section 13-405.1 addresses certain restrictions in only two sections of the current law; Sections 13-403 and 13-405 on incidental use of local service through certain types of services offered by interexchange carriers. It does not affect any other section of the current law. I understand that incidental use of local service is the unintentional use of an interexchange carrier services for local calls and will be limited to a very small portion of any customer's local calling."

PRESIDENT:

Further discussion? Senator Luft...I'm sorry, Senator Carroll.

SENATOR CARROLL:

Just to declare, Mr. President, I may have a potential

conflict of interest and will be voting Present.

PRESIDENT:

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I only want to emphasize once more that this is an agreed bill between the major carriers with the exception of one company in the State of Illinois. I'll read them one more time to show that everybody had meetings, there was long discussions about this bill, and they were all held between AT&T, MCI, Chicago Fiber Optics, Illinois Bell. There's one company that I know of is opposed. And I would ask for a favorable vote.

PRESIDENT:

Question is, shall House Bill 3135 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 2 voting Present. House Bill 3135 having received the required constitutional majority is declared passed. 3149. On the Order of House Bills 3rd Reading, Madam Secretary, is House Bill 3149. Read the bill, please.

SECRETARY:

House Bill 3149.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. House Bill 3149 provides that the maximum earnings which may be collected by an assignee for any work week shall not exceed the amount by which disposable earnings exceed forty times the federal hourly minimum wage. I know of no opposition to this bill. I ask for a favorable vote.



PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3149 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 3149 having received the required constitutional majority is declared passed. That, ladies and gentlemen, will conclude our roll call activity for this afternoon. Remember now, twelve-thirty tomorrow. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Two announcements; first, there will be a joint Senate-House appropriations meeting for which members are invited to attend to discuss the subject matter of Central Management Services' intent to issue a hundred plus million dollar contract for telecommunications, voice data and video. It will be informational...hearing in Room 212 at ten o'clock. Secondly, there will be a joint meeting of the Senate Appropriation I and II Committees this evening at six-thirty on the director's lawn at the Department of Agriculture. If Senator Maitland gets his rain, it will be right across in the pavilion building under the...adjacent to the grandstands so that it can be protected should it rain. Six-thirty this evening for those of appropriations and tomorrow at ten o'clock in Room 212.

PRESIDENT:

Any further business...further announcements? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd just like to say, tomorrow night we're going to have softball practice right after Session or somewhere close thereafter. So,...we got to get

ready for the big game next week, so we'll have practice tomorrow night.

PRESIDENT:

Further announcements? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, I'd like leave to add Senator Carroll, Senator Berman and Senator Marovitz as hyphenated cosponsors of House Bill 3335. And I would like to be included as a hyphenated cosponsor on House Bill 4113 and 4154.

PRESIDENT:

All right. The gentleman seeks leave to add Senators Berman and Carroll...and Marovitz as hyphenated cosponsors on House Bill 3335. Without objection, leave is granted. He further seeks leave of the Body, shown as a cosponsor on House Bills 4113 and 4154. Without objection, leave is granted. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to add to House Bill...1374 Senators Dudycz and Lechowicz.

PRESIDENT:

All right. The gentleman seeks leave to add Senators Dudycz and Lechowicz as cosponsors on House Bill 1374. Without objection, leave is granted. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. With the leave of the sponsor, I request to be added as a hyphenated cosponsor on House Bill 849. It should read Senator Savickas, Senator Poshard, Senator Keats.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor on House Bill 849. Without objection, leave is granted. Senator Dudycz.

SENATOR DUDYCYZ:

Just for an announcement, Mr. President. There will be a meeting of the Chicago Senate Republican Caucus immediately after Session. Thank you.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Geo-Karis has asked to go on as a cosponsor on House Bill 3429.

PRESIDENT:

3429, the lady seeks leave to add Senator Geo-Karis. Without objection, leave is granted. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, if I may be added to House Bill 3900 as a cosponsor.

PRESIDENT:

All right. The lady seeks leave to be added to House Bill 3900 as a cosponsor. Without objection, leave is granted. Senator Brookins.

SENATOR BROOKINS:

Yes, with permission of the sponsor, I would like to have leave to be added as a...a cosponsor of...House Bill 3149 and also Senator Hall.

PRESIDENT:

All right. The Senator seeks leave to add himself and Senator Hall as cosponsors on House Bill 3149. Without objection, leave is granted. Further business? Further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned till Thursday, June 15th. Tomorrow at twelve-thirty. Twelve-thirty tomorrow. The Senate stands adjourned.

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