

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 22, 1988

PRESIDENT:

The hour of nine-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 morning by Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield. Father.

REVEREND KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

(Machine cutoff)...Father. Reading of the Journal, Madam Secretary, Senator Jacobs.

SENATOR JACOBS:

Mr. President, I move the reading and approval of the Journals of Tuesday, June 14th; Wednesday, June 15th; Thursday, June 16th; Friday, June 17th and Tuesday, June 21st, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Jacobs. 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. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 1647 with House Amendment 1.

I have a like Message with regard to Senate Bill 1781 with House Amendment 1.

PRESIDENT:

Secretary's Desk. (Machine cutoff)...again, as we indicated, on the Order of Recalls. So, with leave of the Body,

we'll move to the Order of House Bills 3rd Reading. 1491, Senator Jones. 1576, Senator...Senator Jones, I knew you'd be here. (Machine cutoff)...Secretary, middle of page 3, on the Order of House Bills 3rd Reading is House Bill 1491. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1491, Madam Secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I'd like have leave of the Body to...to Table Committee Amendment No. 1...move to reconsider Amendment No. 1.

PRESIDENT:

All right. Senator Jones has...having voted on the prevailing side moved to reconsider the vote by which Amendment No. 1, Madam Secretary, No. 1, was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Jones now moves to Table Amendment No. 1 to House Bill 1496. All in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 3.

SENATOR JONES:

Yes, thank you, Mr. President, members of the Senate. Amendment No. 3 replaces Amendment No. 1. And what it does is...establish a minimum loss ratio standard of sixty-

AB 2755
renumbered

five...percent for a sponsor group policy instead of...instead of the sixty percent that was in Amendment No. 1. This is a agreement worked out between the department and the industry on this amendment. And I ask for a favorable vote.

PRESIDENT:

Discussion on Amendment No. 3? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I think just before then you said something about 1496. I think you meant 1491, did you not?

PRESIDENT:

I beg your pardon, 1491, the one on the board, yes ma'am. All right. Senator Jones has moved the adoption of Amendment No. 3 to House Bill 1491. 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. 1576, Senator Barkhausen. 2755, Senator Savickas. (Machine cutoff)...bottom of page 3, on the Order of House Bills 3rd Reading is House Bill 2755. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2755, Madam Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 3.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 3 makes a technical renumbering changes in the bill and it provides power to the Department of Professional Regula-

HB 3007
Recalled

tion to revoke, that's the word that's added in paragraph 1 of Section 16, after "or may" by inserting "revoke" as well as take other disciplinary action against those licensed under the Act. I would move its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 3 to House Bill 2755. 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. 3007, Senator Jones. Middle of page 4, on the Order of House Bills 3rd Reading is House Bill 3007. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3007, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 2.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like to have leave to...to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDENT:

All right. Senator Jones having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to House Bill 3007 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Jones now moves to Table Amendment No. 1 to House Bill 3007. All in favor of the motion to Table indicate by saying Aye. All opposed.

The Ayes have it. Amendment 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 2.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 replaces Amendment No. 1. This is an agreed upon amendment between the Department of Revenue, the...the Bar Association, the independent accountants and CPA's. And what the amendment does is set up an informal hearing whereby taxpayers...taxpayers request there will be...where the taxpayer could have whomever...he so desired to represent him at this hearing and the department is mandated to set up this informal hearing prior to having the formal hearing if its necessary. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3007. 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 amendments.

PRESIDENT:

3rd reading. Senator Brookins is not on the Floor...3096, Senator Jones. Bottom of page 4, on the Order of House Bills 3rd Reading is House Bill 3096. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3096, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 2.

SENATOR JONES:

Thank you, Mr. President and members of the Senate...of the Senate. Amendment No. 2 really becomes the bill. It establish requirements for corporation and partnership in an association to dispense hearing aids. It's different requirements for supervision of temporary certificate holders...holders, raises application certificates and real estate fees and create fees for corporation and partnership and sponsors continuing education of courses. This amends the hearing...Hearing Aid Consumer Protection Act and this is the bill. I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3096. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT:

Sponsor indicates he will yield.

SENATOR FAWELL:

You are...you are cutting out...you are deleting the...the licensing on social workers?

PRESIDENT:

Senator Jones.

SENATOR JONES:

As I indicated, this amendment becomes the bill and this bill is being used for this purpose. There was a Senate bill that has passed both Chambers so, therefore, the clinical social workers is out of the bill.

PRESIDENT:

Discussion? If not, Senator Jones has moved the adoption of Amendment No. 2 to House Bill 3096. 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 Berman on 3216. On the Order of House Bills 3rd Reading, the middle of page 6, is House Bill 3216. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3216, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Could we just pass this for a second so I can get my papers in order?

PRESIDENT:

...take it out of the record. 3297, Senator Luft. On the Order of House Bills 3rd Reading is House Bill 3297. Middle of page 8, 3-2-9-7, Senator Luft seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3297, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 3297 is the Local Government Prompt Payment Act, and this is...is an attempt to...to

assist local units of government that for monies owed to them once certification has been made that prompt payment will be made to the counties within forty-five days. In the event that...that it is not, then as we do with the Prompt Payment Act for nursing homes and other things, they make a request and interest would be allowed on...on those monies owed to the counties. I would move for the adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 3297. 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 Brookins, 3379. Senator Davidson, 3403. Senator Kustra is not with us. 3408, Senator Brookins. 3442, Senator Madigan. On the Order of House Bills 3rd Reading is House Bill 3442. We're in the middle of page 9. Senator Madigan seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3442, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDENT:

Senator Fawell on Amendment No. 1.

SENATOR FAWELL:

Thank you, very much. This allows the county board in the collar counties to set compensation for county board of health members. It's limited to two hundred dollars per month for the board members and four hundred dollars for the board president. It is limited to the collar counties.

PRESIDENT:

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3442. 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...Amendment No. 2 offered by Senator Madigan.

PRESIDENT:

Senator Madigan on Amendment No. 2.

SENATOR MADIGAN:

Thank you, Mr. President. Amendment No. 2 is brought at the request of the Department Health to allow those local governments that have the wherewithal to administer the Water Well Construction Code to do so if they so desire and they would be allowed to collect the fees...any fees that would be...applicable in that case. And I would ask for its adoption.

PRESIDENT:

Senator Madigan has moved the adoption of Amendment No. 2 to House Bill 3442. 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. 3444, Senator Keats. On the Order of House Bills 3rd Reading, we're in the middle of page 9, is House Bill 3444. Senator Keats seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3444, Madam Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 4.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 4 would allow the Chicago board to deal with real estate in the following situations,...where it is allowed to negotiate separately with the two highest bidders on any proposed sale of real estate, enter into lease or lease purchase agreements for up to forty years with any private sector individual, partnership or corporation. Move the adoption of Amendment No. 4.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 4 to House Bill 3444. 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 Jones, 3477. On the Order of House Bills 3rd Reading is House Bill 3477. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3477, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 2.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Amendment No. 2 adds licensed practical nurses to those who will be exempt from...from not being able to do shampooing. And I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 2 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. 3548, Senator Karpel. On the Order of House Bills 3rd Reading is House Bill 3548. Senator Karpel seeks leave of the Body to return that bill to the Order of 2nd Reading...we're in the middle of page 10...return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3548, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

Amendment No. 1 requires landfills and garbage transfer station...operators to provide facilities to clean off trucks on the grounds of the station. And I...I move for the passage of this. This does not apply to counties having a population exceeding three million or counties contiguous to an Illinois county that has a population exceeding three million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator, what...what are you requiring here, that all Illinois garbage trucks be washed every time they go to the garbage dump, is that what this bill does?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, this bill says that "Unless facilities are provided such landfill stations appropriated for cleaning mud, gravel, waste and other materials." Because we've had them come out and...and mess up the roads and when it rains it causes a lot of accidents. We're just asking to keep themselves fairly clean.

PRESIDENT:

(Machine cutoff)...Welch.

SENATOR WELCH:

So basically what you're trying to do is get clean garbage trucks in the collar counties and Cook County, is that true?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

It doesn't apply to counties of three million or over but it does apply to the other counties because they do come out and they just throw their garbage on and they're very careless and they do have...they have caused accidents, they have caused them in my county.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Is there a provision there that the trucks have to be waxed so often, as well as washed, or is that just...that's not in there yet?

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Sponsor indicates she will yield.

SENATOR HAWKINSON:

Senator, did I hear you say that this applies only to counties that are contiguous to counties with population over three million and therefore would not apply downstate?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

This applies to landfills and garbage transfer stations located in a county that has a population exceeding three million or in a county that is contiguous to an Illinois county that has a population exceeding three million, this particular section. Let me just take a good look at it. It...it does apply in a county that...exceeding three million. I...I...I think I misstated it and I apologize.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

So it only applies to a county exceeding three million and those counties contiguous to that county and does not apply anywhere else in the state?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, sir.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. I...I don't know why it doesn't apply to everybody, but would this apply to East St. Louis and Alton,

it's contiguous to a county with...with over three million?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

If it is contiguous to a county with three million, yes.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

So St. Louis is over three million, so it would apply to...to...to them?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

It doesn't apply to St. Louis, Senator Joyce, it's not in Illinois.

PRESIDENT:

Senator Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 3548. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Topinka and Zito.

PRESIDENT:

Senator Topinka...

SENATOR TOPINKA:

Yes, Mr. President...

PRESIDENT:

...and Senator Zito. Senator Topinka.

SENATOR TOPINKA:

...yes. Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 2 would give the director of the IEPA the authority to order the owner or official custodian of a public water supply to take remedial measures which the director would find necessary or appropriate if there was a

release or a substantial threat of a release of a hazardous substance into the potable water of that area. This would also...it's very tightly written so that there has to be a third-party payor in terms who is willing to put the tap into the water. It does involve a local political situation, this is the IEPA's language.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I joined sponsorship of this amendment with Senator Topinka. We jointly share the Village of Westchester that is experiencing some serious problems with water supplies. And I would ask for your indulgence and support this amendment.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 3548. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3570, Senator Smith. 3587, Senator Davidson. On the Order of House Bills 3rd Reading is House Bill 3587. Senator Davidson seeks leave of the Body to return that bill to the Order of 2nd Reading for the purposes of Tabling an amendment, I am told. Senator Davidson. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3587, Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I need to Table the amendment. I...have voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1, I believe it was, was adopted to House Bill 3587. The reason this is necessary, we amended

this so it would jive with Senate Bill 2141 that was over in the House and they defeated it. So now we need to Table this amendment so the bill will be in correct form.

PRESIDENT:

All right. Senator Davidson having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 3587 has been adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Davidson now moves to Table Amendment No. 1 to House Bill 3587. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is...is Tabled. The motion carries, the amendment is Tabled. Are there further amendments, Madam Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3590. 3683, Senator Welch. 3752, Senator Smith. 3765, Senator Savickas. On the Order of House Bills 3rd Reading, bottom of page 11, is House Bill 3765. Senator Savickas seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3765, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 1 is an amendment that would allow the use of quick take by an airport authority located in Madison County for the acquisition of a hundred and sixty acres or less of land out there. This adds an amendment for...for lengthening of an

airport runway in Alton, Illinois, and is agreed to by the Department of Transportation to attract a new employer that will eventually employ up to about five hundred people serving small aircraft. It's my understanding that the Illinois Realtors do not oppose this amendment. It's an amendment that I think will add to the benefit of Madison County. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 3765. Is there discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. This bill went through the Transportation Committee and, obviously, this is a amendment which deals with that particular committee and we're not aware of this at all, we haven't seen it. Has this been distributed at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Has the...I...it should have been distributed, I...I have no idea if it's been distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

We don't have it over here and our staff hasn't been apprised of it and...and we just have some concerns...can we take it out of the record and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

(Machine cutoff)...record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the...out of the record, with leave to come back to it. Leave is granted. 3767, Senator

Savickas. On the Order of House Bills 3rd Reading, Senator Savickas seeks leave of the Body to return House Bill 3767 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. So ordered. On the Order of House Bills 2nd Reading is House Bill 3767, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Savickas.

SENATOR SAVICKAS:

...and members of the Senate. This is an amendment that allows for condominium associations to act on behalf of the owners. When under condemnation a unit of local government seeks to take a common element of the Condominium Association. This bill was discussed with the title companies, the realtors and various interest groups and hopefully this will answer their problems. We will not finish this bill until we have an agreement between all parties. I would move its adoption at this time

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 1 to House Bill 3767. Is there discussion? 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. 3858. 3888, Senator Geo-Karis seeks leave of the Body to return House Bill 3888 to the Order of 2nd Reading for the purpose of...amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill

3888, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3838 would allow the DuPage County Board to put up to four cents per gallon tax on gasoline, gasohol and diesel fuel. It would...have to be passed by resolution of the county board, would be used for highway improvement, construction in the buying of land. I'll be happy to ask any questions. It...if they put the full four cents on, it would raise about thirteen million per year. I'm anticipating they wouldn't put the full...four percent on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 2. Discussion? Senator Rock.

SENATOR ROCK:

I...I was going to ask Senator Watson if he had a copy of this. Where's Senator Watson, I want to make sure he had a copy of this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson on the Floor? He's...

SENATOR ROCK:

I hate...I hate to invoke the Watson rule without him being present, but he's very concerned about copies of these amendments and nobody talked to him and that kind of thing. I just want to make sure he's got a copy of this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson is...waved to me from the phone booth in the...further discussion? Senator Philip has moved the adoption...of Amendment No. 2 to House Bill 3888. Is...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. House Bill 3917. Senator Rock seeks leave of the Body to return House Bill 3917 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. So ordered. Madam Secretary, 3917.

SECRETARY:

Amendment No. 1 offered by President Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 limits the enrollment. This is the bill which would create the agriculture oriented school in the City of Chicago. We have, I am told...are attempting to limit the enrollment, for instance, in the Math-Science Academy out near Aurora. This would limit the enrollment in this magnet school to six hundred students, that is a hundred and fifty in each of the four-year classes. The board, I am told, is in...in agreement with this. And I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 1 to House Bill 3917. Discussion? 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. 3926, Senator Fawell seeks leave of the Body to return House Bill 3926 to the Order of 2nd Reading

HB 3938
Re called

for the purpose of an amendment. Leave granted? Leave is granted. House bills 2nd reading, House Bill 3926, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The amendment provides for a three-year retroactive eligibility for persons receiving the disabled veteran's homestead exemption, the general annual homestead exemption or the senior citizen's homestead exemption. If the homeowner was eligible but did not receive the exemption in any or all of the three years prior to the application, he shall receive a tax credit in the amount against the current year's property tax liability. Any credit not used during the current year may be carried over to the next year. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3926. Is there discussion? 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. 3938, Senator Marovitz seeks leave of the Body to return House Bill 3938 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3938, Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 is requested by the Catholic Conference, others lobbying for those religious sects. And it exempt...it exempts from the definition of psychotherapy counseling of a spiritual or religious nature, also casual advice given by a friend or family member, and also emphasizes that the bill does not intend to deal with inadvertent touching or social contact that is not of a sexual character. And I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved adoption of Amendment No. 2 to House Bill 3938. 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. Page 15. Senator Watson on the Floor? 4009, Senator Etheredge. On the Order...House Bills 3rd Reading, Senator Etheredge seeks leave of the Body to return House Bill 4009 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 4009, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Etheredge and Hawkinson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any amendments from the Floor? I'm sorry, Amendment No. 1, Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment simply says that the maximum allow-

able concentration of barium, radium and fluoride in Illinois public water supply shall be the maximum concentration limits promulgated by the U. S. EPA. This is the case now; however, there is some discussion that the U. S. EPA may...may change the radium standards. So the enactment of this legislation would make it possible to change the state standards when the feds. change theirs. This would help about a hundred and eighty-six communities here in Illinois. I would ask for the approval of this amendment

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 4009. Is there discussion? 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.

PRESIDENT:

(Machine cutoff)...Dunn, 4113. On the Order of House Bills 3rd Reading is House Bill 4113. Senator Dunn seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 4113, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Philip and Carroll.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 4113 takes the Office of Coal Marketing from ENR, transfer it to the Illinois Export Development Authority. The reason is coal marketing

is expanding. Move the adoption of Amendment No. 1 to House Bill 4113.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 1 to House Bill 4113. 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. 4116, Senator Poshard. 4156, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 4156. Senator Barkhausen seeks leave of the Body...the bottom of page 16, ladies and gentlemen. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 4156, Madam Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 4156 relates to the subject of...of drug testing. The bill itself is reclassifying certain substances as controlled substances pursuant to the Controlled Substances Act. Now the drug testing amendment, let me just take a...a moment to explain it because it's...it's not entirely comprehensive but it does affect a significant number of employees who could generally be said to be working in areas of...of critical public health and public safety positions. It would affect the following classes of employees or candidates for employment positions. Persons to be tested would include police

academy cadets, corrections academy cadets, corrections employees who have regular contact with inmates, hazardous substance and toxic waste handlers, transporters and storers; Public Aid, DCFS and Department of Mental Health and Developmental Disability caseworkers who are in regular contact with abused and troubled children; mass transit drivers and taxicab drivers, school bus drivers, felony and/or drug defendants seeking recognizance bonds. So those...those people or...all of those, of course, are employees...or candidates for employment other than the last category that I mentioned, felony and/or drug defendants seeking...seeking recognizance bonds. These drug testing programs would be developed in some cases by the state agencies hiring or employing the individuals mentioned. In all cases they would develop programs that have met with guidelines set forth by the Department of Public Health in consultation with the Department of Alcoholism and Substance Abuse. All test results would, I emphasize, remain confidential and that confidentiality provision applies to all tests, I believe, with the exception of those applied to the felony and/or drug defendants. There are minimum due process rights set forth in the bill...or in the amendment providing for written notification, hearings before an impartial hearing officer, a right to counsel, right to call witnesses and present evidence and a right to a written transcript or other verbatim recording of the hearing. I'd be happy to answer any questions and would otherwise ask for a favorable vote on the amendment.

PRESIDENT:

All right. We have a number of members who have indicated their desire to speak on Amendment No. 1. The question is the adoption of Amendment No. 1. Senator Berman.

SENATOR BERMAN:

Questions of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Berman.

SENATOR BERMAN:

Senator Barkhausen, has this amendment been introduced in bill form prior to today?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...I'm told...I was a little hazy because I remember that some of us were thinking about this; in fact, I'm told the Senate passed a drug testing requirement applying to nuclear and toxic waste handlers, and...and apparently also a requirement applying to...to those petitioning for release on recognizance, but otherwise not...not in as widespread an application as...as this amendment.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, the reason I raised that question is that this is a very important subject and it's a thirty-five-page amendment. Now I'm not saying that we don't see thirty-five-page amendments or seventy-five-page amendments on the last day, but for the most part, there are some general discussion in the General Assembly and on the...in the media regarding some of these programs before they pop up. And I would just stand and ask the sponsor if he would...withdraw this and allow it to be introduced and be considered by the appropriate committees, whether it be Judiciary or Public Health or Executive. But it is...you're involving, as I read it, not only state employees in the Department of Corrections regarding tests but local corrections officers, local police officers, local taxicab drivers; every one of them, as a cursory examination of this amendment involves, would have to go through this drug testing problem...program which may be a problem. And I

think to give it proper deliberation, I would just ask that you withdraw this and allow the subject matter to be considered in the committee system so that we do a proper workmanlike job on a very serious subject. And I would appreciate an answer to that request.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...I'd like to continue to have the subject considered. I was reminded as Senator Berman was speaking by Senator Mahar that apparently the...the two measures that were passed by the Senate last year applying to the hazardous and toxic waste handlers and also those applying for release on recognizance bonds were both adopted in the form of an amendment and...and passed by this Chamber. So, you know, certainly a step like this is...is not unprecedented...including in this...on this specific subject matter.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would question the germaneness of this amendment and ask for a ruling from the Chair.

PRESIDENT:

That request is obviously in order, and in the opinion of the Chair, this amendment is not germane to House Bill 4156. The bill as introduced amends the Controlled Substance Acts and attempts to reschedule certain substances in accordance with federal law. This amendment, in addition to other things, also amends the Criminal Code, and simply, in the opinion of the Chair, it is not germane, it is out of order. Further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen, you have another...

SENATOR BARKHAUSEN:

...on your last ruling, Mr. President...

PRESIDENT:

Yes.

SENATOR BARKHAUSEN:

...I would...I would ask for...that we...to appeal the ruling of the Chair and that it's the feeling of the sponsor of the amendment that the normal fair and compassionate judgment of the Chair is...is misplaced in..in this sense, and I would...I would ask that we...ask for a roll call vote on that motion.

PRESIDENT:

That...that question is in order. All right. Ladies and gentlemen, the question is, shall the ruling of the Chair be sustained. That is, the Chair ruled that this amendment is nongermane. Those in favor of sustaining the ruling of the Chair will vote Aye. Those opposed to the Chair will vote No. Question is, shall the ruling of the Chair be sustained. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 29 Ayes, 28 Nays, none voting Present. The ruling of the Chair is sustained. Further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I...I believe I need this amendment to be withdrawn. There were two versions of a subsequent amendment presented, one to amend the bill as amended.

PRESIDENT:

All right. The gentleman wishes to withdraw that amendment. Further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 on a...on a slightly similar and yet different topic creates a...an offense of...transportation of cannabis or other controlled substances in a motor...motor vehicle providing a Class C misdemeanor offense punishable by a fine of up to five hundred dollars or six months in jail for a person who drives or is in actual physical control or a passenger in a motor vehicle when he knows or under all of the circumstances reasonably should have known of the presence of cannabis or other controlled substances within such motor vehicle. For one who is convicted of such an offense, not only is it, as I say, punishable as a Class E misdemeanor would be but a further sanction that...that might apply is that the Secretary of State's Office would be empowered to suspend or revoke such person's driver's license pursuant to Section 6-206 of the Illinois Vehicle Code providing for suspension or revocation of driver's licenses or permits under a variety of circumstances. As...as you know, fellow members of the Senate, there has been considerable interest at the national level and in other states of the possibility of using the sanction of suspending or revoking driver's licenses as...as a penalty for...for different sorts of drug crimes. It...it has even been proposed, not unreasonably, in my opinion, that...that anyone convicted of any sort of drug crime, even possession of small amounts of...of cannabis have this sanction of...of losing ones driver's license applied to them. What...what

this amendment would do is...is apply this sanction in the...in the narrower situation where the possession of drugs is in the context of an automobile for we think it's reasonable to...to hold over someone potentially using or possessing drugs...in an automobile a sanction connected to automobile use which is the suspension or revocation of a driver's license. I'd be happy to try to answer any questions. And would otherwise ask for the adoption of the amendment.

PRESIDENT:

Discussion on Amendment No. 1? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This...this amendment amends the Vehicle Code, and I would also question the germaneness of this amendment and ask for a ruling from the Chair.

PRESIDENT:

Your observation is correct. The Chair is again prepared to rule that since this is an amendment to the Illinois Vehicle Code, Chapter 95 1/2, it is nongermane to the bill as presented. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 4192, Senator Jacobs. On the Order of House Bills 3rd Reading is House Bill 4192. Senator Jacobs seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Top of page 17. On the Order of House Bills 2nd Reading is House Bill 4192, leave having been granted. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Jacobs.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 strictly takes care of...of a request by the Department of Insurance during committee. It spells out who is authorized to sell insurance and clarifies that if they do sell it, it must be in...in accordance with the Insurance Code. Ask for its adoption.

PRESIDENT:

All right. Senator Jacobs moved the adoption of Amendment No. 2 to House Bill 4192. 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. 4220, Senator Friedland. On the Order of House Bills 3rd Reading, middle of page 17, is House Bill 4220. Senator Friedland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 4220. Madam Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. I'd like leave to Table Amendment No. 1.

PRESIDENT:

All right. Senator Friedland having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to House Bill 4220 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Sena-

tor Friedland now moves to Table Amendment No. 1 to House Bill 4220. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 2.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What...Amendment No. 2 would do, if a county annexed flood plain zoning would force the cities and villages to have the same or stronger ordinance; if not, the county would prevail. I move the adoption of Amendment No. 2 to House Bill 4220.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 2 to House Bill 4220. Discussion? Senator Jacobs.

SENATOR JACOBS:

Geo, are you listening to this one? All right. Keep your ears open. First of all, Mr. President, I'd like to know whether this would take, if it comes to a vote, thirty-six votes as it preempts home rule?

PRESIDENT:

I...I will ask the Parliamentarian to take a look. We have not seen this amendment prior to this time, so please continue and we'll take a look.

SENATOR JACOBS:

All right, to the question. I think last year, Senator Philip, you indicated that I had one of the worst bills you've ever seen. I guess I would have to say on this bill, I understand what you're doing so I don't think that what you're doing, is the worst thing in the world, but I think...the methods you have of doing it is one of the worst

things in the world. I guess we, as a Legislature, to this point has...feels that we have not messed up cities enough from this end, now we're going to give the counties the authority to mess up municipalities a little bit more. I think this definitely preempts the autonomy of municipalities and I would ask for defeat of the amendment.

PRESIDENT:

(Machine cutoff)...Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would suggest that, number one, Senator, it only pertains to DuPage County; secondly, myself and Representative Daniels had an opportunity to tour with the Department of Waterways some of the flooded areas that were flooded here some year and a half ago. I was amazed to walk through those flood plains and found new house construction...which the city of...Village of Addison allowed, plus my own hometown of Elmhurst was allowed building in those floodways. And I'm telling you one thing, I'm fed up with those local officials blaming it on the State Senate and the state...House of Representatives, because we haven't done anything about flooding when they continually allow people to build in those flood plains where we know it's going to flood. So, I...I'm trying to look for a solution to prevent them and, quite frankly, they don't stick around very long. You're lucky if the mayor is there for four years and the councilmen. Every time I turn around there are new people. And I'll tell you one thing, county government seems to be more steady, and in my area anyway, and it doesn't pertain to your area whatsoever, I think the county board will do the right thing. And all we're saying is this, they have to comply with what the county ordinance is, and I'm hoping the county ordinance is tougher than the devil.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you...and as I indicated or tried to indicate, I...I thoroughly understand what you're trying to do and I understand your problem. I guess as a former mayor I get a little selfish of those things that belong to municipalities. I believe it's one of the better forms of government, number one. And, number two, I guess whenever people go into those areas, I know that sometimes this side of the aisle questions the mentality of some of the people, you know, that to me exist in some of the Republican counties, but here is a situation where people are knowingly constructing homes in...in a floodway. It makes no sense. I understand that it's for...for your county only. For that reason, if you want to push on it for your county only, I have no objections.

PRESIDENT:

All right. Senator Jacobs, also, the...the question of the adoption of amendment requires only a simply majority of those voting on the adoption. Your observation about pre-emption is more properly raised at passage stage. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Just echoing what Senator Philip said. I, too, have some municipalities who were...really affected by this last flood. I will tell you that a lot of the mayors and the councils are being pressured by contractors who are building very large developments and who are coming to them and saying, we just want to fill in this pond and...and the water can collect someplace else. It's happened in my district at least three times that I know of. I think this is a good compromise and I...I would ask your support.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I also speak in support of this amendment. In the...and I think it reflects the direction that we were going into in terms of the Governor's Flood Task Force that we have and spent many hours on in acknowledging that flooding is more of a regional type of an approach to doing this for the simple reason that waters do not look or stop at municipal boundaries. I think it was a good shot by the local municipalities in terms of what they were attempting to do. It has obviously failed and I think this is probably the best way to go at it.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I do have a conflict of interest, being a mayor myself; however, this only applies to DuPage County and not to my county.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 4220. 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. All right. Ladies and gentlemen, that concludes the recall sheet. There will be another recall list tomorrow. And those that were not ready or passed over today, tomorrow is the next day. We will now move to the Order of House Bills 3rd Reading. Today is the deadline day for appropriation bills. We will call all the appropriation

bills in order and then go to the Order of House Bills 3rd Reading for substantive bills beginning in the middle of page 11 where we left off, and that is House Bill 3735. For those of you who are in that list, it's Netsch, Degnan, Woodyard, Smith, Madigan, Jones and Savickas. In the meantime, we will begin, ...the top of page 5, with the appropriation bills, and we will go right now the line on the appropriation bills. That order of business having then been concluded, we will move to the regular Calendar for substantive bills. Senator Degnan. Top of page 5, on the Order of House Bills 3rd Reading is House Bill 3116. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3116.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3116 was introduced at 5.7 million. This is an increase of 1.4 or thirty-two percent over FY '88. The entire budget is GRF. The House reduced the budget to FY '88 estimated expenditures with an allowance for an extra election in...in...in FY '89. Senate action has added 81.8 million for...I'm sorry, eighty-one thousand eight hundred for special elections in Chicago in the 21st Congressional Districts. This Senate is passing the bill at 4.9 million, an increase of five hundred and sixty-three thousand or thirteen percent over FY '88.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3116 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 55 Ayes, no Nays, none voting Present. House Bill 3116 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 3150. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3150.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank...thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3150 is the continuing appropriation for Build Illinois. The new..the new projects total two hundred and forty-three million seven-fifty. We've reappropriated five hundred and twelve, almost five hundred and thirteen million. No new monies were appropriated for specific projects this year, the fund is dry. I would move for passage of House Bill 3150.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves...the question is, shall House Bill 3150 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 54, the Nays are 1, 1 voting Present. House Bill 3150 having received the constitutional majority is declared passed. House bill 3162, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3162.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operations of the third branch of government, the Supreme Court. We have reduced it from its introduced level. The totals now appear to be in the hundred and forty-one million dollar category, closer to their expenditures. I would ask for a favorable roll call on 3162.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Yeah, Mr. President, I just wanted to declare that I have a conflict of interest and I'll be voting Present on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall House Bill 3162 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 54, the Nays are none, 1 voting Present. House Bill 3162 having received the constitutional majority is declared passed. House Bill 3199, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the OCE of the Department of Insurance. Twenty-four million a hundred and seven thousand two hundred

and eighty-eight dollars is appropriated. I would ask for a favorable roll call

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3199 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 3199 having received the constitutional majority is declared passed. House Bill 3200, Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the budget of the Office of the Governor, 6.631 million. It's a reduction of ninety-five million. Be happy to answer any questions...and ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3200 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...have all voted who wish? Have all...that's all right. I wish they'd wake up in the back row there. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3200 having received the constitutional majority is declared passed. House Bill 3201, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3201.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is in the amount of a hundred and seventy-one million two hundred and two thousand dollars. And I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3201 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 58, the Nays are none, none voting Present. House Bill 3201 having received the constitutional majority is declared passed. House Bill 3202, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, there were two committee amendments that reduced the amounts by almost four hundred and forty-two thousand. I move the passage of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR BROOKINS:

Senator, you're removing seventeen positions...new positions that was added by the House?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That was the amendment that was adopted by the Floor yesterday because those seventeen positions were not requested by the department, my understanding is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

...Senator, but was there a need for those seventeen positions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, if there were...if there was a need for it, it would seem to me that the director would have communicated with me to tell me there's a need...and she did not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Brookins.

SENATOR BROOKINS:

Thank you, and to the appropriations. Those positions was added to help ease the...the caseload and also put into position people that can go out and seek out inadequacies in the hiring of the State of Illinois in the different agencies throughout the state. They also was put in so that they could advance the investigations...of...of...of...civil rights and human rights that has brought against the state by the employees of the state. And without those seventeen positions, we are bogged down into what we're...we're...we're

learning every day as...as inadequacies on the hiring practices of the State of Illinois. In every agency that is in the State of Illinois there is inadequacies in its hiring practices toward minorities, toward women, blacks and Hispanics, every agency, starting with the Senate itself, starting with even the Governor's Office. And this amendment was put in by House members thinking that they would give them strength in order to investigate and bring to light these people and here we in the Senate are taking that out. This agency is bogged down. I would imagine that the...the director did not...was not able to bring this to your attention, Senator, because she's afraid of her own job if she brings this thing up. It's totally wrong and I don't think that we should do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the department is getting three hundred thousand dollars more than it got last year, and I'm sure the director would have communicated her need for seventeen more positions. So, therefore, I ask the passage of the bill as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3202 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, 3 voting Present. House Bill 3202 having received the constitutional majority is declared passed. House Bill 3203, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3203.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. House Bill 3203 appropriates a hundred and eighty million three hundred and seven thousand dollars to the Department of Rehabilitation Services for the ordinary and contingent expenses of that agency. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3203 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 58, the Nays are none, none voting Present. House Bill 3203 having received the constitutional majority is declared passed. House Bill 3204, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This is the annual appropriation for the Department of Central Management Services, and with your support, it will be funded this fiscal year at seven hundred and twenty-four million seven hundred and forty-four thousand eight hundred dollars. I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3204 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 57, the Nays are none, none voting Present. House Bill 3204 having received the constitutional majority is declared passed. House Bill 3205, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. The Department of Corrections budget as it presently stands is four hundred and sixty-four million nine hundred and forty thousand three hundred dollars. It's up about nine million dollars from what it passed the House. And I'd urge the approval of it. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3205 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 58, the Nays are none, none voting Present. House Bill 3205 having received the constitutional majority is declared passed. House Bill 3207, Senator Etheredge. Senator Etheredge. Oh, I'm sorry. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the Arts Council. Eight million five hundred and sixty-nine thousand one hundred dollars is appropriated. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3207 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 57, the Nays are 1, none voting Present. House Bill 3207 having received the constitutional majority is declared passed. House Bill 3208, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This is the Civil Service Commission at a balance of three hundred and seventy-nine thousand seven hundred dollars. A...one change, up about eleven thousand eight hundred dollars, we gave the blind lawyer back his secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3208 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 58, the Nays are none, none voting Present. House Bill 3208 having received the constitutional majority is declared passed. House Bill 3209, Senator

Karpiel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3209.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. Speaker. House Bill 3209 appropriates funds for the ordinary and contingent expenses of the Department of Professional Regulation for a total of sixteen million two hundred and twenty thousand eight hundred dollars which is two hundred thirty-five thousand one hundred change from as...as introduced.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3209 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 57, the Nays are none, none voting Present. House Bill 3209 having received the constitutional majority is declared passed. House Bill 3210, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3210.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This has been...will be passing the Senate at six million eighty-two thousand three hundred and nine dollars. It is down fifty-three thousand seven hundred from the time

it left the House. I would hope you could support the Department of Mines and Minerals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the...House Bill 3210 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 58, the Nays are none, none voting Present. House Bill 3210 having received the constitutional majority is declared passed. House Bill 3211, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. House Bill 3211 appropriates the ordinary and contingent expenses for the Department of Children and Family Services. It now stands at three hundred and thirty-four million nine hundred and eleven thousand dollars which is exactly the same as it was when it arrived here from the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3211 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 58, the Nays are none, none voting Present. House Bill 3211 having received the constitutional majority is declared passed. House Bill 3212, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3212.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, members of the Senate. House Bill 3212 is the OCE for the Department of Public Health. It now stands at two hundred and twenty-eight million...two hundred and thirty-four thousand which is some three million eight hundred thousand below the figure that arrived here from the House. I seek...your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3212 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 58, the Nays are none, none voting Present. House Bill 3212 having received the constitutional majority is declared passed. House Bill 3224, Senator Raica. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3224.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. This provides for the 1989 ordinary and contingent expenses of the Emergency Services and Disaster Agencies and I ask for adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3224 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 57, the Nays are none, none voting Present. House Bill 3224 having received the constitutional majority is declared passed. House Bill 3225, Senator Karpziel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3225.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3225 is the OCE for the Racing Board and the total amount is nine million ninety-six thousand dollars which is up forty-six thousand nine hundred dollars from...from the way it passed the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3225 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, 3 voting Present. House Bill 3225 having received the constitutional majority is declared passed. House Bill 3227, Senator Watson. Read the bill, Mr. Secretary. I'm sorry, we missed House Bill 3226, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3226.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriation of the Court of Claims and will be funded next year at six million six hundred and twenty-two thousand five hundred dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3226 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 54, the Nays are none, 1 voting Present. House Bill 3226 having received the constitutional majority is declared passed. House Bill 3227, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the Department of Transportation's budget. It's one billion nine hundred and sixteen million seven hundred and eighty-three thousand one hundred and eighty-eight dollars. That's down four million five hundred and seventy-six thousand eight hundred and sixty-three dollars from the level in which the House passed it over.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? If not, the question is, shall House Bill 3227 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 58, the Nays are none, none voting

Present. House Bill 3227 having received the constitutional majority is declared passed. House Bill 3228, Senator Mahar. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. HARRY)

House Bill 3228.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriation for the Department of Revenue and it will be funded at one billion seven hundred and thirty-nine million one hundred and seventy-three thousand three hundred dollars sum, 1.4 million less than House passage. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3228 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 57, the Nays are none, none voting Present. House Bill 3228 having received the constitutional majority is declared passed. House Bill 3229, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3229.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. House Bill 3229 is the OCE for the Department on Aging. It

now stands at a hundred and thirty-four million four hundred and forty-eight thousand dollars which is some one hundred and forty-nine thousand dollars below the House level. I seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3229 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 58, the Nays are none, none voting Present. House Bill 3229 having received the constitutional majority is declared passed. House Bill 3230, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3230.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. House Bill 3230 provides for the ordinary and contingent expenses of the Industrial Commission for Fiscal 1989 in the amount of five million four hundred and thirty-five thousand dollars exactly as passed the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3230 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 58, the Nays are none, none voting Present. House Bill 3230 having received the constitutional majority is declared passed. House Bill 3231, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the reappropriation bill for various operational, grant and capital programs for the Department of Transportation. The current level of funding is one billion eight hundred and six million five hundred and eighty-two thousand eight hundred and forty-six dollars, down about four hundred and fifty million from the House level. Move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3231 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 1, none voting Present. House Bill 3231 having received the constitutional majority is declared passed. House Bill 3232, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3232.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 3232 makes the appropriations, as I said...as stated, for the Human Rights Commission. There was no change for the amount as passed in the House and I move its favor-

able passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3232 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3232 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3233. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the appropriation for the Health Care Cost Containment Council. It's being passed at the same level it came over from the House, 2.126 million. There have been some changes in the line items. I would ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3233 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, 1 voting Present. House Bill 3233 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3234, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3234.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual budget of ten million five hundred and seventy-four thousand seven hundred dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3234 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 58, the Nays are none, none voting Present. House Bill 3234 having received the required constitutional majority is declared passed. Is there leave to have Senator Etheredge handle 3235? Leave is granted. House bills 3rd reading is House Bill 3235, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3235.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge. Can we break up the conference. Senator Etheredge, it was my understanding that you were going to handle 3235.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the appropriation for the Fire Prevention Fund, the OCE in the amount of eleven million fifty thousand seven hundred dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3235 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3235 having received the required constitutional majority is declared passed. House Bill 3236. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this bill now includes the appropriations for the State Labor Relations Board at one million four hundred and three thousand. And Senate Amendment...Floor Amendment No. 2 added the local labor relations board appropriation for six hundred and sixty-five thousand two hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3236 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 58, the Nays are none, none voting Present...House Bill 3236 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3237, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3237.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is in the amount of six hundred and forty-three million four hundred and fifty-three thousand dollars, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3237 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 57, the Nays are none, none voting Present. House Bill 3237 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3238, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3238.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3238 is the OCE for the Property Tax Appeal Board, and as passed the House, it was seven hundred fifty-nine thousand seven hundred dollars, and that's the way it's going out of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3238 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3238 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3239, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3239.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, House Bill 3239 appropriates for the Office of the Public Counsel five...five hundred and ninety-nine thousand four hundred and seventy-six dollars for 1988.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3239 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 58, the Nays are none, none voting Present. House Bill 3239 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3240, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3240.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and members. This is the OCE for the Pollution Control Board in the amount of one million two hundred and fifty-four thousand four hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3240 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 58, the Nays are none, none voting Present. House Bill 3240 having received the constitutional majority is declared passed. House Bill 3241, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3241.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Take it out of the record. (Machine cutoff)...Bill 3242, Senator...Senator Etheredge seeks leave of the Body to handle this bill for Senator Dudycz. Hearing no objection, leave is granted. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much, Mr. President and members. This is the OCE for the local Police Training Board in the amount of eight million six hundred and nineteen thousand seven hundred dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3242 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 58, the Nays are none, none voting Present. House Bill 3242 having received the constitutional

majority is declared passed. House Bill 3243. Senator Etheredge seeks leave of the Body to handle it for Senator Dudycz. Hearing no objection, leave is granted. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This is the OCE for the Liquor Control Commission in the amount of one million one hundred and ninety-three thousand eight hundred dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3243 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3243 having received the constitutional majority is declared passed. House Bill 3244, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3244.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. OCE for the Lieutenant Governor in the amount of two million two hundred and sixty-nine thousand dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3244 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 57, the Nays are none, none voting Present. House Bill 3244 having received the constitutional majority is declared passed. House Bill 3280, Senator Rock. House bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3280.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary operation and grants and categoricalals for the State Board of Education. As it leaves this Chamber, it is in the amount of 1.373 billion dollars. I had an amendment ready and I was going to quarrel with Senator Maitland, but I...we're all well aware that this is going to conference committee anyway. I don't think we've got enough in there for textbooks, for instance, and I don't think we have enough in there for parental transportation reimbursement but that's a subject we'll deal with. I would ask for your favorable consideration with the full understanding that we will again deal with this and vote on it, I hope, in a much larger posture than it is now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3280 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 58, the Nays are none, none voting Present. House Bill 3280 having received the constitutional majority is declared passed. House Bill 3281, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3281.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. As amended, House Bill 3281 appropriates 1.881 billion dollars for general state aid, supplementary aid for consolidating districts, farmland assessment, hold harmless grants, special ed. summer school. There was an amendment that deleted the effective date so that the bill will be coming back and it will be moving along with Senator Rock's bill and Senator Maitland's bill to follow on retirement. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3281 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 58, the Nays are none, none voting Present. House Bill 3281 having received the constitutional majority is declared passed. House Bill 3282, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3282.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. House Bill 3282 does appropriate to the Downstate Teachers' Retirement System two hundred and seventy-seven million four hundred and five thousand dollars. This bill, too, will visit conference later in the week. I seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3282 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 58, the Nays are none, none voting Present. House Bill 3282 having received the constitutional majority is declared passed. Senator...would you...are you going to handle it? All right. On the Order of House Bills 3rd Reading, House Bill 3318. Senator Carroll seeks leave of the Body to handle House Bill 3318 for Senator Alexander. Hearing no objection, leave is granted. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. HARRY)

House Bill 3318.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses of the Office of the State Appellate Defender. It is currently at four million nine hundred and fifty-two thousand seven hundred under that which it was introduced at. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question...the question

is, shall House Bill 3318 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 58, the Nays are none, none voting Present. House Bill 3318 having received the constitutional majority is declared passed. On the Order of House Bills 3rd Reading, we have House Bill 3403. Senator Davidson seeks leave of the Body to recall House Bill 3403 back to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, we have House Bill 3403. Senator Carroll. If you'll wait a minute, we're trying to mechanically get everything...(machine cutoff)...the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Amendment No. 5 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This will be an amount necessary for the first year of a lease purchase plan for a new computer to update the computer for the Office of the Secretary of State consistent to with what the House is doing in updating the computer for CUSAS II. I would move adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, what does this amendment do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

It is my understanding that it adds a million seven hundred and fifty-nine thousand four hundred and ninety-six dollars of road funds to the Secretary of State for the phase-in of their new computer that they have requested to update their computer system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

How is that money to be allocated?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR ETHEREDGE:

...for...for example, how much of that is Contractual Services? How much is Travel? How much is Equipment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

It is for the Texas Instrument Successor Project which is their computer lease purchase acquisition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I thought that the amount necessary for that program was 3.1 million dollars. How does that...I don't see what relationship that bears to the 1.7 we're talking about now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

There's two ways to answer. One is you can turn around and ask the representative of the Secretary of State; the other is I can answer for you and this is a two-year lease purchase figure as opposed to a one-year straight out acqui-

sition which had been the proposal of the Secretary of State. This would allow them to acquire under a lease purchase under a two-year payment plan, it is numbers presented to us by the Office of the Secretary of State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

But those numbers were presented to you in lump sum? Well,...well, to...to the amendment then, I...I'm sympathetic to this project. It's something that I think that we need to go forward with, but at the same time, I just wish to express my concern that here at the last minute a...a...an amendment is...is brought forward. We do not have the details of these numbers, and I can assure you, I am about to turn around and get the details but I...I regret we don't have more information.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I'll withdraw the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments? Senator Carroll has withdrawn Amendment No. 5. Further amendments?

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DAVIDSON:

Since there was no changes in the bill, can...now can we take this bill and pass it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We will have intervening business. We will go to House Bill 3463 and then back to 3403. So it's 3rd reading for

House Bill 3403. On the Order of House Bills 3rd Reading, we have House Bill 3463, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3463.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Court of Claims awards bill. It is now at one million two hundred twelve thousand. It is, as you...we know that this will move through the process and be in conference so that any award signed by the appropriate number of members of the court will, in fact, be appropriated by us so that these people can be paid. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3463 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 54, the Nays are none, 2 voting Present. House Bill 3463 having received the constitutional majority is declared passed. Now, with leave, we will go back to House Bill 3403, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3403.

(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, this is the annual budget of Secretary of State, two hundred and three million six hundred and forty-nine thousand seven hundred and fifty-four dollars, a reduction by the Senate of 5.7 mill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3403 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 3403 having received the constitutional majority is declared passed. On page 10 on House bills 3rd reading, we have House Bill 3511, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3511.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3511 as it now sits is five hundred and thirty-eight million eight hundred and forty-four thousand seven hundred of which a little over nine million is general revenue and the...other is from the other funds. This is for their ordinary and contingent expenses and their various borrowing expenses. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3511 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3511 having received the constitutional majority is declared passed. House Bill 3539, Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3539.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Go...go to the next one, will you please? We'll hold this at the time being.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. House Bill 3540, Senator Hall. Senator Hall. Read the bill, Mr. Secretary.

SENATOR HALL:

Thank you. No...

PRESIDING OFFICER: (SENATOR SAVICKAS)

No? Take it...

SENATOR HALL:

We want to hold both, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. House Bill 3542, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3542.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR CARROLL:

Hold that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Okay. That leaves us with House Bill...on page 11, House Bill 3663, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Bill 3663.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the State's Attorneys Appellate Prosecutor bill, it's at 3.7 million, would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3663 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.

PRESIDENT:

(Machine cutoff)...that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3663 having received the required constitutional majority is declared passed. Page 13, Senator Carroll, at the top, 3846. (Machine cutoff)...the Order of House Bills 3rd Reading is House Bill 3846. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3846.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the general bond authorization bill. This, too, we are moving in at really a dollar over the FY '88 capital projects level so that it can move through the process till we know what will actually have to be appropriated in new bonds. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3846 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 57 Ayes, no Nays, none voting Present. House Bill 3846 having received the required constitutional majority is declared passed. Top of page 15, on the Order of House Bills 3rd Reading is House Bill 4024. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4024.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is the annual appropriation of 4.8 million for the authority's corporate purposes and thirty-one thousand three hundred and eighty-six dollars for debt services on the authority's dedicated state tax revenue bonds. I would move your...I would move its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 4024 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 53 Ayes, 1 Nay, 3 voting Present. House Bill 4024 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, we will revert now to the Order of House Bills 3rd reading where we left off yesterday and that is the middle of page 11. 3735, the middle of page 11, and we will proceed down the Calendar skipping only those that members have sought to be put on the recall list. (Machine cut-off)...Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. While there's a little break in the action here, the addresses for the July 4th are here now and they're going like hot cakes. It's the first printing, and whenever you want to get one, they're here.

PRESIDENT:

All right. Senator Vadalabene has the patriotic speeches available for everyone who's interested. Get them while they're hot, the man says. All right, middle of page 11, ladies and gentlemen, we'll begin on the Order of House Bills 3rd Reading with House Bill 3735, Senator Netsch. On the Order of House Bills 3rd Reading is House Bill 3735, Madam Secretary, read the bill, please.

SECRETARY:

House Bill 3735.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 3735 is really a continuation and strengthening of legislation that the General Assembly passed a few years ago which was intended to get both the legislative and executive branches more sensi-

tive to the need for looking carefully at our capital needs and planning long-range. I think that legislation has not been totally successful to date and this is an attempt to...to strengthen it by directing attention both at legislative agencies and at the executive agency with a...a more specific mandate for long-term capital planning. I should point out that last week at...at Doctor Mandeville's request, we met and talked about this. He has no objection to its passing. We fully acknowledge that at some point there may have to be a...a revision of who within the executive branch should be involved, and we can certainly address that as the time...as time develops and he's also asked that...that the legislative and executive agencies work closely together which, of course, we will do, but I think it is an important part of strengthening our respective roles. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Watson.

SENATOR WATSON:

Our analysis says that the Department of Transportation opposes this bill, do you know why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Netsch.

SENATOR NETSCH:

The Department of Transportation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, I believe, it is. The Department of Transportation opposes this bill in the House, it said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, I was not aware of that. There was no indication of that; in fact, the bill was on the agreed bill list in committee. The...the only thing I could possible think of is that they already have a five-year road plan which might be their reason for saying that they don't need to duplicate it, and we would certainly agree with that, and if that were the case, that...that would be understood. But I cannot think of any other reason why they would oppose it when the...the Bureau of the Budget does not and they did not sign in in committee, I've just been advised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Netsch...the question is, shall House Bill 3735 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 3735 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3738. Senator...Senator Degnan on the Floor? 3748, Senator Woodyard. House bills 3rd reading is House Bill 3748, Mr. Secretary.

SECRETARY:

House Bill 3748.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. House Bill 3748 was requested by the Board of Higher Education, Chapman Cutler, Illinois State Scholarship Commission to merge the Illinois Independ-

HB 3738
2nd Reading

ent Higher Education Loan Authority into the Illinois Educational Facilities Authority and, I guess the reason was because of some changes and...or...or some changes in the Federal Government's Tax Reform Act and it would have severely limited the issuance of bonds and so that's the reason for the bill's introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3748 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? (Machine cutoff)...the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3748 having received the required constitutional majority is declared passed...Senator Degnan, do you...all right, I'm sorry. Senator Degnan was on the Floor, I inadvertently skipped it. With leave of the Body, House Bill 3738, Madam Secretary, please.

SECRETARY:

House Bill 3738.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. House Bill 3738 as amended amends the Juvenile Court Act regarding continuances on petitions alleging a minor is abused, neglected or dependent and allows the state only a single thirty-day continuance if that continuance would extend the hundred and twenty-day period in which the hearing is to be held. It's an agreed upon amendment between the State's Attorney of Cook County and the public defender. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

*HB 3785
3rd reading*

Discussion? The question is, shall House Bill 3738 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 57, the Nays are none. House Bill 3738 having received the required constitutional majority is declared passed. (Machine cutoff)...Madigan on...House bills 3rd reading is House Bill 3758, Madam Secretary.

SECRETARY:

House Bill 3758.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 3758 allows the Department of Public Aid to set the reimbursement rate at a percentage of the wholesale cost for a pharmacy's reimbursement rate. I know of no opposition and I would ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3758 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 57, the Nays are none, none voting Present. House Bill 3758 having received the required constitutional majority is declared passed. Senator Jones on the Floor? Page 12, 3770, Senator Topinka. House bills 3rd reading is House Bill...I beg your pardon, I'm sorry, that's on recall...take it out of the record. 3785, Senator Netsch. House bills 3rd reading is House Bill 3785, Madam Secretary.

SECRETARY:

House Bill 3785.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. House Bill 3785 creates the Local Government Debt Reform Act. It is the result of a...the work over a period of...I think, almost two years, certainly a year and a half of...the Speaker's Local Reform Debt Committee chaired by Representative O'Connell with input from a very substantial number of people including all of the state agencies that are interested. We did pass a Municipal Bond Reform Act in 1987 which was enacted into law and signed by the Governor which basically dealt with the bonding authority of nonhome rule municipalities. This bill does most of the same things and a few other modernization techniques for other units of local government. It doesn't affect home rule units at all which have no statutory restrictions to begin with. I should emphasize, 'cause it's very important, the bill does not create any new debt authorization, it doesn't increase taxing authority and it does not change the existing law with respect to referendums. What it does do is provide a whole series of mechanisms that will allow these local governments to issue their debt in a more efficient and less costly fashion. It has been well examined by a number of people and I think has a very broad base of support. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

What you're doing then, in effect, is giving some of the...the...authorities to the nonhome rule municipalities. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, the nonhome rule municipalities were given the same kinds of techniques and authority in 1987, a law we passed, PA 85-158. The thought was that all of those techniques were so good and would help local governments to be able to issue debt in a more efficient and less costly fashion. And, so, they...other units of local government, school districts, sanitary districts and so forth, are being given essentially the same powers that nonhome rule municipalities were given.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Since I have an apparent conflict of interest, I will vote my conscience and I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Netsch, you may close.

SENATOR NETSCH:

No, I would...it's a very good modern piece of legislation for local units of government that will make their debt issuance much more effective and I would certainly urge adoption of House Bill 3785.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 3785 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 57, the Nays are none, none voting Present. House Bill 3785 having received the required con-

stitutional majority is declared passed. (Machine cut-off)...with leave of the Body, on page 11,...let's return to House Bill 3763. Senator Jones was on the Floor, the Chair didn't see him. House bills 3rd reading is House Bill 3763, Madam Secretary.

SECRETARY:

House Bill 3763.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. House Bill 3763 amends the Dental Practice Act to require dental hygienists to be certified to perform CPR, and...but...and those persons who can...not able...be able to do that job...they will be...there will be a provision whereby they would not have to be certified as such, but those persons who can be certificated for this...duty of performing CPR, they will be required and application...and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3763 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 2 voting Present. House Bill 3763 having received the required constitutional majority is declared passed. Page 12, 3789, Senator Zito. House bills 3rd reading is House Bill 3-7-8-9, Madam Secretary.

SECRETARY:

House Bill 3789.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. House Bill 3789 does exactly what the Calendar said it does. It amends the Medical Practice Act to provide requirements for licensure for various applicants. This was introduced on behalf of...well, in...in addition to changing Medical Practice Act, we've introduced this legislation to help...the deliberate Session is aimed at developing balanced resolutions of several complex issues concerning medical malpractice. I would...know of no opposition, would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3789 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 57, the Nays are none. House Bill 3789 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3799, Madam Secretary.

SECRETARY:

House Bill 3799.

(Secretary begins to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, take it out of the record. 3800, House bills...House Bill...3-8-0-0, Madam Secretary.

SECRETARY:

House Bill 3800.

(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 bill defines composting and it exempts composting from the region pollution control facility. It also defines biodegradation and biodeterioration, and also it says that after June 30th of 1990, that landscape waste will not be allowed in landfills...unless...and...that they...it has to be composted with biodegradable plastic bags. We've dealt with that issue before here and it also deals with the problems that the landfill operators were having regarding the...the fines and fees. So, if there are any other questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3800 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 53, the Nays are 1, 1 voting Present. House Bill...3-8-0-0 having received the required constitutional majority is declared...declared passed. House Bill 3805, Senator Madigan. House bills 3rd reading is House Bill 3805, Madam Secretary.

SECRETARY:

House Bill 3805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, members of the Senate. House Bill 3805 does what it says on the Calendar, it exempts nonpowered canoes and kayaks from displaying registration numbers, and I would ask for its favorable consideration and try to answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3806
3rd Reading
HB 3810
3rd Reading

Discussion? Discussion? If not, the question is, shall House Bill 3805 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 57, the Nays are none, none voting Present. House Bill 3805 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3806, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3806.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, members of the Senate. House Bill 3806 amend the HMO Act and prohibit the solicitation of public aid recipients for HMO plans unless that person is...has a limited insurance license to sell HMO. Also the bill brings into conformity those not-for-profit health organization plans to bring them into conformity with the HMO Act, and that's all the bill does, ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3806 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 58, the Nays are none, none voting Present. House Bill 3806 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3810, Madam Secretary.

SECRETARY:

House Bill 3810.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the Secretary of State's annual Vehicle Code clean-up bill. It makes numerous changes in the registration and...titling of motor vehicles and the use of records by the Secretary of State. I'd be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3810 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 58, the Nays are none, none voting Present. House Bill 3810 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3826, Madam Secretary.

SECRETARY:

House Bill 3826.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3826 makes a technical correction by defining who that private for...not-for-profit corporation designated by the agency is and that one is the Protection and Advocacy Board of the Guardianship and Advocacy Commission. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3831
3rd Reading

Discussion? If not, the question is, shall House Bill 3826 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 2, none voting Present. House Bill 3826 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3831, Madam Secretary.

SECRETARY:

House Bill 3831.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 3831 makes two changes. One, it allows DPH to approve the tests or the testing procedures used in determining HIV, and the second thing it does that it gives it the option of using either the Center for Disease Control or the National Institute of Health for the definition of AIDS and are currently the...the Center for Disease Control does not have an ARC definition. I urge the passage of House Bill 3831.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3831 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 57, the Nays are none, none voting Present. House Bill 3831 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3840, Madam Secretary.

SECRETARY:

House Bill 3840.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3840 as amended does change...it makes changes in the Private Employment Agency Act and as amended increases numerous fees and that's all it does. We amended out what seemed to be a very controversial portion of this bill, that's no longer in there. I know of no opposition at this point after that amendment and would urge passage of the bill in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3840 pass. Those in favor will vote Aye. I'm sorry,...discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I'm sorry, I really didn't hear Senator Hudson's explanation about the controversial part of this bill being taken out. Could you explain that a little bit clearer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Yes, I'd be very happy to. The controversial portion of the bill affected what is known as executive search employment firms, and what was originally proposed was raising the...exemption threshold, the threshold that had exempted these particular firms from definition of employment agency raising that threshold from fifteen thousand to forty thousand. Well, we had a lot of calls, a lot of objection to it from the industry, forty thousand seemed to be unrealistic. We considered twenty-five thousand dollar threshold, that

still seemed to be beyond the...the pail for many that called me. So it was our final resolution to bring it back...the threshold...the exemption threshold bring it back to fifteen thousand where it was originally, and that seemed to quiet the insurrection out there in the...in the hinterlands.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ZITO:

Yes, thank you, Mr. President and members. I rise in support of House Bill 3840 as amended. I had voiced my concerns over the amendment...or the discrepancy in the...in the salary level which I think originally was set at forty thousand dollars. After talking to Senator Hudson, we were able to put an amendment on to have that salary level reflect what was in the original law at fifteen thousand. And to answer Senator Karpel's questions, I think everybody now is in support of this legislation as amended and I would add my support as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall House Bill 3840 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 57, the Nays are none, none voting Present. House Bill 3840 having received the required constitutional majority is declared passed. Page 13, House Bill 3856. On the Order of House Bills 3rd Reading is House Bill 3856, Madam Secretary.

SECRETARY:

House Bill 3856.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

*HB 3857
3rd reading*

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this would amend the Department of Mental Health and Developmental Disabilities Powers and Duties Act to allow DMHDD to accept and hold a grant, gift or legacy of money or property made or given to a department facility which is no longer operating or is operating under a different name. It has no known opposition, went out on the agreed bill list, I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The question is, shall House Bill 3856 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 57, the Nays are none, none voting Present. House Bill 3856 having received the required constitutional majority vote is declared passed. House Bill 3857, Madam Secretary.

SECRETARY:

House Bill 3857.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this Act would create the Community Integrated Living Arrangements Licensure and Certification Act to be administered by the Department of Mental Health and Developmental Disabilities. The purpose of the Act is to encourage and allow the Department of Mental Health and Developmental Disabilities to expand programs and new models for community living arrangements which would support residential programs for DD clients. The federal government is moving us in this direction. I think most of

HB 3900
3rd Reading

us that are involved in mental health policy understand this is the direction we want to go. I would be quick to point out that this in no way infringes on local zoning powers, it is not involved in that. I'd be happy to answer any questions, think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? The question is, shall House Bill 3857 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, 1 voting Present. House Bill 3857 having received the required constitutional majority is declared passed. 3858 was on the recall. 3870,...Senator Lechowicz. 3888, recall. 3891, Senator Marovitz. Beg your pardon? (Machine cutoff)...on the recall list this morning. I know where we usually keep them. 3891, Senator Marovitz. 3895, leave to come back to that? Leave is granted. House Bill 3896, Senator Berman. (Machine cutoff)...3900, Senator Kustra. On the Order of House Bills 3rd Reading is...House Bill 3900, Madam Secretary.

SECRETARY:

House Bill 3900.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the mandatory insurance bill. It is legislation that would make it illegal to operate, register or maintain registered and uninsured vehicle. Every motor vehicle subject to registration in Illinois will be required to carry a liability coverage in the minimum amounts of twenty thousand to

forty thousand dollars for personal injury or death and fifteen thousand for property damage. Two amendments were added here in the Senate; the first one is a technical amendment added in committee, and on the Floor, as some of you remember, there was an amendment added which moves the effective date which was January 1st, 1990 to July 1st, 1989. The basic approach of this bill is to create two deterrents to encourage motor vehicles' owners to acquire insurance. Traffic offenses enforced by police, there's a five hundred dollar fine if you're pulled over and you cannot produce an insurance card which verifies the fact that the vehicle you are driving is insured. Random and targeted verification systems, these would be operated by the Secretary of State. The random verification has been in previous bills; targeted verification has been added to give the Secretary of State the ability to go in and find certain classes of people like in...in...in...a motorist who might have had an accident in the last year might be checked to see if they have insurance. There's a thousand dollar fine attached for driving when your registration is suspended for no insurance, and if you are caught in a random or verified...verification, your registration is suspended for two months. There's a reinstatement fee of fifty dollars so the violators of this law are the people who pay for it, not taxpayers. Over the years...I think it's fourteen years this bill has been around, it has seen...opponents charge many things, that it has either been unworkable, unenforceable or too costly. Slowly but surely over the years, these changes have been addressed, accommodations have been made. The bill before you today is the best bill yet and that's only because chief sponsors in the past like Senator Carroll, Senator Marovitz, Senator Lechowicz today, who stand before you, have done everything they possibly could to make this bill stronger. Secretary of State Edgar is the individual officer who will be enforcing this

bill. His imprint is all over it, and, again, he is calling for the toughest enforcement yet. What you have before you is the best bill ever produced on the subject. Only eleven states do not have this particular law. I suggest that it's time we join the thirty-nine who do and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the press. You know, I...I...and that's where this one is going, folks, it's going to the press, because this is exactly the issue that I think we're...we're having here. You know, we...we allow the press to play a income tax increase as a forty percent increase. The Governor says that's two hundred dollars average per citizen. What have we got going here? If we look at the statistics that we see with other states, we are increasing our taxpayers, our citizens, possibly their insurance rates by as much as that same forty percent if they own two vehicles, and that's only on a comparison with Illinois to Michigan which has mandatory insurance. Senator Kustra said that the ten states do not have mandatory insurance and it's strange of those ten...of at least eight of the ten, only two of them have mandatory insurance, I mean,...let me rephrase that, of the...the eight that have the lowest rates, only two have mandatory insurance. But here we have an opportunity to...to protect our citizens from themselves and that's what we're going to do, and...and I'll probably join you in that vote, but I am still very upset with a couple of things. Number one, I am upset that the Governor...or the...the Secretary of State would not allow a amendment on to allow for accountability. The accountability was very simple and all we were asking for is that he lets us know if the program is...is working properly. We couldn't

get that on. We did get a change on the effective date which originally, if this be his bill, would have put it to a point to where he would not have had to raise rates before he ran for office. This bill in my estimation...and should be called by the media and should be called by everybody else a Kustra-Lechowicz or a Lechowicz-Kustra bill. It is not the Secretary of State's bill and I think we should make that very emphatic. I know that Teddy Lechowicz last year bent my arm up behind its back in order to make sure that I voted for the...the...the compulsory automobile insurance. I still have those same feelings that we're not doing what is right but, again, I have overwhelming evidence from my district that the people want it, so I will vote with that, but I would argue against it and vote for it if that makes any sense.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. One of my concerns with this concept has been the argument by some that this kind of legislation will cause rates to go up. I thought it was interesting that...that in the committee hearing on this subject that question was asked by an opponent of the bill to some of the opponents who were testifying including a representative from the State Farm Insurance Company and he was asked if this was going to cause rates to go up. And the response was, as was quoted in the Journal Star on June 8th, 1988, that there's nothing in this bill that will hurt your constituents, and I thought that was a telling point that even an opponent of the bill would not answer that this bill will hurt your constituents. So I would rise in favor of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill is a step in the right direction. At the hearing of the bill in...in Judiciary when the various insurance companies complained that it didn't work in the thirty-nine states, well, then if it didn't work, why didn't those states repeal their bills? I think it's a step in the right direction. It has a sunset provision in 1993 and I contend that an automobile in irresponsible hands is just as dangerous as a gun or a knife, and it's high time that we take some of these irresponsible drivers off the roads or put them in jail where they belong, and I say that very sincerely. I've had cases back home, people have been killed because of uninsured drivers driving very irresponsibly, people have been maimed. And I can tell you something else, that my people, eighty-nine percent of a poll I took are for it. Now, what is wrong in having some protection? Are you going to say, well, we're going to pay a little more. I'll be glad to pay a little more and my people are willing to pay a little more on their premiums and I'm sick and tired of the insurance companies trying to run the...the Illinois Legislature, because they haven't proved to me that they're right when they...come and say, oh, it doesn't work in all the other states and, yet, all those states have...have them. I submit that this is a...a step in the right direction. If it doesn't work out by 1993, fine, it sunsets. I urge your favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Debating the merits of mandatory automobile insurance has really become a right here for the past seventeen

years and, unfortunately, it has not passed out of this Body. It has been...continually passed from the House and really it was assigned to a certain committee in...in the General...in this Senate and had a very difficult time of getting the acceptance of that committee. Last year, if you recall, we addressed this issue on 2nd reading on a number of other bills. At that time, it had a different content as far as the enforcement...enforcement procedure for mandatory insurance. This provision is a workable provision. It's similar in nature just...if you would file your state income tax or your federal income tax compliances by a spot-check procedure, whether it be a person being stopped for a traffic offense, he would have to produce his card or the Secretary of State in turn could ask for verification of automobile insurance compliance. The provisions in the bill are also an important aspect. It provides that if a person does not have insurance and causes someone to be hurt or in an accident, that there is a five hundred dollar fine, a two-month suspension and a fifty dollar reinstatement fee before that individual has their...driving privileges reinstated. Driving an automobile or a truck is a privilege, it's not a right. This bill is long overdue in passage and I'd like to compliment the Secretary of State for coming in with a different provision working with Representative Laurino and this Body in making sure that for the first time in a good number of years that the people of Illinois, the millions of people, who have supported this provision will have an opportunity in making sure that fairness and equity prevails in this state. I strongly encourage an Aye vote on this House Bill 3900 and hope...hope you would too. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, ladies and gentlemen, we have a request from Hugh Hill of Channel 7 to film the proceedings. So, if leave is granted, I would suggest that you all get on your biggest

smiles and best oratory. Leave is granted. Our next speaker is Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. And I...I guess I should say members of the press like Senator...one of the other Senators acknowledged first here, because some of us have a difficult time in getting our side of the story told in its proper context, and I think this is...this is very important that the press do so in exercising their responsibility to get the message out and to get the message out based on the facts. One of the sponsors of this bill said that this bill had been around some...I don't know how many years and it's true, seventeen years, and that over the years many of the concerns of the opponents had been addressed...most of them had been addressed. The argument here is not whether or not people of the State of Illinois should have mandatory liability insurance, because the answer to that question is clear; yes, yes, yes. That is not the issue here for most of the opponents. I have been opposed to mandatory insurance in this state, not because it's not right or it is unfair but simply because the...Illinois Legislature and the leadership of this state has not seen fit as every other state in the nation to have any kind of means for insurance fairness on the part of the consumer, whether or not insurance is available to every citizen of this state, the answer is no; whether or not it is affordable to every citizen in this state, the answer is no; whether or not rates are excessive and discriminatory, the...the answer is yes, yes. And those are the issues which most of us who oppose mandatory insurance are concerned about and this Legislature has...refused over and over and over again to even attempt to address those problems. And, so, when we talk about compulsory insurance and we compare this state with other states, it is unfair to say that every other state has made progress and now it's time for us to do so

without addressing those fundamental questions of assessability, affordability, equity and fairness and some kind of means by which the citizens of this state can have due process in addressing their grievance and complaints when they are denied insurance. That's what it's all about. Those grievance has not been addressed and I say we should not vote this bill without those grievance being addressed and, therefore, I vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. It's been mentioned that if this bill...if mandatory insurance was not working, why have none of the states abolished it? Well, let me tell you that other states are moving to rescind those laws. California is one, they're attempting to have a referendum to remove that to...from their records; Indiana does not enforce mandatory insurance because it is not working. We are misnomered in calling it by the wrong name. It is not mandatory insurance, it will not mandate any member or any citizen of the State of Illinois to have insurance. What it will do is mandate underprivileged and some not to have automobiles and not to be able to go to work. It will raise the cost of insurance. Already in some communities in the City of Chicago and the State of Illinois insurance costs three and four times as much as it costs in other areas. I predict that it will cost four and five times as much in other areas. Mandatory insurance does not work...it does not work. Ralph Nader on TV, Channel 11, a couple of months ago did a...an exclusive on it and it is not working across the nation. Mandatory insurance also will...will make it possible for insurance companies not to sell any insurances in certain areas of the State of Illinois. Now, you tell me that we have a...a Department of Insurance that enforces those regulations. They do not

enforce those regulations. Insurance companies can be exclusive to where they sell insurance. So they do not place insurance with brokers in those areas that make that...people in those areas are unable to obtain that insurance if it's not placed with brokers in their areas. The Illinois safety responsibility law is a much simpler, much easier way to go, it is working. I have had opportunity to talk with people in that department off the record and they says that it is working and that mandatory insurance is just a farce. Therefore, we know and I know that this is being brought about as an election situation. One of my colleagues say this is not a Republican bill, I say to him, it is a Republican bill. It is not a good bill; therefore, we should not be in favor of it. It's a bad bill, it's bad law and it's a bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

WAND-TV, Joan Fuller, requests permission to film. Hearing no objection, leave is granted. Our next speaker, Senator Severns.

END OF REEL

REEL #3

SENATOR SEVERNS:

(Machine cutoff)...you, Mr. President and members of the Senate. I rise in strong support of House Bill 3900. Each time you get into your car, you risk the...you risk financial drain or ruin if you are involved in an accident with an uninsured motorist. In Illinois, the odds of the motorist being uninsured are one in four. Secretary of State Jim Edgar has indicated that two million of the state's seven million vehicles are uninsured. To those who say that the uninsured motorist coverage will save you from such financial drain, that simply is not the case. I am strongly supporting and cosponsoring this measure not only because similar laws in other states have...have effectively reduced the number of uninsured motorists, I am cosponsoring this measure for the simple and fundamental reason that it is the right thing to do. If you're going to drive, you should have insurance. This is not an issue of insensitivity, it's an issue of fairness. A review of other states indicates that good mandatory auto insurance laws can and do work, resulting in fewer uninsured motorists on the road. In West Virginia, the percentage of uninsured motorists dropped from twenty-two percent to three percent. The uninsured...motorist rate in Minnesota dropped to five percent while Maryland has gone down to the three percent level. In Kansas, during the period of 1982 to 1986, the uninsured motorist rate dropped from eighteen percent to five percent. Consider the same time period in Illinois without mandatory auto insurance where our uninsured motorist rate climbed from sixteen percent to twenty-six percent. No responsible legislator would suggest that mandatory auto insurance will eliminate all of

the uninsured motorists from our roads in Illinois. Those of us supporting the measure are only suggesting that we should let this proposal with its sunset provision intact finally be given the opportunity to work in our state. Thirty-nine other states have put such mandatory auto insurance laws on the books; surely, in Illinois, after seventeen years of debate, we should have the courage to try. The insurance industry have had their way year after year on this issue. Isn't it time to give Illinois consumers a break? I urge a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I rise in opposition to this bill. I do not rise in opposition to mandated automobile insurance, but I think this bill is not workable, I don't think it will work. As a matter of fact, I think the bill itself even acknowledges that it won't work and that it mandates that we all carry uninsured motorist insurance. Well, if we're going to take care of all of the uninsured motorists out there, why are we mandating that all of us have the uninsured motorist requirement on our car? Secondly, I think you're going to find that this is a license to steal for the insurance companies, and for those of you that were here in 1975 when we voted out the infamous workmen's comp. law bills, we went home only to find that there were constituents there ready to literally kill us because their rates had been increased one hundred, three hundred, up to a thousand percent. I'm not trying to be prophetic, but I want it on the record that if we're standing here four years from now and there's a legislator wanting to have the insurance companies investigated for a major increase in rates, I want to be first in line. And I also want it to be known that in 1988 that I told you that in 1991 or 1992 that this state will

probably have the highest insurance rates in the United States. I'm betting it will happen, and you wait and see, those of us that were here in 1975 can tell you what happened and that's exactly what's going to happen. And I want to point out one other thing. This bill does nothing really to satisfy the victim. I had a suggestion and I was asked to remove it from this bill, an amendment, which would have said that if a person had been harmed either bodily or their car by an uninsured motorist, they could file under the Crime Victims' Act for compensation. We don't provide for any compensation in this Act or any recompense at all for anybody that is actually harmed by an act of an uninsured motorist. That's what we should be doing. We're acknowledging that we're not going to get all the uninsured motorists and we're not taking one step...not one step to help the person that is violated. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was going to ask the sponsor if he'd yield, but Senator Luft has stated part of it, 'cause I wanted to know what's going to happen that why am I going to still have to carry my uninsured motorist. But here we go again, saving ourselves, we're the great champions. I can remember when I first came here, oh, twenty-two years ago, the first sign I was handed that a taxpayer's life, liberty, even his home, his farm and his wife, nothing is safe while the Legislature in Session and that's true today. A year ago or two years ago you come up with some legislation that cars pollute by zip code, it's the most ridiculous, most unfair...you talking about something discriminatory when you can live on one side of the street and your car doesn't pollute, my car does but, nevertheless, I'm just showing you the...the silly things

that we have. Now, when I think of what you've got to do now is that you are going to allow the law enforcement officers to pull you over, stop you, check and see if you got this, there will be harassment up on top of harassment. It's a good excuse to pull over females, is this car insured or not insured? If you lived in some area where I live where...where that I pay insurance that's three times as high if I did not live in that area. We ought to be about the business of trying to get a fair and equitable insurance across the board so everybody would be able to get this thing. Here we got people, and I'm one of them, the only driver, I'm certainly over twenty-five, haven't had insurance. I guess I should knock on wood and be happy of that, but I am paying over a thousand dollars a year right now for liability insurance because my...car is garaged in East St. Louis. Now, it's very, very unfair to come up and all of a sudden...all these knights in shining...armour around here want to say that we're going to save you from yourselves. This is a terrible bill, and by the way, are there rates in this bill? I'd like to know that...I want to know this. All right. Now it's a terrible, terrible thing to force this on people and I would certainly beg...I plead...I'm talking to you with crocodile tears in my eyes. Look around you and see what you're going to do to people here and to the people of this state. It's great, all these knights in shining armour, I'm just telling you, I am just wondering and it...sure of thing, you're still saving...yes, Sam, I am appalled at that. I tell you, we ought to vote this down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have the additional following speakers, Schuneman, Dunn, Kelly, Fawell, Topinka, Jones, Maitland, Dudycz, Raica. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. First of all, I...I need to

declare a conflict of interest on this bill. Most of the insurance bill...bills we talk about here deal with insurance companies, but this particular one would have a direct impact on those of us who are agents and the popular idea is that we would sell more policies and, therefore, there would be some additional commission. In spite of that, I'll vote my conscience and expect to be voting against this bill. I'll try to be brief and I want to make a couple of points. There seems to be a great rush to pass this bill this year, and for those of you who want to vote for this because it's a popular idea, then I guess all I can tell you is go ahead because it is a popular idea. But if you really want to do for...something for people who are the victims of...irresponsible drivers, then this is not the way to do it. There are much better ways to do it. One of the previous speakers, Senator Luft, mentioned one way. Another way is to have the Secretary of State and the Department of Transportation do a better job of enforcement of the financial responsibility law that we've had on the books in Illinois for forty years and almost no state governmental agency in the past has effectively enforced that law. I don't know that you really care what's in the bill, but for those of you who do, I suggest you take a look at what is required for proof of insurance. You can prove insurance when you're stopped by the officer by one of five ways. One is to have an insurance card. Now,...they can be printed for probably thirty-five cents on the black market I would guess in Chicago or...or in one of the downstate cities. What you need is a card that has the name of a company and an expiration date and your name on it and that will prove to the police officer that there is insurance. Or you can have your policy which, by the way, may not now...today be in force because you may have failed to pay one of the premiums along the line; or you can show a binder from a company or a

certificate from an agent or just a receipt for money that you've paid the premium probably from an agent or a company. So that's the tough...that's the tough proof that's in this bill. It's not tough at all, there are all kinds of loopholes in this thing. One other problem I...I want to point out to you, those of us who supported an amendment the other day moving the effective date of the bill up to July 1, thought that we were going to require the Secretary to begin the enforcement of this Act on July 1. As I look at that amendment, and I have read the bill, I'd like to see a show of hands of those who have, but I've read the bill and what that...and all that amendment did was make the bill effective July 1, it didn't change the date on which the Secretary is required to begin enforcement of this Act. Now, I don't know what we do about that...at this stage because we're on 3rd reading, but that is...there was a defect in that amendment that was adopted on the Floor of the Senate a few days ago. I would...I would close by simply telling you that this is an idea that will not protect your constituents against irresponsible drivers. This bill simply isn't going to do it and it will raise insurance costs. Just consider for one minute, if you will, the fact that who are the uninsured drivers in Illinois? Well, some of them are just out-and-out irresponsible people, some of them are the poor who haven't been able to find a way to come up with the premium and some of them are such terrible drivers that nobody wants to insure them. Now, when you put all those folks into this pooling arrangement, which is what insurance is in Illinois or anywhere else, insurance is a pooling of the risk, but you can't charge under an insurance plan enough premium for the very worst risk that they will not represent a loss to the large group. So what I'm suggesting to you is that when the insurance mechanism that you and I all pay for picks up all the bad drivers that are out there, you're certainly going to

raise the cost and that's what's happened in every other state and I...I suggest to you that it's going to happen here. It's a popular idea, your folks back home are all telling you to pass it, but what they really want is protection against the irresponsible driver, the guy that rips them off. This bill won't do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Further discussion? Senator Thomas Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. I'm a proponent of the bill but the statement was made that this was the strongest bill that could be passed. I don't think that statement ought to go unchallenged. I think this bill was left pristine for a reason, but the reason wasn't because it was the best bill. To Senator Hall, all his concerns would be taken away if we had proof at the time you registered your vehicle. There wouldn't be any stopping of individuals. And to those who look to protect the victim, if there were adequate insurance...in other words, more than the minimum, why should we settle for the minimum? Why should we send drivers out with twenty/forty when we know that today's medical cost if you have four people in an automobile are going to eat that up in four days. This is not the strongest bill. I just didn't think that that statement should be left unchallenged.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kelly. Can we break up the conference in front of Senator Kelly. Senator Jones.

SENATOR KELLY:

Thank...thank you, Mr. President, members of the Senate. A couple of questions, I suppose, as long as I'm of...what Senator Dunn had just stated, for instance, the penalty. I understand the penalty is like five hundred dollars and a two months driver's license suspension. Is that what the penalty

is, Senator Kustra?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Senator Kelly, it's a five hundred dollar fine if you are pulled over for another offense and an officer asks to see your insurance card and you can't produce one, it's a five hundred dollar fine. If you are verified through a random process by the Secretary of State's Office that you do not have insurance, it's a two-month suspension of your registration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

And also on that point about the insurance, is it twenty/fifty? What is the amount and also would this be from a poor insurance risk pool that the people would be getting their insurance or what is the...what is the amount that we're talking about here in insurance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

You're right, Senator Kelly, it's twenty/fifty/fifteen and let me remind you that that is the amount that is in the law right now, an amount we changed last year to increase it. To respond to Senator Dunn at the same time I'm responding to you, I would just say that we have recently made a change to bring those numbers up. Let's get this law working, and then once it works, we can decide on down the road if there has to be another adjustment made in those numbers.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, it...that's exactly the point I want to make. I've

been here...this is my sixteenth year and I voted for this issue time and time again, both in the House and the Senate, and we've never been able to get a bill to the Governor. This is the first opportunity that I see where we can do it. It's a first step, I think it's an important one. It is a popular item in our districts, an item that's very strong with a lot of our people. We know we're not...you're always going to have violators that'll either be driving uninsured, but at least the people in our district are going to have the assurance, and even if it costs a little bit more, our people...the good drivers are willing to pay a small increase in premium just to know the other people are insured. And it also creates a lot stronger character and an importance in responsibility when you're driving a motor vehicle, and it might just end up saving the lives of ourselves or...or some of our constituents or our families. So I'm proud to support this strong step forward in trying to have mandatory automobile insurance.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I recently received a letter from one of my constituents who had majored in insurance and...in college and he is presently a vice-president of an insurance agency in my district in Carol Stream. Just like to read a couple of paragraphs. "One argument used against mandatory auto insurance is the same old argument that it is unrealistic to expect the unemployed, marginally employed and poor to buy auto insurance. Under the present laws and policies, this is true. There is very little incentive for the irresponsible driver to insure. There is no penalty as long as he doesn't have an at-fault accident, and if he does have an accident, the only penalty involved is that he must prove financial responsibility which he does by buying insurance

after the law...loss. I submit to you, if you can afford to purchase and operate a motor vehicle, you can afford to insure it. Driving is a privilege, not a right. The going rate for an adult driver in Chicago for minimum liability coverage through any one of the several nonstandard carriers that specialize in insuring high risk drivers or drivers who have not have insurance is about three hundred and seventy-five dollars a year. This works out to about thirty-one dollars a month or less than four cents a mile based on ten thousand miles a year, a monthly cost that is less than two full tanks of gas." He ends up by saying, "There is also a moral question involved here. How long can we continue to support a system that passes the legitimate cost of insurance from irresponsible, uninsured drivers to the pocketbooks of responsible drivers who have purchased insurance?" I think that says it all and I would solicit your Aye vote.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, a year ago when this particular issue came up and Senator Lechowicz had an amendment where he was seeking mandatory auto insurance, my mother was intensive care...in intensive care, she had been struck by an uninsured motorist, and, now, here we are one year later and we buried her approximately a month and a half ago. As far as I'm concerned, the uninsured motorist who did that to her was contributory to her death. They're out there. I have numerous letters, numerous phone calls, so I know my...I and my family are not alone in this, and I'm going to vote for it again today in my mother's memory, and I'm also going to vote for it today so that that uninsured motorist who is out there and did it to my mother knows that we're coming after him and people like him 'cause it's time to get them off the street.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I've supported this bill twice in committee this year and...and will do so with some reluctance here on the Floor because I share some of the misgivings about its workability. But I did want to make...I wasn't going to speak but I wanted to make one quick point about the penalty provisions, not only for us but for all the members of the press that have been closely following the progress of this bill. It's been widely reported that the penalty is a five hundred dollar fine for reinstatement, but I...I tried to make this other point in committee which seemed to be somewhat lost at the time, that there is currently on the books a...a penalty...a Class 2 felony for making a false statement in connection with an application for registration of a vehicle. Now, if this bill passes, part of that application for registration is going to include a statement that one is insured, and if one is making a false statement of that fact, they are thereby going to be committing a Class 2 felony which is punishable by a prison term of three to seven years and a fine of up to ten thousand dollars. Now, the Secretary of State's Office estimates...estimates that there will be perhaps fifty thousand suspensions of those driving uninsured and one can assume that most of these...say, conservatively, half of these, twenty-five thousand will have in the process of applying for registration made a false statement about their insurance. Well, we are therefore talking about twenty...twenty-five thousand people committing Class 2 felonies and if state's attorneys want to go after these people accusing them of committing Class 2 felonies and try to have them sentenced up to three to seven years in prison and paying fines of up to ten thousand dollars, they can under this bill do that. So

let's be clear. We're not talking about a five hundred dollar fine, we're talking about a ten thousand dollar fine and prison terms of three to seven years.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I rise in support of House Bill 3900. I think the one thing that we need to make perfectly clear to the motoring public of Illinois though that this isn't going to solve the problem. There is no guarantee that the individual that gets behind that wheel of that automobile is going to have insurance, there's no guarantee whatsoever. We're still going to have to have uninsured motorist coverage. But when you have two million people traveling throughout this state without insurance and you have legislation such as this that could possibly reduce those numbers by twenty, twenty-five percent, fifty percent, who really knows, I think that's a step in the right direction and I think that's positive. I've always had problems in the past with the administrative costs of implementing legislation such as this. Secretary of State says that this legislation to implement it will be less than a million dollars. With that reinstatement fee of fifty dollars per individual, we're talking about several thousand dollars of recovery, in fact, possibly even paying for the program. I think that's a positive implication of...of the legislation. Also, if it doesn't work,...if it doesn't work, September, 1993, this sunsets. If we don't like what's going on, it sunsets, it's over. So I think that's another positive aspect of the legislation. I think it's good legislation. It needs to be passed and I believe...and appreciate the support. Thank you.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this legislation. I don't know of any legislation that creates such a gut reaction on the part of our constituents at home. In the town meetings I have held, at the grocery store or on the street where constituents will tap you on the arm to stop you to share their feelings, to share what has happened to them or to their neighbor or to their family, and most of you personally know that sinking feeling you have after a collision when you get out of your car to exchange information and find out that the other driver is an uninsured motorist. This is certainly not a perfect bill but it is a bill to try, and with the sunset provision, a safe bill to support.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. One of the things that I've tried to do in the ten years that I've been in this Body is to try to analyze how legislation that I vote on is going to affect the constituents in my district. There's no question but what this is a very popular issue. Senator Jacobs, you made a...an excellent argument, you really gave my argument; the one thing that was wrong was with your conclusion about how you were going to vote on the bill. We are elected to make tough decisions, the easy decisions are...are easy, there's no problem there, but we're elected to make the tough decisions and we're supposed to be...we're supposed to be knowledgeable about the subject that we vote on. If it was any other way, we need not be here. We simply send the secretary down here and cast the vote for every one of us and...and that's it but it's simply not that easy. For years I sat in this Body and voted No on earmarking the lottery money for education. I was the only No vote because I knew in my heart that it would

do nothing more for education. We passed it, the Governor finally, I'm sorry to say, signed it and, you're right, it does nothing more for education just as we said would not. This issue is the same. It is a popular issue. You send out a questionnaire and ask your constituents how they feel about whether or not people should have insurance and it comes back ninety-five percent in favor of, and so that means that's the way you should vote, I say wrong. Don't send the wrong signal to your constituents. Your affirmative vote on this issue today will do that. As Senator Schuneman so very capably put it, we have in place now laws that take care of this, I think we not forget that. In conclusion, two questions, Senator Kustra.

PRESIDENT:

Sponsor indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Number one, it's my understanding that when most insurance companies mail out policy, they place with that policy the card. You have that card in your possession and that then becomes the documentation that you have insurance, that doesn't say whether or not the premium has been paid. If I'm stopped as a motorist, have not paid my insurance and yet I have in my hand a card, if the arresting officer doesn't check any farther, wouldn't that mean that I have insurance? The second question deals with the issue of...if a person is stopped...is arrested for not having insurance, how then does he move the car?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

On the...the...your first question, Senator Maitland...could you restate the first question? I was...

PRESIDENT:

Premium. Senator Maitland.

SENATOR MAITLAND:

It's my understanding that when...when an insurance company mails you your premium notice there is enclosed a card which really is a certificate of insurance, I...I guess, is what we call it, but you may elect not to pay that premium. You have in your hand a card that says you have insurance and yet have not paid the premium.

PRESIDENT:

Senator...Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Those cards will be issued under the terms of this law every six months and there will be an effective date on that card. Now, there is obviously no way that you can reissue cards any more frequently than that, at least this is the...the optimum amount of time we have chosen to provide some kind of a check on the driver.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, I...I think in many cases, there already is an effective date on that card that's mailed to you with the...with the premium notice. Is that not correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

That...that's correct, and I might add that if you have that card in your possession with the effective date on it, and for some reason you decide to cancel your policy, you still are running the risk of being verified by the Secretary of State at any time because there is going to be an ongoing administrative process of verifying out of the Secretary of State's Office just who does and who does not have insurance. So you may get by the police officer because you have a card that says an effective date and just yesterday you decided to

dump your insurance policy, but you're not going to get passed the Secretary of State's Office.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yeah, I understand that. You aren't if you happen to be randomly checked, but they are not going to randomly check every single motorist in this state and that's my point. I just think that that bears out some of the fallacy of the issue, and I would like for you to respond to the second question as well.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Mr. President, I...I think the...the moving of the car you have the problem you have with any form of law that restricts the ability of a driver. If you have...we have drunk driving laws. If a drunk driver gets pulled off to the side of the road and is, in fact, drunk, that individual cannot get back into the car and move the car. We're dealing with the same...a similar law here so the individual is going to have to find another way to move that automobile.

PRESIDENT:

Further discussion? Senator Maitland, I'm going to have to ask you to...please. We've got ten more that wish to speak. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I also have debated this bill...what is it, seventeen years, and I was...I was tempted to do the politically smart and...and morally corrupt approach and say why I don't like the bill and vote Yes, but Senator Schuneman and Senator Maitland convinced me otherwise. Senator Schuneman is an expert in insurance and I think he stated it very well. My

voters like this bill but not for the reasons that a lot of people have said. My voters want the person that has an accident with them to be...financially responsible. That's the key, financially responsible. They don't care whether they pay for insurance premiums, they want people to be financially responsible and that's the fallacy of this bill, because there is a method today to encourage people to be financially responsible and that's not even enforced by the Secretary of State and let me tell you what I mean. Under this bill, if I'm hit by an uninsured motorist, under this bill, there is a fine of five hundred dollars and he loses his license for two months. That doesn't do anything for my damages. Under existing law, Senator Fawell, I want to correct that letter that you read, that person that hits me loses his license permanently, not for two months, permanently until he pays my damages under existing financial responsibility law; and if losing your license permanently hasn't encouraged over two million people to have insurance, this much lesser fine and only a two-month suspension isn't going to do anything. The Secretary of State and I debated this in a publication up in my district and I said publicly that I would vote for this bill if a couple of things had been done. One, was to make it meaningfully enforceable. Now, I know that all laws aren't obeyed by all people but one of the reasons that we have police forces and spend billions of dollars regarding them is because we recognize that people don't follow all the laws voluntarily. There were amendments offered to make this bill reasonably enforceable. One amendment would have tied in the computers to the Secretary of State so that when the person either doesn't buy insurance or drops his insurance, it would automatically ring up on the Secretary of State and they could pull that person's plates or license. The Secretary of State rejected that amendment. Then we offered an amendment that said if...to get your

plates, you've got to show proof that you had insurance for the past twelve months. The best proof of future performance is past performance, that virtually costs nothing to check on, and the Secretary of State rejected that amendment. Thirdly was a rather complex amendment dealing with what's going to happen to my constituents and your constituents who are financially responsible when they get hit by the person that is insured by the substandard companies and that's all...the only companies for the most part that are going to write this stuff for the people that presently don't have it, and those people...my constituents who are financially responsible are going to up in Cook County have to wait six years before the substandard company exhausts its obligation on its policy before they'll pay penny one to my injured insured voter. Because of those rejections of those amendments, this bill is not workable, it doesn't do what my constituents, in fact, want done. They want to be paid when the other driver hits them and is wrong. This bill won't do it. I urge a No vote.

PRESIDENT:

Further discussion? Senator Dudycz. By the way, WCIA-TV has requested permission to videotape, Miss Fowler. Leave is granted. Senator Dudycz.

SENATOR DUDYCHZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'm not going to speak on the merits of the bill, previous speakers have already done so very eloquently. I just would like to take issue with some of the statements of the opponents...some of the opponents who have spoken out against it. Senator Collins, you mentioned three words in your opposition that really caught my attention. You mentioned accessibility, affordability and discrimination. I...I don't see that there. I do not understand where you may think that driving is a right; driving is not a right, we

all know it's a privilege. There is nobody in this state that has a right to drive, they all must take driver's license examinations and receive the privilege to drive. Senator Brookins, you mentioned this is a Republican bill. This is not a Republican bill, it's a bipartisan bill, look at the cosponsors. I come from a predominantly Democratic district and over ninety-five percent of my constituents are in favor of it. This is not a Republican issue. This is an issue of the people. Senator Luft, you mentioned that mandatory insurance is a license to steal by insurance companies. Well, if that's true, then why are they so opposed to this? Finally, to Senator Hall,...Senator Hall,...(machine cut-off)...to Senator Hall, my friend, Senator Hall. You...you mentioned that mandatory car insurance will allow harassment by police officers of motorists. Well, you know, for your...for your information, Senator Hall, police officers are...police officers are there to serve and protect the public, not to harass them. I resent and object to your statements that they will use mandatory auto...automobile insurance to harass the motorists. Ladies and Gentlemen of the Senate, start listening to your constituency and please support House Bill 3900.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I really hadn't planned in speaking in favor of this bill, but some history was brought up and been one of the people who's been on Transportation or the old...Motor Vehicle Laws Commission from...since...from my induction in this Body in 1973. Back in '73...'74, '75 when we had hearings on this by the late Senator Chew, I didn't support mandatory insurance because at that time Illinois which had a volunteer base had less than five percent uninsured motorists. Massachusetts who at that

time had one where you had to show your paid up insurance policy before you got your license plate and then you could cancel the next day had about a twenty-six or twenty-seven percent and then that didn't make sense to me. But I want to tell you, ladies and gentlemen, next to a few highly controversial issues we've had in the years I've been here, I've heard more from people in support of mandatory insurance because people who are legitimate, concerned citizens who buy the insurances, I'm sure most of you do here or at least I hope all of you do here, and if you...someone mentioned about fiscal responsibility. Fiscal responsibility is still in this bill, it doesn't wipe that out for those of you who are wealthy enough to do it. I prefer to pay my insurance premium and not take that chance. Now, ladies and gentlemen, you can talk around anything you want but the most important thing is the public today with twenty-six percent or more of the...motorists who are licensed in Illinois are running around uninsured. I happen to have another profession besides a State Senator and I see a lot of people who are injured by uninsured motorists, and I tell you, the one that really drove home to me to be for this, within the last eighteen months, I've had three separate patients all hit by the same person who was an uninsured motorist. Now that's uncalled for. We need to get those kind of irresponsible people removed from having the ability and I think this does a good job. I urge all of you to vote for this bill.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Collins made a statement that the auto insurance, as far as she concerned, would be unaffordable but, yet, I did not hear any statement from her that said anything about the price of automobiles. Auto insurance

costing maybe a thousand dollars which I paid of maybe anywhere between automobiles costing anywhere between fifteen and twenty thousand dollars. I have someone who feels the same way as I do, and as far...they're very strong in what they say. A Chester Coolack from South Kedvale in my district says, "No car insurance should mean no car," very plain. Senator Brookins says that the bill is not working. I have on my desk not one, not a hundred, but thousands of letters from constituents in my district where a poll was conducted that says they're for mandatory auto insurance. Ninety percent...over ninety percent of the people in my district want mandatory auto insurance. One gentleman feels that I do, a Shirley Coolincow from Justice, Illinois states, "Mandatory auto insurance"...now some people felt so strong that they put comments on these papers. "Mandatory auto insurance, concerns we must...we must address. My eighteen-year-old daughter asked my husband why she has to have...mandatory auto insurance. He makes her have insurance when all her friends don't have any insurance." No one said it as plain as...Senator Lechowicz did, driving is a privilege; nothing in the State Constitution or anything says that you must drive. What this Body has before them is a bill, the only bill, there is no bill that's going to come back to us, and the issue is before us now. We always say that talk is cheap, well, here's thousands of letters that ask for the same thing, mandatory auto insurance. I feel that we all owe it to our...constituency and, therefore, I'll be voting Aye on this bill.

PRESIDENT:

Further discussion? Finally, Senator Jones.

SENATOR JONES:

Thank you, Mr...Mr...President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Kustra, who will be doing the random checking of motorists to see whether or not they have insurance?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

The Secretary of State's Office.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Upon...while they are making this random check, if they discover a motorist that does not have insurance, and this is back to a...a previous question, that motorist is ticketed, can that motorist drive that automobile immediately thereafter?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Jones, if...if the Secretary of State is doing the verification, they're not doing the ticketing, they are suspending that motorist's registration for two months. The ticketing comes in when the driver is stopped for another offense and the police officer asks to see proof of insurance. If there is not a card produced which shows insurance, then there is the ticketing procedure.

PRESIDENT:

Senator Jones.

SENATOR JONES:

But the motorist can proceed in the automobile and drive, am I correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Jones, even if you receive a moving violation,

you can drive your automobile.

PRESIDENT:

Senator Jones.

SENATOR JONES:

So the answer to that question then...then...rather than the way you answered it previously is that this doesn't prevent the motorist from driving their vehicle. Another question. Is there anything in this legislation that will require the insurance companies doing business in the State of Illinois to write insurance wherever?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Jones, this bill in no way mandates underwriting policies for Illinois insurance companies.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, that's get...that gets back to the crux of the problem as it relate to this legislation. Persons have talked about how great this bill is. If the Secretary of State had felt this was such a good bill, then he would not have opposed the bill going into effect...January 1, 1989 or the amendment that I put on here, July 1, 1989, which is now part of the bill. Members of this Body has talked about this issue having been around for the past sixteen years. They are right, it has been around for the last sixteen years, but what happened during the...the past sixteen years, the bill had a responsible hearing before a responsible committee. This bill was not...there was no backroom deals cut to slide the bill by the responsible legislators who serve on the Insurance Committee which looked into the depths of this problem. The Secretary of State did not want the bill and let's tell it the way it is. He didn't want the bill to go

into effect immediately simply because he knows it's not going to work. This bill is drafted similar to a bill...a law that's on...on the books in the State of Indiana, and...and...and hear this, ladies and gentlemen, that law went into effect in 1982, similar type of law that is proposed here. In two years they did a...a random check on approximately ten thousand automobiles and guess how many licenses were suspended? Just one. The issue as it relate to what is happening in other states, it's not working in other states, and let's not fool ourselves about it. By effectively moving the date up, what we're doing, in effect, is...is prove to the Secretary of State and the...saying the people of the State of Illinois that this bill is no more than a farce that's trying to give...pretend to give the people something when, in effect, we're not doing anything. A couple...a couple of our colleagues on the other side of the aisle talk about responsibility and talk about what some...one said on this side of the aisle. I think we have the responsibility as a legislative Body to ensure that the people get this product on a fair and equitable basis. It's not a question of whether or not we have mandatory insurance, but if we're going to mandate in state law that the consumer must have something, then it is our responsibility to mandate that they receive that product on a fair and equitable basis. There are many undesirable motorists out here who...who have many accidents, who...who are constantly ticketed due to speeding. They will be...required to have insurance and if they are...if they are irresponsible, if they are bad drivers now, then the risk is even greater, and if the risk is greater and insurance is based on risks, then the rates will go up and...and...on the northwest side, the southwest side, the rates will go up. But having a district that borders the City of Chicago and the...and the suburbs, I think it is unfair for my colleague in back of me, Senator Kelly, who

lives in Hazel Crest, who drives in the City of Chicago, increases the possibility of accident; my good friend, Senator Philip Rock, President of the Senate, lives in Oak Park, works in Chicago and all the motorists who come into the City of Chicago increase the possibility of accidents but, yet and still, they slide back to those little towns and villages where their rates are half that of the people who reside in the City of Chicago. Senator Raica, your rates will go up. Senator Lechowicz, your constituents' rates will go up and that's why on July 1, 1990, the people of the State of...Illinois will realize that they have been hoodwinked by the Secretary of State, if he has any political ambitions, you want to make politics out of it. But this bill does not do what the people think it's going to do, it's not going to ensure that the motorists have insurance. It's not going to ensure that they...in case they are involved in an accident that they're going to be compensated. You know it, I know it and every member of this Body know it. The responsible thing to do as a legislator is to Table this bill, Senator Kustra, and go back to the Secretary of State and tell him, don't...don't pull this hoax on the people. There is nothing in this bill to prevent those second and third rate insurance companies from going into certain sections of this state and charging any premium they so desire, charging senior citizens exorbitant...premiums to drive an automobile and to have no choice but to pay it because it's mandated by the State of Illinois. It's wrong, it's irresponsible and this bill should be defeated.

PRESIDENT:

Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President. First of all, to the question that has been raised by a number of you as to whether or not a bill like this is going to increase insurance rates for

responsible drivers. That's a very serious question. In the Committee on the Judiciary, when we discussed this bill, that question was raised. It was raised by an opponent of this bill to get, I would assume, the answer, yes, of course, insurance rates will go up and the question was asked of the State Farm assistant general consul, "Will this affect my constituents?" And the answer was, "There's nothing in the bill that will hurt your constituents," this comes out of the Peoria Journal Star, it's a direct quote. Ladies and gentlemen, if the insurance companies...one of the major insurance companies fighting this legislation doesn't think this is going to hurt your constituents when it comes to those insurance premiums, then I suggest to you, you don't have that much to worry about on that score. I also hear people predicting, as you did, Senator Luft, that insurance rates will rise. Well, you know what? In 1985, when we debated this bill, that's exactly the charge that was made by the opponents. Insurance rates will rise, and you know what? They were right, insurance rates did rise. The only problem is we didn't pass the bill. Insurance rates may rise or they may go down but you cannot stand on the Floor of this General Assembly and say that is because of mandatory automobile insurance. It didn't even pass in '85 and the rates went up anyhow. Some have suggested that we have uninsured motorist protection and that'll take care of things. Unfortunately, uninsured motorists protection does not take care of everything or everybody. It doesn't cover all pedestrians, it doesn't cover all passengers in the uninsured vehicle and it does not cover property damage done to people and to houses and fences and whatever else by those uninsured drivers. That's why we need this particular legislation. For those, Senator Jones, who think they will have a problem getting insurance, there is in the State of Illinois an assigned risk pool and they have an opportunity to go there to get their

insurance. Some have said, why rush to pass this bill? I don't know whether I'd call fourteen years a big rush, but I do think that this particular year is the year to pass this bill, because as Senator Lechowicz has said, this is a tougher bill as far as enforcement is concerned. This bill for the first time addressed the cost issue. In all the other bills there is no doubt that there was a serious cost problem. Do you want taxpayers paying for this enforcement? No. We ought to have the people who abuse the system pay for the system and that's exactly what the reinstatement fee does as far as this particular provision is concerned. And, finally, in a good faith effort to demonstrate that we want to try this out, we have put into that bill that sunset provision, December 31st, 1993. Let's give it a chance and see if it works. This bill is designed to break a very bad habit, driving uninsured. It recognizes that driving in the State of Illinois is a privilege, it's not a right, and privileges carry certain responsibilities with them and at the top of the list of privileges...responsibilities is the responsibility to insure your vehicle. With the passage and implementation of this law, should an Illinois motorist become involved in an accident, he or she can reasonably assume for the first time in this state that the other driver has insurance. This is the one issue, ladies and gentlemen...I think this sums it all up, this is the one issue I can think of on which we in the General Assembly have not reflected the views of the overwhelming majority of the people of the State of Illinois. The time has come to align our views with the preferences of our constituents, but it is absolutely critical that we do that in a responsible and an effective manner, and with this bill, I am confident we will do just that and I would solicit your Aye vote.

PRESIDENT:

The question is, shall House Bill 3900 pass. 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? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 15 Nays, none voting Present. House Bill 3900 having received the required constitutional majority is declared passed. 3910, Senator Dunn. On the Order of House Bills 3rd Reading is House Bill 3910. Read the bill.

SECRETARY:

House Bill 3910.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. This does exactly what it says in the Calendar. It would allow voluntary contributions on a permissible basis to any charitable organization which has met the requirements of the Voluntary Payroll Deductions Act of 1983, and I urge an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3910 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 55 Ayes, 1 Nay, none voting Present. House Bill 3910 having received the required constitutional majority is declared passed. 3911. On the Order of House Bills 3rd Reading is House Bill 3911. Read the bill, Madam Secretary.

SECRETARY:

House Bill 3911.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill and there's a prior one on the Calendar are a result of the need in the area of the medical screenings for things like cholesterol and diabetes to have those screenings available. There were some interpretations last year of the new Act that the Department of Public Health felt that maybe these were not allowable. They have reviewed that decision and now what has been decided is in one bill...a different bill they are extending the effective date of that Act so it will not be effective now. This bill will then cover the gap between now and that effective date. It has an effective date immediately upon being signed into law. It is the intent to allow these portable screening instruments to be used for those types of diabetes and...and cholesterol screenings in various locations and...and would allow those to continue until the new Act takes effect and then the new Act will have similar provisions. This allows us to continue those health fairs for seniors and things of that nature. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3911 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 57, the Nays are none, none voting Present. House Bill 3911 having received the required constitutional majority is declared passed. House Bill 3914, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 3914.

(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, current law requires the RTA to annually adopt a five-year program to inform the public and governmental officials of the authority's objectives and program for operations and capital development during the forthcoming five-year period. The present language in the Act provides for adoption and review of the five-year program, does not indicate with whom the program shall be filed. This bill just says that it must be filed with each and every board member, and I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3914 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 49, the Nays are 5, 1 voting Present. House Bill 3914 having received the required constitutional majority is declared passed. Page 14, 3946, Senator Philip. 3951, Senator Davidson. All right. Page 14, middle of the page, is House Bill 3951, Madam Secretary.

SECRETARY:

House Bill 3951.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar and if it doesn't pro-

duce a hundred thousand dollars, it'll go...die automatic.
I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3951 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3951 having received the required constitutional majority is declared passed. It's...it's come to the attention of the presiding officer that one of our special guest who is here today, Larry DiPrima has lost...apparently somewhere in the Chamber his past commander's pin with his diamond in it...I just...Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

A question...I'd like to know is that the five-Karat diamond pin that you lost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So...

SENATOR LECHOWICZ:

I haven't found it yet, Larry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I...the Chair inadvertently skipped over House Bill 3931. Madam Secretary, with leave of the Body, we'll go back and pick up...I beg your pardon,...wait...wait...hold on a minute...hold on a minute. (Machine cutoff)...the Order of...of House Bills 3rd Reading is House Bill 3930. Let's take that one up first, Madam Secretary, 3930. All right. Leave to do that? House bills 3rd reading, House Bill 3930, Madam Secretary.

SECRETARY:

House Bill 3930.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. House Bill 3930 as amended is exactly the same as Senate Bill 2199 was as it left this Chamber some weeks ago. It simply requires the Department of Public Aid to adopt rules regarding exceptional care and to notify the facility within fifteen days of approval or denial. I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell. All right. No discussion...discussion? If not, the question is, shall House Bill 3930 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 57, the Nays are none, none voting Present. House Bill 3930 having received the required constitutional majority is declared passed. 3931 was on the recall list this morning, Senator Maitland? All right. Let's go back to where we were. 3968. With leave of the Body, House bills 3rd reading is...is House Bill 3968, Madam Secretary.

SECRETARY:

House Bill 3968.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 3968 would require schools to report battery incidents against educational support personnel. It also

requires the community colleges to maintain mailing lists for board agendas, budgets, audits and approved minutes. And, finally, the bill as amended would require the community college boards to publish lists showing the seniority of each faculty member which is already a common practice in...would be merely codifying the procedure. This legislation is supported by the IEA and I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

I assume that we're going to cover the cost of all these things and that this is a funded mandate, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, for instance, on the mailing lists and so forth, there was a passalong provision so that the community college can actually pass the cost of the...the printing and the mailing and so forth on to whoever requests this. So there's not going to be a cost factor in that at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Who's going to pay for the publication in the newspapers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

The...the practice is going on, as I mentioned before, of publishing lists showing seniority and so forth of faculty members...you know, as far as I know, it's not in a newspaper; if it is, it's already up to...this is already a common practice and there isn't any cost factor on this. The...I don't see where it would be a cost factor from that aspect. It's merely reporting the battery of a support per-

sonnel in a school to the law enforcement agency. I don't see where it requires that it has to go into the newspaper.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I thought in the explanation there was some reference to printing a list of the seniority in a newspaper.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, that's...that is only to the bargaining representatives, not to...not to the media and so forth, to the...it's...this is a bargaining procedure which is already taking place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't know that I get particularly worked up about any of these things, but these are the kind of things...maybe there's a good reason for doing them, but if we aren't going to pay for them, you know what we're going to hear in the...in the local media about unfunded mandates. If this is such a great idea, we ought to let the school districts do it on their own. It's another unfunded mandate, and here we go again; I don't think we're going to raise taxes and send the money but here's another unfunded mandate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR KELLY:

Well, I just ask for your favorable support. This proposal...or these proposals received overwhelming support in the House, the IEA is for it. I'd ask for you to support it as well. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3968 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 39, the Nays are 16, none voting Present. House Bill 3968 having received the required constitutional majority is declared passed. 3969, Senator Woodyard...wait a minute, yeah, 3969, Madam Secretary.

SECRETARY:

House Bill 3969.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. House Bill 3969 would...would allow the Department of Commerce Community Affairs to expand their Interest Buy-down Program that they're presently doing with the Small Business Program to the Large Business Development Program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3969 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 3969 having received the required constitutional majority is declared passed. House Bill 3972. Senator Berman, let's get down to the end of the page here and then we'll go. House Bill 3972, Madam Secretary.

SECRETARY:

House Bill 3972.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a bill I'm handling on behalf of the Commissioner of Banks. Last year we passed the Illinois Banking Act and the...and the Corporate Fiduciary Act. This is a...I guess I'll call it a trailer bill that cleans up some of the problems that were created by the passage of that. I don't believe any of them are controversial and most of them are technical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3972 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3972 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3977, Madam Secretary.

SECRETARY:

House Bill 3977.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, like the last bill, this is a request from the Commissioner of Banks and Trusts. It deals with a bank's capacity to acquire and resell its own shares as treasury stock. It's a good candidate for an agreed bill list, if we had one, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 3977 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 57, the Nays are none, none voting Present. House Bill 3977 having received the required constitutional majority is declared passed. Senator Karpziel, for what purpose do you arise? Oh, the next bill. Okay, I'm sorry. House bills 3rd reading is House Bill 3982, Madam Secretary.

SECRETARY:

House Bill 3982.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3982 is, I think, noncontroversial and I don't know of any opposition but it's been pretty well loaded up with amendments. So, I think I ought to go through and explain it. The original bill authorizes DCCA to determine the eligibility of enterprise zone businesses for various tax exemptions, the utility tax and machinery tax, et cetera. DCCA presently is making these determinations but JCAR suggested that they seek...statutory authority and that's what this legislation does. As amended, it also gives DCCA the authority to administer emergency shelter grants from the federal government. It also...corrects an oversight in a bill that was passed a few years ago. That law provided that qualifying...enterprise zone businesses would be...would be exempt from paying the nine-hundredths of a percent PUF tax. That's the tax that goes directly to the ICC for its operations, and while businesses have not been paying that tax to the utilities, the law neglected to give the exemption to the utilities from paying the tax to the ICC. This closes that loophole. And,

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3rd Reading

last, this bill establishes two additional enterprise zones. As I said, I know of no opposition and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3982 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 57, the Nays are none, none voting Present. House Bill 3982 having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR VADALABENE:

We have in the rear of the gallery here the 4-H Club members of...in Madison County along with Carleen Paul, and I would like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery please rise. Welcome to Springfield. All right. 3987, is there leave to come back to that? Leave is granted. House Bill 3990, Senator Zito. House bills 3rd reading is House Bill 3990, Madam Secretary.

END OF REEL

REEL #4

SECRETARY:

(Machine cutoff)...3990.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. House Bill 3990 is really an amendment to correct an unintended result of the passage of Senate Bill 957 several years ago which is now Public Act 84-1002. That legislation provided that the liability for charges associated with returned checks or drafts shall lie exclusively with the writer of the check or the draft. The enactment of this Public Act had a severe impact on the way banks in Illinois conduct business and the recent decision of the Federal Reserve Board's regulations will further complicate matters. Because of the Public Act, the fees and charges associated with most of these checks must be absorbed by the financial institutions and we're hoping to correct that unintended problem created by this Act. The bill is supported by the Illinois Retailer Merchants' Association, Continental Bank, Illinois Bankers' Association, Illinois League of Savings Institutions, the Illinois Credit Union League, and I would urge for the passage of House Bill 3990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I...I rise to oppose House Bill 3990. As Senator Zito said,

a couple of years ago, Senate Bill 957 passed and it just said that the person who issued the check could be charged with a penalty fee. Now, we're saying that the consumers can actually be given a charge but not a business who is accepting an NSF check, only a consumer who has accepted an NSF check from someone. Now, consumers, I think, are people who have been getting hit with lots of charges that have kept on accelerating and accelerating upwards, not only for insufficient checks, but if their balance drops below a dollar amount. I've known customers that have a...five dollar overdraft that end up with a ten- or twenty-dollar service charge and it might be the only...the only overdraft they've had in twenty years. Now, in this letter that we got from the Continental Bank, and it certainly is not intended but there are fallacies contained in this letter; one thing, talking about the cost to the Continental Bank to clear checks, it indicates that it costs two million dollars...in bad check handling charges and a 1.5 million dollar returns in checks. If I'm...if my addition is right, this means to me that it costs one dollar...a little more than one dollar to clear...or the cost factor for an NSF check, and, yet, we all know that these charges are not going to be a dollar to the customers, they're going to be ten dollars on up for every one of these cost factors. Now, if you choose to have Continental Bank clear the checks, the indication of this letter is that if there is this privilege where they can't be charged, then Continental is going to be clearing all the checks. Well, I don't know what the procedures are now, but I know previously when you're clearing checks, you've got a large float factor and you can use that float factor for a lot of different purposes. In other words, your balances are up higher and you can purchase...you can buy fed. funds...different items that you can do with these funds. Now, the...it says here the community banks are supporting

this legislation. I haven't talked to the community banks, but it seems to me that if we say that a depository institution is going to be charged and that is for all NSF checks, why would you be favoring a system that would require that you be...charged with...with...charges on NSF checks if you're a depository bank? That doesn't make sense. And also it indicates here that retail oriented community banks...this provision is of particular interest to retail oriented community banks. Well, if it's a retail banking...a bank that has a lot of retail customers, then it's...it's not true because these retailers and these businesses cannot be charged. It will only be the individuals. I don't know. Senator Zito has always been a very strong advocate for the consumers, for the little guy. I happen to think this is a big...business item and I...I just feel that it's not in the interest of the consumers and it's only going to be an extra burden for a lot of innocent people that aren't even aware of what's taking place and I will oppose this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

What is an NSF check?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

SF or IN?

SENATOR HALL:

Beg pardon?

SENATOR ZITO:

What...could you repeat the question?

SENATOR HALL:

NSF check.

SENATOR ZITO:

Nonsufficient funds.

SENATOR HALL:

That's what?

SENATOR ZITO:

Nonsufficient funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Also, is...does this just apply to Continental Bank?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

No, it would...no, it doesn't, Senator Hall. It would apply to any financial institution that accepts checks from other...smaller financial institutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I may not...or...who does this really help outside the bank? Who does it help? Does it do anything for the consumers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

No, and that...I'm a little concerned in Senator Kelly's comments because we haven't addressed the consumer issue at all since Senate Bill 957 two years ago. We have left that legislation intact. Let me succinctly explain what this bill does. It doesn't have anything to do with an individual cashing a bad check. What it says is the larger

clearinghouses, such as Continental, that accept checks from smaller financial institutions, if that...they can then go after the smaller financial institution to charge them as well as the issuer of the NSF check. We haven't changed that provision with the consumer at all. All we're allowing for is larger financial institutions to in addition to charging or going after that individual that may have issued a bad check, we're also saying that if a smaller bank knowingly accepts an NSF check that a larger clearinghouse can, in fact, go after that financial institution. That's all the bill does and if the industry who I thought would be in opposition to this is in support of this, then I...I don't see what our opposition is here today on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...further discussion? Senator Keats.

SENATOR KEATS:

I rise in support of Senator Zito's position. He has explained the bill well in terms of allowing the clearing institutions to charge people who have given them bad checks. What I stress again is...is some people are...are saying, well, Senator Zito, why are you doing this? Senator Zito is not doing it. The Legislature did that, as he said, with...with Senate Bill 957 that passed. Senator Zito and I were two of about ten people who opposed that bill originally. So, if you're saying what the Legislature did in a vote of about 48 to 10 or something a year or two ago, if you're disagreeing with that, remember, that was a choice you made. What this is now trying to do is even off the law a little bit. Now, the Legislature has not chosen to go back on that decision and I can understand why, it's a somewhat logical decision. What we're saying is, don't feel this is a new problem being presented on consumers. It's not at all. This is clarifying a law the Legislature passed and at least allowing some of those who are responsible for sending bad

checks to be charged for it, other depository institutions or some individuals. If you'd like to do more, someone introduce a bill to do that, but I think you'll discover that program will go nowhere. I would rise in support of Senator Zito. This is a fairly technical bill and it takes a little bit of time to grasp it, but this plain and simple fact is, we chose to do this, now this is simply cleaning up something we did a year or two ago and I would ask you to support his position.

PRESIDENT:

Further discussion? Any further discussion? Senator Zito may close.

SENATOR ZITO:

Well, Senator Keats, thank you for further explaining that. I...I really don't know what the opposition is. We...if...if you had opposition to the theory of this, it should have been voiced on Senate Bill 957. This is to allow financial institutions in Illinois certainly that act as clearinghouses to be able to go out and...and recoup some of those losses by other smaller financial institutions that are giving them bad checks. I...I really know of no organized opposition and would ask for passage of House Bill 3990.

PRESIDENT:

Question is, shall House Bill 3990 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, the Ayes are 44, the Nays are 8, 1 voting Present. House Bill 3990 having received the required constitutional majority is declared passed. Bottom of page 14, Senator Karpel. On the Order of House Bills 3rd Reading is House Bill 3998. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 3998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3998 is a very simple bill. It provides that the foster...that a foster child's close relative shall be the preferred care provider and that DCFS must justify reasons for placing the child elsewhere. The bill came out of the House 112 to 2 and it came out of committee on the agreed bill list, and I ask for your Aye vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 3998 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, the Ayes are 54, the Nays are none, none voting Present. House Bill 3998 having received the required constitutional majority is declared passed. Senator Brookins, for what purpose do you arise, sir?

SENATOR BROOKINS:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR BROOKINS:

In the gallery, on the Democratic side, is Reverend and Mrs. Rucker and young...Mrs. Rucker, constituents from my district. Reverend Rucker has been the recipient of one of our resolutions for the Rucker Foundation. Reverend Rucker also is back with us after a major heart operation and is back active and a credit to our community. Reverend Rucker

also serves as my campaign manager and I'd like the Senate to welcome Reverend Rucker.

PRESIDENT:

Reverend, please stand and be recognized...Mrs. Rucker, welcome to Springfield. 4005, Senator Watson. Recall...it's on the recall...4006, Senator Topinka. Top of page 15, on the Order of House Bills 3rd Reading is House Bill 4006. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 4006.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is a DCFS bill and it amends the Act...creating the Department of Children and Family Services to provide that DCFS conduct home studies, investigations and supervised visitation under the Marriage and Dissolution of Marriage Act or the Adoption Act only if DCFS is directed by the court to perform such services and the court has ordered the involved parties to reimburse the department or has determined that neither party is financially able to pay. The state might be able to save some money on this. There is no opposition. I would encourage your support.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 4006 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 57 Ayes, no Nays, none voting Present. House Bill 4006 having received the required constitutional majority is declared passed. 4009 is on the

HB 4014
3rd reading

recall. 4011. On the Order of House Bills 3rd Reading is House Bill 4011. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 4011.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate...House Bill...4011 recodifies the Illinois Emergency Services and Disaster Agency Authorities and...renames it to...Illinois Emergency Services Agency, and I urge a favorable consideration, and I'm open for questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 4011 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 57 Ayes, no Nays, none voting Present. House Bill 4011 having received the required constitutional majority is declared passed. Senator Berman, 4014. On the Order of House Bills 3rd Reading is House Bill 4014. Read the bill, Madam Secretary, please.

SECRETARY:

House Bill 4014.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, thank you, Mr. President. House Bill 4014 deals with the Asbestos Abatement Authority. What it does is to

add the director of Department of Insurance and Department of Labor to the membership of...and shifts the chairmanship from the Attorney General to the executive director of the Capital Development Board. I solicit your Aye vote.

PRESIDENT:

Discussion? Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Yes, thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Senator Berman, I...I was in a committee meeting a couple of years ago or three years ago whenever it was when the AG made quite a...quite a stand on...on his desire to be the...the leader here, the front-runner, the person who is going to be in control of this issue and I'm...I'm just wondering why after this period of time he's elected now to back away from that responsibility?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I think it's not a backing away, it's a difference of...the procedures that are involved at this stage of the authority. It was established to provide a management structure and orderly procedures to determine the presence and condition of asbestos in state buildings. It was established because of the Attorney General's leadership, as you've indicated, on that issue. At the present time, however, the authority is completing their inspections, soon will be contracting for removal of asbestos from several state buildings. These projects should be overseen by engineers, architects and building construction people. That's a better description of Capital Development Board expertise than of the Attorney General's and that's the reason for the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Why...why, Senator Berman, should it be CDB? What's the...what's the rationale?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

All right, let me just repeat that the inspections and the contracting for removal of the asbestos will involve engineers, architects, building construction people. That's why it's CDB, that's their business.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, okay, but...only to say, you know, again, Senator Berman, we made quite a stand and a lot of publicity on this issue three or four years ago and it would seem to me appropriate that the...that the AG stay at the helm of this and...and I guess I would reject the notion.

PRESIDENT:

Further discussion? Is there any further discussion? If not, the question is, shall House Bill 4014 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, 1 voting Present. House Bill 4014 having received the required constitutional majority is declared passed. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, Mr. President. To verify the affirmative roll call, sir.

PRESIDENT:

That request is in order. Senator Maitland has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative vote.

SECRETARY:

The following members voted in the affirmative: Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT:

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

SENATOR MAITLAND:

Senator Severns.

PRESIDENT:

Senator Severns on the Floor? Senator Severns on the Floor? Strike her name, Madam Secretary.

SENATOR MAITLAND:

That's it.

PRESIDENT:

All right, the roll has been verified. On that question, there are 29 Ayes, 27 Nays, 1 voting Present. Sponsor requests that further consideration be postponed. So ordered. 4028, Senator Topinka. On the Order of House Bills 3rd Reading is House Bill 4028...no...read the bill, Madam Secretary, please.

SECRETARY:

(Machine cutoff)...4028.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, this would allow the Civil Administrative Code to be amended to provide that the Governor would be able to appoint the Rehabilitation Services Advisory Council's chairperson for the Independent Living Advisory Council. It also makes technical changes to the Independent Living Advisory Council because of, apparently, some contradictory language that is currently in existence. We know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4028 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 57, the Nays are none, none voting Present. House Bill 4028 having received the constitutional majority is declared passed. House Bill 4033, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4033.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, that bill does just that. It provides that state agencies may consider recycling...before throwing out an...an item and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4033 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 57, the Nays are none, none voting

HB 4035
3rd Reading

Present. House Bill 4033 having received the constitutional majority is declared passed. House Bill 4035, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill...sorry, Senator Maitland.

SENATOR MAITLAND:

Fine, roll it...no...no...no. Thank...thank you, very much, Mr. President. I...I recognize the urge to move things along here. House Bill 4035 does a number of things including what was just read and let me mention to you a...a major...a major component of...of that bill and it is a fees bill. It increases substantially the fees on each one of this state's thirteen nuclear reactors. You may recall that a year ago we passed a rather substantial increase in the fees on those...those reactors and said at that time that that amount probably would not be enough and, indeed, it is not. So, this legislation, in addition to a number of other things, does increase in 1989 the fees from three hundred and twenty-five thousand dollars on each reactor...in January of '89 by another hundred and sixty-two thousand and by...and in April of...of that same year, a hundred and sixty-two thousand five hundred for a total of...slightly over nine hundred thousand dollars, I believe. That is agreed upon, Mr. President, by...by all the utilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HAWKINSON:

Senator, would you explain this scholarship program and...and why we're...we're creating this new fifty thousand dollar scholarship program and...and why the preference to residents of...of any certain area?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator Hawkinson. We are really giving priority to students in those areas where...where there are reactors and...and good students...where the low-level waste site is, I mean, who...who aspire to that profession.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR HALL:

Senator Maitland, does this require local approval?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR TOM DUNN:

What is the form of local...or local approval?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

It's...it's the local governmental body of jurisdiction, Senator Dunn, can be either...either the municipality, as I understand it, or the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

Who...who pays for this? Does this nine hundred thousand dollars come out of the profits of the utility or does it come out of the rates?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, I...I...it's my understanding, Senator Dunn, that it will be, obviously, figured as an expense against the generator and would...would...would be a part of the rate base.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR TOM DUNN:

The...it would then be passed on to the ratepayers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That...that is correct, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 4035 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, none voting

*NB 4037
3rd Reading*

Present. House Bill 4035 having received the constitutional majority is declared passed. House Bill 4037, Senator Topinka. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. If I might, on a point of personal privilege, and I believe it is the first one I have ever requested.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NETSCH:

You may look up in the balcony there and you will see the members of Jessie White's...Representative Jessie White's tumbling team and dance team. They are a group well known to me because I share the legislative district with Representative White and they have performed countless times for community groups and block parties and everyone else in our area. In addition, they perform for...they've had sixty performances this year for professional teams and altogether about five hundred and sixty performances. They are age six to twenty-six. There's seventy-five of them. They've done commercials for Coca-Cola and they're going to be on "Sixty Minutes" this fall which is more than any of the rest of us can say and for which most of us would give our right and left arms. They are marvelous. They are extremely talented and if you did not get to see them at noon, come back to our district sometime and we would be delighted to have them give you a special performance. In the meantime, if Representative White and the tumbling team would...would be acknowledged by all of us. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. House Bill 4037. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4037.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would like to call your attention to this very simple little bill, because although it doesn't sound like much, it could ultimately be the linchpin of whether or not this Assembly will pass out a much bigger, broader and more expansive bill that Senator Schaffer is carrying on welfare reform. Right now, all this bill does is it requires...applicants for public assistance to submit a certified copy of a birth certificate or other reliable proof of identity and age for each family member under eighteen years of age. Now, that's basically not too exciting and, hopefully, it will go over to the House where it's going to be put into a conference committee. When it comes back to us, hopefully, it will now carry in conference committee form an agreement between management and labor to be able to decide on the cost of processing wage garnishments that would be involved...that would be taken out of people's incomes for child support. It is something that is absolutely intrinsic to the welfare reform package; in fact, if we pass this out now, within fifteen minutes, labor, management, public aid go back into conferences. If we don't pass this out, there will be no vehicle out there to achieve this. So, on that basis, I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...she will.

SENATOR HALL:

Senator, you said a birth certificate or others. What...what others?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

A birth certificate or a reliable proof of each family member under the...under eighteen years of age. I don't know if I said others, it may have been my dialect, but it's all people under eighteen years of age who are receiving public assistance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, a lot of times, many people have...that needs assistance...they're not...have a birth certificate. The only thing that I'm concerned about is that when you're seeking that...when you're saying that, I just wanted to...what would be acceptable? A baptismal certificate or...could it be specified more so we exactly know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Topinka.

SENATOR TOPINKA:

Yes, sir, that would be suitable. Other reliable proof is acceptable...it's...it's basically what the department is now doing and working with, it just codifies it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of this piece of legislation. This legislation came through our committee and I am a hyphenated sponsor on it. I understand that when this goes into committee...conference committee, that labor and busi-

ness is still negotiating and I'm hoping and praying that when they get through that we will have something meaningful because...on the fees that are charged to employees, I want to get more definite answers on that. So, in other words, I do support the legislation as it is of now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I rise in opposition to the procedure simply because that side of the aisle and also this side of the aisle has repeatedly killed legislation and bills that...that many of us have been working on that have tried to go through this process in the form of a shell bill for...while we were trying to work out agreements on the various issues, and it has been objected to by this side of the aisle as well as the other side of the aisle. So, I think we ought to be consistent in whatever it is that we do and it...and...and I've always heard that's what's fair for the goose is...is also fair for the gander; therefore, I'm opposed to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR BROOKINS:

So nice of her. Senator Topinka, you indicated in this bill...is this the bill that will automatically take funds from recipients' checks?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

No, it is not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

You indicated that this is a shell bill that will go back to the House and that language will be placed in this bill if...if a certain bill goes down?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

No, I did not. I'm not indicating it is a shell bill. I'm saying right now this codifies a policy that...that the Department of Public Aid is doing for suitable proof of family members under eighteen years of age. That's what it does. Hopefully, because of the ongoing negotiations between business and labor to come up with a suitable amount of money that they can agree to on what it will cost to process garnishments on monies that are necessary for child support, that, hopefully, is what will come back to us and at that time, you can vote a conference committee up or down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Brookins.

SENATOR BROOKINS:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in opposition to this bill. I...I'd like to...a lot of you have received mail about House Bill 2862 which is going to be the substantive bill which is going to provide for the bricking of checks for a lot of working men and women even though they've never missed a child support payment in their life and it...it...that...I won't debate that bill right now, except

to say that this gives us one more opportunity to kill that bill because if we defeat this vehicle, there'll be no way to fund it. That funding is going to be the imposition of charges, as Senator Brookins and others have indicated, that's going to be taken away from the recipients. You're going to be talking in that bill about possibility of six transactions for every small employer in this state. You've received correspondence from the business groups against that bill and I would suggest that we finish it right here by defeating this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I rise in support of the bill. As the principal sponsor of the major bill, 2862, I guess you might expect me to. Those of you who had been receiving mail on the major bill are aware of the fact that the principal difugalty thus far isn't that anybody here thinks that people who owe child support shouldn't pay it, it's just what is a reasonable fee to reimburse the business community for those legitimate costs that they will incur in the enforcement of 2862? We did not wish to see that bill get tied up or bogged down and the compromise worked out between the business interest and the labor interest was to use the particular bill as a vehicle for that eventual compromise, and I might say that the business and labor conferees on that issue are meeting in a matter of minutes and they aren't that far apart. I believe they can work out a reasonable and responsible compromise that will put virtually everybody on board 2862, but we do need the opportunity to keep those negotiations going, and for that reason, I rise in very solid support of House Bill...4037 so that we can lay the groundwork that's needed to come up with a...the reform...welfare reform bill of this Session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. To...to the bill as amended, I...will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JACOBS:

Are you then stating, Senator, that...that if this is passed, we still will have the opportunity to decide on 2862 and not be end runned on this issue? Because unlike...Senator has indicated, I have a few problems in addition to the dollars. So, I guess that's something that we'll still have the opportunity to address. I...I don't want to get in anybody's way if we still have movement on 2862. If we don't have...any movement on 2862, then I would also vote No on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

2862 has yet to come up on the Calendar and to stand on its own merits. This bill ultimately will take care of the...the garnishment provisions cost of doing business so that, indeed, that aspect of it could be covered. It is definitely a trailer bill to the main bill. This is in the second ring, not the first ring.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

I'm sorry,...but I don't see it that way and...and...and I guess what I'm asking, is there any movement on 2862? If there is not...any way to move on 2862, if not, then I'm a definite No and...and everybody looks confused but I do...for one, as a example...if we want to address the issue, I guess,

is I, for one, do not want a day one garnishment of wages, period, for someone who is innocent, and if I am voting for that by voting for this amendment, then I'm saying I'm in opposition. I'm just asking...verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR TOPINKA:

Well, yes, Mr. President and Ladies and Gentlemen of the Senate, if, indeed, we are going to try and get child support to the children, and there are many out there who are not receiving this and are living very, very shabby lives because of it, this bill is intrinsic to the larger bill that Senator Schaffer will be carrying shortly which comes up on our Calendar. If we don't move this bill and allow for some time for business and industry...or for business and labor to come together so...and...and they're not too far apart now, to come together and put the cost of that garnishment in order, in effect, we'll be shooting ourselves in the foot and the kids will still be out there underfed, underclothed, underprovided for. So, I would ask for the support on this particular measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 4037 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 6, none voting Present. House Bill 4037 having received the constitutional majority is declared passed. House Bill 4039, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4039.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. House Bill 4039 creates the Pollution Control Board Fund. That...that board has been plagued with financial difficulties for...for a number of years, that's no secret, I guess, and this would...would allow the Pollution Control Board to begin charging a seventy-five dollar filing fee for various services. I would be happy to respond to any of your questions. If not, would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Maitland, I would assume that the Pollution Control Board is the one encouraging this bill and I would like to ask you, just how much money are they trying to get from the General Assembly this year? There's just been an amendment proposed in the House to give them four hundred thousand dollars on a bill we passed out of here and I'd...I'd like to know how much money do these people want?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, without a little checking, I...I guess I...I can't answer directly your question. I can only tell you that the...the money that they hope to raise from these fees is about a hundred and thirty-eight thousand dollars. I...I can't tell you though the answer to the other part of the question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, do you think you could get them to say just how much money they want because they're trying to get four hundred thousand dollars on one of my bills in the House and now they're here trying to get a hundred and thirty-five thousand dollars and they're trying to discombobulate the entire way of funding environmental programs in the state, and I think that somebody should find out just what they're up to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall House Bill 4039 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 1, none voting Present. House Bill 4039 having received the constitutional majority is declared passed. House Bill 4045, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 4045 does just exactly as the Calendar states. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? If not, the question is, shall House Bill 4045 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 57, the Nays are none, none voting Present. House Bill

4045 having received the constitutional majority is declared passed. House Bill 4052, Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4052.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 4052 makes several technical clarifying changes with the amendment. It extends the beaver trapping season from the end of February to the end of March. I know of no opposition to any of this and I would ask your favorable consideration and be...try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? If not, the question is, shall House Bill 4052 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 57, the Nays are none, none voting Present. House Bill 4052 having received the constitutional majority is declared passed. House Bill 4053, Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4053.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Madigan.

SENATOR MADIGAN:

...thank you, Mr. President. House Bill 4053 is a clean-up bill to Senate Bill 1228 passed last year and I'll

be glad to try to answer any questions. I know of no opposition and would ask favorable consideration of the measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4053 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 58, the Nays are none, none voting Present. House Bill 4053 having received the constitutional majority is declared passed. House Bill 4063, Senator Berman. House Bill 4068, Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4068.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Bistate is a compact between Missouri and Illinois. This is a bus line that runs between both states. What happens is that the Governor makes the appointments of each state and they have to coincide with each other. So, what happens is, there are five commissioners appointed by the Governor of Missouri and five commissioners appointed by the Governor of Illinois, and so what will happen is that we're simply saying that no more than three of them could be of one political party, and if the Senate is not in Session at the time for making any appointments, the Governor shall make a temporary appointment as in case of a vacancy. All commissioners so appointed will be qualified voters of the State of Illinois and shall reside within the Bistate Development District established by the...compact. No more than three

commissioners shall be of the same political party. And I ask for your most favorable support of this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I really hate to stand up and oppose my good friend, Senator Hall, but I have several questions about this. First of all, this...did you say this is...runs the bus line between the two?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, the bus line is...it operates the airport, it operates the train and the arch and it's anything that moves in rail or bus lines and things, that's what Bistate operates. It's a compact between both states and both states must do the same thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Well, I fail to see why a board that...that runs this kind of an operation dealing with transportation has anything to do with political parties and I'd like to know why the Senator wants to change this board from just five appointed members to a board that is broken up into political parties?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, what happens is a request has come from both Democrats and Republicans, Senator. It's...the thing is, it just makes it equally fair for either...either one. It's operating. We have...we have sometimes have had problems, but it's been operating, but I...it doesn't give either side any...except that maybe if the Governor is of one particular

party. We're not trying to get away from the Governor making appointments, we have that on many boards around here. If you serve on the Executive Appointment Committee, there's many here that where more than...in this state that no more than a certain percentage should be of one political party and that's the only reason that we're asking for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator, is the board in Missouri also made up of this way of...of a breakdown between political parties or are they just all appointed and...and not being concerned with political parties?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

To make it effective, if either state fails to do what the other, it's not...it's....it's just mute. In other words, both states must have the same amount of people, the Governor of both states appoints them, they're governed by same laws of each, and if the other state doesn't do the other thing...the State of Missouri has...we got correspondence from them saying that they were moving towards that direction and they want us to move towards that direction. If neither state does it, then it's...there's no really any action we take here is mute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel.

SENATOR KARPIEL:

Well, to the bill, Mr. President. In committee, I believe the sponsor did suggest that the State of Missouri has already done this and so it would be incumbent upon us to do so. I...we have learned, of course, that they have not. I don't know whether they're working in that direction,

but...we're opposed to this procedure. I don't see any purpose in it. I don't really...I...I think there may be personalities involved and, obviously, we're not going to get to the bottom of this. I think we should just leave it the way it is right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask Senator Hall a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Senator Hall, you referred to in your comments that the other political party, I guess the Republicans, are supporting this proposal and I'd like to know who that Republican is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, my understanding is that it...that they sat down and they felt the only fair way to do this...and I don't have the exact person. In other words, all that I'm trying to do is to...Missouri says that they're following this and Illinois will have to do likewise if we're going to have the compact. Representative McPike handled this in the House and some others and it's just to bring it so they will coincide. I don't actually have the name of the person who did it, Senator. It affects your area, Senator Vadalabene's area and my area and all that it's trying to do is to see if it's fair, that's all we're trying to do. I don't...have the person per se...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR HALL:

...and when I'm...pardon me, and I'd like to say too that my understanding is that Missouri is moving legislation the same way. I...I don't know whether it's been completed or not. I really haven't checked.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I...I would like to have clarification of that because from what we understand is they're not and they...there is no proposal before the Missouri General Assembly at this time to do this, and I also understand from the political leaders of my particular party in the region...they're not supporting this concept at all, so I think we ought to get some facts straight here and...and at least understand what we're doing, at least I'm going to oppose this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I just was going to remind the Body that other...downstate mass transit districts have the same appointment procedures, so, you know, if it's good for Champaign-Urbana Mass Transit Districts, Springfield, et cetera, I see no reason why it shouldn't be fair for the Bistate Districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yeah, presently the members of the...Illinois members of the Bistate Commissioners are appointed by the Governor who's in power. The appointments right now are made by Governor Thompson with the advice and consent of the Senate. There is some belief that since the Governor has been in power for twelve years that there's a possibility that the members are

there too long, and so a coalition was determined to make it three and two for the party who's in power. Now, I believe this is the crux of this legislation. I happened to be at that meeting along with Senator Hall and others, and I believe Senator Watson was there too, in changing the format on which the Bistate Commissioners are selected and it was thought at that time by those proponents to get some Democrats on the board since it was the option of the Governor to make these appointments. So, you can make your own determination. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Now what has happened is that Senator Sam has told you what has gone on down through the years. Frankly, I did not know whether that there were any...of the five, I don't know whether they're all five Republicans or not. It was...it's just so much that goes on around here you forget half the time. The only thing we said, if there were so, then we ought to have it like we have it so many other places that only so...certain percentage of them would be of one political party. It doesn't...the Governor is still going to make the appointment and the Senate has to advise and consent to it, so there's still a...a handle on it. So, I'd just ask for your most favorable support of this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 4068 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, none voting Present. House Bill 4068 having received the constitutional majority is declared passed. For what purpose

Senator Karpziel arise?

SENATOR KARPIEL:

Verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the affirmative vote has been requested. Will all the members please be in their seats. A verification has been requested. Will all the members please be in their seats. Mr. Secretary, will you call the affirmative roll.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Ralph Dunn, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpziel, do you question any of the affirmative vote?

SENATOR KARPIEL:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator...Lechowicz on the Floor? Senator Lechowicz. Senator Lechowicz on the Floor? Strike his name from the record. Any further...

SENATOR KARPIEL:

Yeah, Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Berman on the Floor? Senator Berman. He's in the back of the Chambers.

SENATOR KARPIEL:

Senator Ralph Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Ralph Dunn on the Floor? Senator Dunn.

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3rd Reading

Strike his name from the record.

SENATOR KARPIEL:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce on the Floor? Senator Joyce.

Strike his name from the record.

SENATOR KARPIEL:

That's it. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall seeks leave of the Body to have further consideration on House Bill 4068 postponed. On a verified roll call, we have 28 Yeas, 25 Nays, none voting Present. On Senator Hall's motion, all those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Postponed consideration. House Bill 4075, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4075 creates a pilot project allowing facilities that are randomly selected by the Department of Public Health to have a department accept their most recent Joint Committee on...on Accreditation of Health Care Organizations in lieu of the department's annual inspection. Department of Public Health must review the joint committee's survey findings and take appropriate action on any violations requiring immediate correction. A report on the pilot project is due November...November 1st, 1990, and I would hope...would be available for any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4075 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 4075 having received the constitutional majority is declared passed. House Bill 4091, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4091.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill enjoys bipartisan sponsorship with Senators Poshard, Luft and Severns, and what it does is amends the Public Utility Act and Income Tax Act, Retailers' Occupation Act to require...to remove the requirement that high impact businesses be located in federally designated foreign trade zones and allow them some of the same benefits of businesses in state enterprise zones. I move for its favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4091 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 54, the Nays are none, none voting Present. House Bill 4091 having received the constitutional majority is declared passed. House Bill 4094, Senator Poshard. House Bill 4096, Senator Woodyard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4096.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. House Bill 4096 contains two parts. The first part of the bill was requested by the community college boards and it simply codifies the fact that the student trustees would not be prohibited from student employment as a student trustee or entering into contracts with community colleges. The second part of the bill was also requested by the Community College Boards and Trustees Association and it changes the formula in the context that if we should have by the end of Session passed some kind of tax increase, it would allow the community college system to opt into the higher rates recommended by the Board of Higher Education. So, that's what the bill does. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4096 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 57, the Nays are none, 1 voting Present. House Bill 4096 having received the constitutional majority is declared passed. House Bill 4113, Senator O'Daniel. Read the bill, Mr. Secretary. It's on recall...it's on recall. I'm sorry, Senator...Senate Bill...or House Bill 4145, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4145.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. House Bill 4145 does two things. The...DCCA currently provides awards to corridor councils and this bill would require the corridor councils to provide matching funds or in-kind contributions. They're currently doing that now; however, JCAR required...or suggested rather than do it by rule, they do it by Statute and that's the...the reason for the bill. The second part is that...that the recipients of these awards may use now five percent as opposed to three percent of the funding for administrative purposes. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4145 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 58, the Nays are none, none voting Present. House Bill 4145 having received the constitutional majority is declared passed. House Bill 4154, Senator O'Daniel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4154.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, House Bill 4154 as amended transfers numerous functions and responsibilities not relating to coal mining from the State Mining Board to

the Department of Mines and Minerals. Consti-
tutes...reconstitutes the Oil and Gas Board and changes the
manner that...terms of appointment of its members. The
amendments merely make clarifying and technical changes. If
anyone has any questions, I'll attempt to answer them; if
not, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall
House Bill 4154 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 58, the Nays are none, none voting
Present. House Bill 4154 having received the constitutional
majority is declared passed. House Bill 4171, Senator
DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. During the course of an audit
by the Legislative Audit Commission, it was determined that
the Department of Public Health in some instances was acting
without authority; in some instances, not fulfilling its
responsibilities and, in some instances, not charging enough
for what it was doing. So, House Bill 4171 attempts to
rectify those particular conclusions by the Audit Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall
House Bill 4171 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

*HB 4172
3rd reading*

question, the Ayes are 58, the Nays are none, none voting Present. House Bill 4171 having received the constitutional majority is declared passed. House Bill 4172, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4172.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. House Bill 4172 does pretty much what it says on the Calendar. Simply codifies the department's practice of using contractual...employees as hearing officers in the administrative...review proceedings. I would move for its...ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4172 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 58, the Nays are none, none voting Present. House Bill 4172 having received the constitutional majority is declared passed. House Bill 4174, Senator Madigan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4174.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. House Bill 4174 is brought forth as a...at the request of the Department of Public Aid.

It amends the Illinois Health Finance Reform Act to bring that Act into compliance with federal legislation passed in 1987. I know of no opposition to this bill and I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4174 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 58, the Nays are none, none voting Present. House Bill 4174 having received the constitutional majority is declared passed. House Bill 4179, Senator Marovitz. House Bill 4180, Senator Demuzio. House Bill 4191, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 4191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. You may recall, last June we passed the All-terrain Vehicle Safety Act, and when that bill was debated on the Floor, there was a limited amount of opposition; in fact, there was no opposition at all when the bill was discussed. Only after we passed it and it became law that the opposition arose, and those of you who live in a rural area that has a lot of owners of this know what I'm talking about. There was a considerable letter writing campaign with a lot of opposition to the language of the legislation. What we want to do here is simply delay by one year...delay from October 1st, 1988, that would be this year, the implementation of the Act, we want to delay it one year to October 1st of 1989, so that we can meet with the various

groups and discuss the objections and, hopefully, come up with some language that would be agreeable to...to all parties involved. I'll be glad to answer any questions; otherwise, I appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Watson's bill. There's been considerable controversy over the enactment of this law. The ATV riders have felt that they were not adequately informed in advance of all of the parts of the law. Department of Transportation does not currently have the money to cover the training that's needed nor have they really...the Department of Conservation have they decided how to enforce the law, and a lot of the individual farmers that this applies to own ATV's have felt that this has been an invasion of their rights. So, all these things need to be studied for a while longer and all we're asking for here is just a one-year extension to give us the time to get the thing in order and I would ask for favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4191 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 2, none voting Present. House Bill 4191 having received the constitutional majority is declared passed. For what purpose Senator Dunn arise?

SENATOR RALPH DUNN:

A matter of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR RALPH DUNN:

I have a group in the gallery behind me here from Marissa, Illinois. It the...Freeden's United Church of Christ and their Pastor, Reverend John Austin, and a bunch of young people and their parents. I'd like for the Body to welcome them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. House Bill 4212, Senator Jacobs. Read the bill, Mr. Secretary...Madam Secretary.

SECRETARY:

House Bill 4212.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this bill basically just allows the not-for-profits to come into line with the for-profit agencies in regards to statutorily set fees and requires corporations to be registered with the Department of Financial Institution. Ask for its support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4212 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 58, the Nays are none, none voting Present. House Bill 4212 having received the constitutional majority is declared passed. House Bill 4233, Senator Holmberg. Read the bill,...Madam Secretary.

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END OF REEL

HB 4234
3rd Reading

REEL #5

SECRETARY:

House Bill 4233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 4233 is from the Illinois Scholarship Commission. It removes an eight percent interest ceiling which is payable on bonds issued by ISSC thus allowing for the sale of taxable bonds and also makes all such bonds exempt from most Illinois taxes. By removing the current eight percent ceiling on interest that is payable to investors of bonds sold by the Illinois State Scholarship Commission, taxable bonds can be offered for sale. Currently, it's being...the ISSC finances the Illinois Designated Account Purchase Program through the sale of tax exempt bonds which are becoming less desirable. This bill will allow flexibility in the market by allowing the sale of both types of bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4233 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 58, the Nays are none, none voting Present. House Bill 4233 having received the constitutional majority is declared passed. House Bill 4234, Senator Holmberg. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4234.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 4234 is the...companion bill from the Illinois State Scholarship Commission and eliminates the formula that they've been using...to determine the number of loans that each lender can sell. It also eliminates the rules and regs related to the formula. Currently, the Illinois State Scholarship Commission has in place an antiquated formula which determines the number of student guaranteed loans a bank may make. The formula is based upon loan activity...a number of loans made in the bank's past history. Because federal regulations have changed the student loan program by severely restricting student loans, the banks can no longer reach certain thresholds established in the formula, and it will...the formula now will be eliminated in 4234 and will allow banks to participate in all levels of the student loan programs enabling more of our students to go to college.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4234 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 58, the Nays are none, none voting Present. House Bill 4234 having received the constitutional majority is declared passed. House Bill 4256, Senator Netsch. House Bill 4269, Senator Lechowicz. Read the bill, Mr...Madam Secretary.

SECRETARY:

House Bill 4269.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...4269...the purpose of this legislation is to allow the Department of Veteran Affairs to pay educational opportunities to children of certain veterans of a hundred percent service connected disabilities rated by the Federal Veterans' Administration who have served in the military after May 7, 1975, and have incurred injuries during their individual service rendering them in...one hundred percent service connected with Federal Veterans' Administration. It also allows for the children of veterans who served after May 7th, 1975, on active duty with the armed services and who lost their lives in service to receive this benefit. The approximate cost of four thousand dollars in the 1987-1988 budget. I know of no opposition to this bill. I strongly recommend it for your consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4269 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 58, the Nays are none, none voting Present. House Bill 4269 having received the constitutional majority is declared passed. House Bill 4277, Senator Topinka. Read the bill, Madam Secretary.

SECRETARY:

House Bill 4277.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 4280
3rd Reading

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this would allow the Technical Task Force on Community Mental Health services to be amended so that its deadline, which is now May 1st, 1988, would be extended to December 1st, 1988, to give a bit more time on this very complex issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 4277 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 4277 having received the constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 3rd reading is House Bill 4280, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 4280.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. House Bill 4280 establishes a toxic waste strike force within the Department of the State Police to investigate criminal violations of the...Environmental Protection Act. Only two days ago, the Chicago Tribune in a front page story reported that Illinois ranks second in the nation last year in the number of accidents in which hazardous chemicals were spilled. There were four hundred and sixty-one hazardous

material accidents in the state last year where a forty-seven percent increase from 1986. Illinois had the third highest injury rate from toxic related accidents in the entire nation last year. Often inexperienced individuals handling the accidents increases the potential for disaster. Illinois has excellent laws concerning the criminal violations of the environmental laws but weak enforcement of those laws. HB 4280 would provide that the strike force be specifically trained to investigate criminal environmental violations and assist prosecutors. Fines collected by the strike force would more than pay for the cost incurred by the strike force. The Illinois State Police are in favor of this bill. I know of no known opposition and I urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Dudycz.

SENATOR DUDY CZ:

Senator Severns, I think it's a very good idea but could you please clarify for me how we are going to pay for this strike force?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

The Department of State Police has estimated that it would cost 1.3 million dollars. They currently have within their department a strike force...I don't know...I don't recall the exact name of it, but a task force for...hazardous materials. They're talking about using existing individuals within the department, not adding new individuals, but experience from other states that have established such strike forces...if it provides any indication, has shown that

the fines collected by those strike forces more than pay for any cost incurred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

So, you're saying that we will not be having new dollars for this, we will be using existing revenues from the...from the state budget...from the department's budget? Is this a...this...clarify me. Are...are...are you saying that there is an existing strike force now that they're going to be using the personnel from another strike force and...and putting it towards the toxic waste?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

The Department of State Police supports this bill and that's why I probably thought that you'd want to be a cosponsor. It's a bill that will more than pay for itself from the fines collected. If...if past experience has...has proven well in other states and has proven any indication for the State of Illinois, we will be able to more than pay for this out of existing revenues and no new GRF funds will be necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates...

SENATOR FAWELL:

Can you tell me, are there any start-up costs on this and if so, where are we going to get them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

*NB H282
3rd Reading*

SENATOR SEVERNS:

Thank you, Senator...again, this is a priority of the Department of State Police. They have determined it a priority and will work within their existing budget to make it a priority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in strong support of this. I think it's something that we...we sorely need in the State of Illinois, and as Senator...Severns has explained, that it is going to generate money tenfold with the fines that are collected from these...these people that are...that are caught on our highways. I...I just think it's something that is...is...we're sadly lacking in the State of Illinois and I'd ask for support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Severns may close.

SENATOR SEVERNS:

Thank you, Mr. President. I would just like to reiterate that it is a priority with the Department of State Police. If they believe it's a priority within their budgets...budget, I'm certain they'll find the resources to do the job. I support the Department of State Police on this matter and would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 4280 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 4280 having received the required constitutional majority is declared passed. 4282. House bills 3rd reading is House

Bill 4282, Madam Secretary.

SECRETARY:

House Bill 4282.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. House Bill 4282 has become, evidently, the omnibus horse racing bill of the Session. The underlying bill...the original bill was to create by the Illinois Racing Board a...or two pilot projects at county fairs to allow parimutuel wagering. Then the Floor amendment in the Senate contained a bill which was actually a clean-up bill by the Illinois Racing Board, sponsored by Senator Weaver. It contains also a...a House bill by...Representative DeJaegher which basically beefs up the purses at Quad-City Downs, contains language by Representative Cullerton regarding tracks and OTB parlors on...on accepting bets on any race prior to the beginning of a race, contains another bill by Representative DeJaegher involving the use of schnell helmets. It contains some additional language...basically...being proposed by the Illinois Harness Horsemen's Association and, finally, in another amendment, it contains a bill...that was originated by Senator Holmberg and Senator Hawkinson in...by which their OTD parlors would be allowed to retain the taxes for their park districts, museums and so on. So, it is a rather comprehensive bill and I will try to answer any questions on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is,...if not, the question is, shall House Bill 4282 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, 1 voting Present. House Bill 4282 having received the required constitutional majority is declared passed. Page 18, 4286. House bills 3rd reading, top of page 18, is House Bill 4286, Madam Secretary.

SECRETARY:

House Bill 4286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. House Bill 4286 authorizes local governments to waive the requirement that an applicant for licensure post a surety bond or cash deposit. This stemmed from cities, my own in particular and other cities in similar situations, that have one-day or two-day fair festivals where each participant, for example, United Way participant, in a food booth has to post a heavy bond. This permits municipalities to enact an ordinance exempting transient merchants and vendors from the requirement of posting a bond. I know of no known opposition. We worked with IRMA in working out the language of this bill and I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?...Senator Raica.

SENATOR RAICA:

Just a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates...sponsor indicates she will yield, Senator Raica.

SENATOR RAICA:

Senator, does this also include like carnivals and everything or is it just...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Yes, it's...it's left to the...discretion of the local municipality for one-day, two-day festival, carnival, fairs, you name it, but it leaves it to the discretion of the local community.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield for a question. Senator...

SENATOR GEO-KARIS:

Senator,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Geo-Karis.

SENATOR GEO-KARIS:

...this bill is permissive to the municipalities, am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Absolutely. Mayor Geo-Karis, as a former city council member, I worked with my council and my corporation council from the City of Decatur to work out this language. They are the one who brought it to me initially.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I do have a conflict of interest and I shall vote my conscience. I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, The question is, shall House Bill 4286 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 58, the Nays are none, none voting Present. House Bill 4286 having received the required constitutional majority is declared passed. All right, if you'll flip back now to page 2...page 2...bottom of page 2 is House Bill 589, Madam Secretary. Read the bill, please.

SECRETARY:

House Bill 589.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 589 amends the EPA Act. It has many technical definitions in the bill. I'll try to read them off very quickly. House Bill 589 expands the definition of qualified solid waste energy facility to include facilities which use methane gas...generated from landfills as a primary fuel to produce electricity. It provides that municipalities are subject to a county solid waste management plan unless the municipality has adopted and is implementing its own plan. It extends federal anti-trust immunity to units of local government acting pursuant to the Solid Waste Management Act. Prohibits the EPA from granting a permit for a construction or operation of a solid waste disposal facility on a site which is held in a land trust unless the application has been signed by all the beneficiaries of the land trust. Requires electric utilities to purchase electricity from...facilities fueled by landfill generated methane at least ten years after facility starts

generating electricity, and it directs the ICC to regulate the price of electricity from facilities fueled by landfill generated methane gas at the average amount per kilowatt-hour paid by local governments in which the facility is located.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Does this...did you mention or...I...I probably didn't hear you or maybe you did mention it. I understand that this bill grandfathers in landfills and wastes...waste energy facilities that had an operating permit issued before January 1,...1988, from various local government regulations...enacted in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm sorry, Mr. President, I can't hear her.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand, Senator, if...if Amendment 2 is still in the bill, it says it grandfathers in landfills and waste energy facilities that had an operating permit issued before January 1, 1988, from various local governed regulations enacted in this bill. So, is there a...obviously, it grandfathers in landfills. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. May I ask a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Karpziel.

SENATOR KARPIEL:

Senator Luft, does this bill preempt home rule?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Under no circumstances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Well, I...'cause I just thought that if it did, we might have...I'd like to ask the Chair if this bill would take a...extraordinary majority to pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

While we're waiting for the Parliamentarian to look at the bill, is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

For the second time, and I apologize for this. Under this bill it said that...does it say that a municipality will be subject to a county solid waste management plan if it does not adopt its own?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The bill clarifies that solid waste management plans adopted by counties apply to all municipalities within the county unless the municipality has adopted its own plan. Our analysis says that this could be interpreted as preempting home rule if the Legislature requires counties to adopt solid

waste management plans. The current law simply encourages development of such...such plans and does not require.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, you recall Senate Bill 172, which Senator Demuzio had sponsored and I cosponsored, and that gave the option to the municipalities to have hearings if any solid waste items, I think, were also included...came before them. Now, how would it affect Senate Bill 172?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

It does not affect that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft, do you wish to close while my Parliamentarian makes his way down for the ruling? Senator Karpziel...I beg your pardon.

SENATOR KARPIEL:

Okay. Well, I just...I had another question. It says in our analysis...I'm sorry but I'm...I really didn't hear too well his explanation originally, but it says that a municipality will be subject to a county solid waste management plan if it does not adopt its own. Don't we have legislation that we're yet to act on dealing with counties...being mandated to come up with a plan? I believe there is a bill still on the Calendar to do...to do that, and if that's the case, then why would municipalities have to do it at all or does that conflict at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Senator Karpziel, it's my understanding if the bill that you're referring to passes, House Bill 589, would then be

HB 737
3rd Reading

preemptive...no, the other...the other bill would be preemptive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpziel.

SENATOR KARPIEL:

Well, I...I don't have anything to add to that. I don't quite understand it. If the other bill passes, then...is this part of this bill just sort of not...you know, just sort of moot? I mean,...is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That's correct. If the other bill passes, this is moot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Parliamentarian indicates that the...with respect to your ruling on the number of votes that the EPA Act...exerts exclusive state jurisdiction. The bill does not deny or limit municipalities from further or...or joint expansion and, therefore, it would take thirty votes. Further discussion? If not,...Senator Luft, you wish to close? Question is, shall House Bill 589 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 49, the Nays are none, 8 voting Present. House Bill 589 having received the required constitutional majority is declared passed. 737, Senator Smith. House bills 3rd reading is House Bill 737, Madam Secretary.

SECRETARY:

House Bill 737.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

HB 741
2nd Reading

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 737 does exactly what the Calendar states, and while the incidents of AIDS among homosexuals has leveled off, the percentage continues to rise for IV drug users and the diseased drug addicts pose a large threat of spreading the disease to heterosexuals and children. DASA and the Illinois Alcohol and Drug Dependency Association supports this bill; also, the Department of Health supports this bill. House Bill 737, it has no fiscal impact on the state because the bill addresses DASA's current plan and goals for the function. I'd like to answer your questions if necessary; if not, I'd like to have your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? The question is, shall House Bill 737 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 57, the Nays are none, none voting Present. House Bill 737 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 741, Madam Secretary.

SECRETARY:

House Bill 741.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 741 does only one thing, it adds specifically to the list of those for whom exceptional medical care may be provided under the Public Aid Code AIDS...I'm sorry, PWA's, persons with AIDS, and what that does is to allow the Department of Public Aid to reim-

burse...nursing homes for exceptional medical care for PWA's. The...this, of course, in the long-run is going to be saving of money because what it means is that...AIDS persons do...require very special attention and have very special medical problems, but it is not true that they belong in an accute hospital setting which, of course, is the most expensive of all. This will help to make it possible for them to be treated and cared for in institutions which are much more appropriate for their circumstance. The fiscal note, as a matter of fact, that the Department of Public Aid prepared indicates that there will be no additional costs and even possible savings from the enactment of House Bill 741. Very important even though a fairly modest change. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Netsch, will the medical care be paid for those...for those patients who are in a hospital based skilled care facility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, it seems to me that the...the language would clearly cover that circumstance. When a patient is in the regular acute part of a hospital setting, that is one matter, but if that patient is then...still needs intensive care but not the kind of care that is provided in a traditional hospital setting, then that patient certainly could be transferred to the long-term care...part of the facility and

should...absolutely should be covered by this; and, again, that would still be less expensive than keeping the PWA in the acute part of the hospital.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 741 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 57, the Nays are none, 1 voting Present. House Bill 741 having received the required constitutional majority is declared passed. Top of page 3 is House Bill 812, Madam Secretary.

SECRETARY:

House Bill 812.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill as amended clarifies public notice provisions concerning downstate park district annexation, authorizes forest preserve districts located in a county with a population in excess of one fifty...hundred and fifty thousand but less than two hundred thousand and contiguous to the Mississippi Rivey...River...whoa, to levy an annual tax not to exceed one cent for the purpose of constructing or maintaining a zoological park. This bill had originally been for the targets. I might remind you that this is a...a tax without...without referendum, and it also was originally opposed by the Taxpayers' Association. That opposition has been removed and the Taxpayers' Association, because of my pretty face, now says that they can support this provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 812 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 36, the Nays are 18, 3 voting Present. House Bill 812 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 849, Madam Secretary.

SECRETARY:

House Bill 849.

(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 49 as amended, in its present position, creates an Act to study the establishment of a comprehensive community based mental health service system for persons who are mentally ill or developmentally disabled. This bill requires that the State Mental Health Authority and the Service Delivery Network be examined by the Citizens' Council on Mental Health and Developmental Disabilities of the Citizens' Assembly, and that the Citizens' Assembly make recommendations to the 86th General Assembly for a community based MI and DD service delivery system no later than April 1st of 1989. That's all it does at this time. There's no fiscal impact and the department's position is neutral. I would seek your support for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 849 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

740 923
3rd Reading

58, the Nays are none, none voting Present. House Bill 849 having received the required constitutional majority is declared passed. 917, Senator Berman. 923, Senator Schaffer. House bills 3rd reading is House Bill 923, Madam Secretary.

SECRETARY:

House Bill 923.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Excuse me...Mr. President and members of the Senate, House Bill 923 would allow the courts to order a delinquent parent on child support to seek employment. Other amendments that were put on in the Senate protect a parent who happens to be pregnant from...excuse me, from that requirement and clarifies that the minimum child support guidelines are used in the proceedings when...one of the spouses is suggesting a modification. I don't believe this particular bill is controversial.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 923 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 923 having received the constitutional majority is declared passed. House Bill 1254, Senator Fawell. Read the bill, Madam Secretary.

SECRETARY:

House Bill 1254.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This basically does what the Calendar says it does. It...it is the annual validation of the appropriation bills and the tax levies of Cook County and all forest preserve districts for 1986, and it also clears up a small problem DuPage County Forest Preserve had. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1254 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 44, the Nays are 9, 2 voting Present. House Bill 1254 having received the constitutional majority is declared passed. House Bill...I mean, 1729, Senator Macdonald. Read the bill, Madam Secretary.

SECRETARY:

House Bill...1729.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This bill allows for the development of residential alternative sentencing programs in local plans for individual services and programs. This is a statement of policy and does not mandate inclusion of such programs in local probation plans. The purpose of...is to encourage alternate placement and an expanded sentencing options for less serious felony offenders and delinquent juveniles. This bill is supported by the Conference of Women Legislators and also by the Citizens'...Assembly on Women. I

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3rd Reading

ask for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1729 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 57, the Nays are none, none voting Present. House Bill 1729 having received the constitutional majority is declared passed. House Bill 2004, Senator Philip. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2004.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2004 amends the Open Meeting Act, provides a redefinition of the word "final action." Evidently it was a little disagreement between the Attorney General and our State's Attorney. This clarifies it. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2004 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 58, the Nays are none, none voting Present. House Bill 2004 having received the constitutional majority is declared passed. House Bill 2293, Senator Zito. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. That's absolutely correct...House Bill 2293 would further clarify fee structure for community currency exchanges in ambulatory currency exchanges. We did add an amendment, if you remember, which simply added an immediate effective date. I know of no opposition and would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2293 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 57, the Nays are none, none voting Present. House Bill 2293 having received the constitutional majority is declared passed. House Bill 2569, Senator Netsch. House Bill 2793, Senator D'Arco. Read the bill, Madam Secretary.

SECRETARY:

House Bill 2793.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 2793 allows trustees to enter an agreement with banks to pay compensation to the banks, including banks that are affiliated with the trustees. It also provides that the trustee must abide by the prudent person rule as do other fiduciaries, and it also amends clarifying language that the trustee should pay

HB 2862
3rd Reading

reasonable compensation to the bank and I would move for passage of House Bill 2793.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2793 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 2793 having received the constitutional majority is declared passed. House Bill 2862, Senator Schaffer. Read the bill, Madam Secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 2862.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I think this is a bill that will draw some debate and I suspect will be one of the most significant pieces of legislation that this Chamber will address this year. This is the Illinois Welfare Reform Amendments of 1988. It is the child support legislation that I think most of us have heard from, many people, some pro and some con. The...I should report to you that the labor management negotiations on the fee have concluded with a...as sometimes happens in this business, a sort of a...an agreed compromise that will be put on Senator Topinka's bill. I don't know if negotiations are totally finished but it sounds like they're fairly close. At this point, organized labor, the Chamber of Commerce, the Illinois Retail Merchants, the Illinois and Independent Employers have signed off on the...on the fee structure and are either for the bill or are neutral. The Illinois Manufacturers' Association

still has reservations and...it's my understanding at this point because of the reservations on the fee...are in opposition. Simply put, this bill, which is a product of a task force of legislators and public people from all walks of life, including some judges from the courts, some state's attorneys, people from the State's Attorney's Office, both downstate and in Cook County, people involved in public aid collections and people involved, actually, in the...the whole public aid system came up with this bill, and simply put, it would say after the first of next year when a decree requires child support, that that child support would automatically be deducted from an individual's pay. That...and for that, there would be...based on the compromise that's been worked out right now, a five dollar...maximum of five dollar a month charge. In this country, the Bureau of the Census concludes that fifty percent of the families awarded child support never receive child support payments, and one-fourth of the...or don't receive what they've been entitled to and one-quarter, the families don't get anything at all. Here in Illinois, a hundred and twelve thousand absent parents owe more than three hundred and fifty-three million dollars in delinquent child support. The average child support award last year was three thousand dollars, but actually the payment was...that finally came in was much like twenty-four hundred dollars a year. When parents don't pay child support, I think we all know who does and ends up on the welfare rolls. I participated in that task force and I think it surprised some of the members of that task force that I ended up as the Senate sponsor because, frankly, I think most of them would say I asked most of the tough questions and I think some of them were left with the impression that I was not supportive of the concept. I was very supportive of the concept, I just wanted to come up with one that works. I should point out that one of the things that I and others argued for

and got is a provision that the automatic deduction only takes place when both parents cannot agree. If, in fact, there is a...an agreement and both parties indicate we don't need to do this and we'll do it by check, that is perfectly agreeable. It's hard to estimate exactly what percentage that will be, but I would suspect, based on the testimony we've heard, that it's somewhere between twenty-five and forty percent of the people getting divorces probably can sit down and work this out and say we don't...we don't want this arrangement jointly. For the remainder who, let's face it, are the problem percentage, this will provide a mechanism to collect the child support to allow those single parents that have the children to provide a decent home, food and education for those kids. This is similar to legislation passed in many of the states, including Wisconsin; in fact, in Wisconsin, after the program was implemented, in a poll to the people who paid, the people that wrote the checks, indicated they preferred the new system over writing the checks themselves. The...in Washington, they recently passed a...a federal bill with large bipartisan support. I think in the Senate it got ninety-three votes that has a similar provision. I might add that President Reagan is in support of this and has indicated his willingness to sign that bill. This is a good bill. This is a bill that will help literally hundreds of thousands of children in this state. It's something we should all support. I stand ready to answer questions and appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have five speakers seeking recognition at this time. We'll start with Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I love the catchwords, "helping children," "taking care of our responsibilities," I love them. I think what

you're trying to do here, Senator, is very noble. I really do. I have said from day one that I...I respect what you're doing but I have a definite problem in assuming innocent people guilty before they have been proven guilty. To me, that's exactly what this legislation does. It says from day one, we are not going to give you an opportunity to be honest, good, upstanding pair of a responsible parent. It says, we are presuming every one of you is a deadbeat. We have twenty-eight thousand deadbeats or every other father is going to be a deadbeat, or mother, it doesn't make any difference in this day and age. I just think that that is an issue that is still unresolved. I asked early on that we attempt to address that issue and...and get at...into some...some common order. All the indications I get are is that we cannot do that. I don't believe that. If we can go from day one, we can go from two weeks and that's my opposition to the bill and...and I probably will still give you a vote...this is my second time today and I don't know what the hell's going on here but...but I...I just cannot understand...I guess everything...everything is tempered, you know, how far do we go before we say no or how far do we go before we say yes. I guess it's a little bit like a little petting, I don't know, but I would just like to see us take some...some more time with this, more efforts with this and say, let's consider that honest parent. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in opposition to this bill and I'll try and keep it brief but I think there are a good number of reasons to be against this bill. First of all, this is not welfare reform. This bill is not limited in any sense to public aid cases. It will affect everyone with a decree after the effective date of the bill who cannot

agree with their divorcing spouse is going to have their check bricked. Now, if any of you know people who have had a wage deduction placed against a check, you know a couple of things about it. The employee does not like to have that brick placed against the check. The employer considers it a real pain and, in this case, it can be up to five times a month, five transactions a month that that employer is going to have to do a transaction potentially under this bill...although the sponsor indicates that the business groups, with the exception of the IMA as I understand it, have backed off and they're either in support or neutral on this bill, the information that they put out earlier today indicates that a survey of their business members would show that their cost per transaction ranges between five and thirteen dollars per transaction and we're talking up to five transactions a month cost to your employers out there, large and small, and this trailer bill is going to allow the very minimum of five dollars only once a month to cover the employer cost. Now, that's a cave-in if those earlier figures were accurate. I spoke to a labor official about this bill and asked them why they weren't in strong opposition to it. Well, they'd made a commitment, but that official indicated to me that he would hate to stand up in a union hall and try and defend this bill to his members who are now going to have an automatic bricking of their check if they owe child support, even if they have never been a day late on that child support in their entire paying history. We already have a mechanism to cover the collection of delinquent child support. You can go into court right now and get a wage deduction if the person is thirty days delinquent in payment. The department is saying we want this automatic, all the time; and, finally, one other objection, in a dissolution case, in a divorce proceeding...the sponsor, I think, has admirably...it makes the bill better...a bad bill

better by saying that the parties can agree to opt out of this provision, but what he doesn't tell you is that in that dissolution proceeding now the child collect...support collecting spouse will have an additional weapon to use against the child support paying spouse and may refuse to agree to this provision unless maybe the child collecting spouse gets a little bigger part of the house, the savings account, has a few more bills paid, it just is one additional weapon to throw into that; but primarily, when we pass this legislation, you're going to get a lot of calls, not only from angry employers who are not going to have their cost covered, but from angry worrying men and women who are having their checks bricked for no reason because they've been paying on time and they're going to want to know why you did this to them. To call it welfare reform, I think, is simply a misnomer, as Senator Jacobs indicated earlier, and I would encourage a No vote.

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I rise in strong support of this bill; in fact, with the permission of the chief sponsor would like to be added as a hyphenated cosponsor. Welfare reform is long overdue in this state. I believe a concentrated effort has been made for all parties to work out something that is workable. It's a good bill and I would urge support.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, my heart bleeds for these men or women who do not want to support their children...really bleeds, because if you had a number of the cases like I have in the past forty

years in the practice of law, it would...would appall you. I don't like irresponsible drivers of automobile and I...automobiles and I don't like irresponsible parents who don't care about their kids. I think this step is a step in the right direction, it's a little rigorous but I think it's worth trying because I think when you consider that we could probably get in about fourteen and a half million dollars over the nine million that we're collecting now, I think it makes a big difference, because if we don't do something about it, who pays for it, the taxpayer and I think it's time that we go after some of these people who are irresponsible.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. We talk about the small businessman and I know for a fact that if you're compelled to take from somebody's check and the inconvenience and the hardship that it works on that businessman to take that from his check, it...it's a cost and it's a...a cost factor that you look for ways to eliminate and how do you eliminate doing it? You get rid of that employee. I see this as a way of getting rid of employees especially on the smallest scale in the...in...in the low end of the strata. Secondly, it's just unfair...just unfair to deem across the board that you're irresponsible with no prejudice, no rights, no appearing before due process, you're just irresponsible because you divorce your wife or you're separated. That's not fair and it's not right, and that's why I stand in opposition of this bill.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I've been a member of this task force now for about three years and I'd like to tell you a

couple of things that I've found out while we were studying this issue. Number one, there has been a study in California by a...a woman who is writing her doctoral thesis about mandated child support and taking the money out of the check directly. She went to the fathers and asked them if they approved of this. Remember, statistically eighty-two percent of the men will be remarried within five years and then they have to deal with that second wife. What these men have said is that it is a lot easier for that money to be taken out of their check than dealing with the second wife. It's a lot easier to come home with that check and say, honey, that's all there is, she got the rest for the...for our children; no, you can't get the rug repaired this month; no, you can't go out and buy a new dress because my child support payment was taken out and I had nothing to...to do or say about it. Second thing, one of the things that has been said is that you are considered a deadbeat if this happens. People, remember, if this law is put into effect, no one will be labeled a deadbeat because everybody will have it taken out of their paycheck. Nowadays, after you get the court order, after the...the court says, you are a deadbeat and you're not paying your child support and we're going to attach your check, then the employee has the right to call you a deadbeat. Under this law, no one can be called a deadbeat 'cause everybody will do it. As far as getting rid of employees because of this, you're going to have to fire an awful lot of people, fifty percent of the people nowadays are divorced and I don't think anybody is going to fire fifty percent of the work force. This is an excellent bill. We've got seventy percent of the men who are behind in their child support. We, as public officials, don't want our public to be paying for these children and I think you all deserve to vote Yes.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Schaffer, how would this...or would this apply to divorced husbands who are currently behind in child support? Would they still be subject to a petition before the court to be forced to have their wages withheld?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

This legislation is prospective and it would not apply to anyone who has a decree before January 1st of next year.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

How would this affect the current garnishment law which currently employers only handle one garnishment at a time and when they get a second garnishment, they put them in order and pay them off as they come in. Would this have a priority over all of those garnishments and would it also change the amount of money that could be garnished under the Garnishment Act for an employee?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm told it would not.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, I'm...I'm not sure it...will not what? What I asked was this, under the current garnishment law, you can

only garnish so much money of an employee's wages, like...it's like fifteen percent of their take-home pay. Are you saying that if a person has a garnishment for child support, would that be an addition to that fifteen percent cap or in place of it?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I don't think it would affect that portion. I think it would be in...in...I'm going to guess, but I'm going to say in addition to.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, it...that's an awful important question to be guessing about, because what you've done is you've eliminated the Garnishment Act as a remedy for all creditors in the State of Illinois. If...if you...if you don't give this wage...this deduction...wage deduction in addition to a garnishment deduction, what you've done is...a person who is subject to not paying their debts would have their wage garnished for child support and then would never be subject to garnishment to pay any other debts. They would be able to get out of that. They would voluntarily enter this program so they wouldn't have to have their wages garnished. That...that doesn't make sense. So, I hope that's not what the law says and I would...would hope that we would have a commitment from you that that is not the legislative intent of this bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm told this is not treated in the same section as the Garnish Act. It is a separate issue completely.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Then is it your statement that the garnishment law will coexist along with this wage deduction, that the garnishments will remain under current law, that this is meant to be a supplemental deduction to the Garnishment Act and not a substitute deduction?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Yes.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

I did have one other question, and I was wondering why out of the five groups that had a handout opposing this bill, four of them agreed to support the bill and one no longer agrees. Is it only because of the reimbursement of the transaction, is that the only reason they oppose it now?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Let me suggest to you that some of those groups...and I don't want to imply that all of them are supportive, some of them are neutral, the one is still in opposition. The issue that we were negotiating on that remained unresolved was the fee amount. There were some other language changes that were agreed to, relatively minor in nature. Those were worked out and the fee thing was the one question, to the best of my knowledge, that was outstanding.

PRESIDENT:

Further discussion? Further discussion? We have six additional people who wish to be heard from. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think much work has gone into this particular bill and the other thing I think we should look at here is that child support delinquency is probably the single, largest contributor to...welfare dependency. We come with bill after bill here trying to improve how we can get money to those who genuinely need help, how we can get people off the welfare rolls. One of the best and most significant ways is a fast, efficient, direct route to get to the people who are responsible for...or theoretically should be responsible for their own children. This bill would seem to do that job and kind of to piggyback onto what Senator Geo-Karis said, it's very similar to encouragement, to try and get people to do what they really should be doing which is to take care of their own children. It's very sad to see after divorce that one side of the...of the former couple or another just summarily decides to abandon their children, and I think if they want to do that, then we are also responsible for encouraging them. This is a good bill. I stand in support and would ask to be a joint sponsor.

PRESIDENT:

Further discussion? Senator Dunn.

SENATOR TOM DUNN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he will yield, Senator Dunn.

SENATOR TOM DUNN:

Can the mother and father agree to disagree on the amount of support yet agree to pay outside the system?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Sure.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

What would be the remedy for a...since we're talking about welfare, for a welfare mother who knows where the father is working from going into court now and getting with-holding order?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I'm glad you asked that question, because I think we have to point out that that option does exist today, but those sorry statistics which are a national scandal reflect on that current system that we now have in place. I think every one of us that runs a district office has had one or more spouses in their office begging, pleading for help to get the system to work, to get their ex to pay his or her share of the child support that they owe. Yeah, you can go into court, you got to hire a lawyer and pay four or five hundred bucks, maybe a thousand and take six months, but what welfare mother, what woman with two kids that has to choose between feeding her kids or paying a lawyer is going to pay a lawyer? They're going to feed their kids first, that's why the current system doesn't work.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Senator, the...the fees you quoted are inaccurate. Secondly, the...it's my understanding that the Attorney General does this automatically in behalf of public aid at no charge to the recipient of welfare, namely, the mother; and, thirdly, it's my understanding that the state's attorneys provide the same service at no charge, and I think Senator Hawkinson, who is a state's attorney, will back up that. So,

when you say that the system doesn't work, it doesn't work because someone doesn't get off there and go and get the free service.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just wanted to be sure that I heard Senator Topinka correctly. Senator Topinka, did you say that the single, most important thing in this...in this public aid change...or children and family services? Did you say that?

PRESIDENT:

Senator Topinka, if you will yield.

SENATOR TOPINKA:

Yes, if I might. I said that child support delinquency is the largest, single contributor to welfare dependency.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I think everybody wants to see that people pay and...and that they...fathers who are working should contribute, but we must keep in mind that when you're talking about the rewrite of the public aid and all of that, children and mothers and things aren't the big...money in public aid. You got to think about hospitals, nursing homes, all the medical, that's where the big money is; but getting back to this thing is that I just wanted to be sure that I heard you correctly when you said that, because oftentimes the wrong information is given at this time.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Sponsor indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator, now...I want to understand this. This is what you call real welfare reform and you say that this bill is prospective. Right? Okay. It...it...it means that all of the delinquent people out there now goofing off, not paying child support will not be...nothing we're doing in this bill will change that at all. Am I right?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The bill is prospective.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

So the answer to my question is, this bill will not change one iota, not one thing will it do to speed up existing child support payments, and if everyone from now on fails to go to court and get a divorce, then they...this bill would really probably have very little impact at all or those...those illegitimate, if you want to call it, I don't believe children are illegitimate, but unmarried parent, right now, if...if the paternity was not proven and the...the man escaped prior to the time that...that...that the young lady took him into court to...to prove paternity, then no one would be paying any child support under this Act. Am I not right?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The types of things that you're talking about in terms of parenthood were addressed in a bill that we passed last year and are now being moved through court system. So, that problem, I believe, is on its way to being solved. We discussed

in our hearings around the state...and by the way, this bill has been moving through the process for some eighteen months. This isn't something that we just sprung up out of the ground. We discussed that and the legal authorities indicated that the problems of going in, in effect, reopening every divorce decree in existence that involve child support was, you know, a lawyer full-employment bill but probably would not be work...work at all. Let me suggest to you that there is probably one thing about this bill that is a misnomer. I'm not sure calling it welfare reform is as accurate as calling it welfare prevention. That's what this bill is really aimed at. It's preventing people from getting on welfare, it's preventing the paying spouse from jumping ship, so to speak, and leaving his children and ex in poverty. It's designed to prevent people from ever getting on public aid, and to the extent that they're already there, it's designed to help them as they move through the system. Senator, it's not a magic cure-all. If I could sponsor magic cure-alls, I would probably be running for a higher office, but it is a major step forward.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

All I wanted, Senator Schaffer, is my question answered. This...you're right, I do agree with you, now you are kind of getting on the right track, this is not welfare reform, this may, in some case, somewhere down in the future help someone who may not have paid their child support pay their child support. This bill has been paraded around across this state as being, as you opened, the most important well Reform Act that...that...that this Chamber has ever really undertaken...and...and...and I don't see this in this bill, because what happens to all of those people out there now who are not paying child support and should be paying child sup-

port? And let me suggest that if...if you say that the people that's been working on this eighteen months, why didn't they look at trying to consolidate the various child support collections procedures in agencies that we have now across this state into some kind of one consolidated effort and...and...and...and...and...and...and...and...and...and...and trying to make sure that...that it is...more cost-effective than what we're doing now and maybe we could have solved some real results out of getting more money collected from those parent out there now, not talking about something somewhere in the future if someone else get a divorce. Now that's one problem with this bill is not really doing what is...to be doing. The other real problem...with this bill is that only a certain...group of people will ever, ever be brought under the provisions of this bill and I'm going to tell you why. Because those persons who now go and get divorces and...and particularly the unsophisticated families, the lawyers would have worked up animosity between those people so great until it would be impossible to talk about any kind of agreement on that type of...person. So, that category of people will automatically have their checks...wage assigned and that's all this is...it's...it's...boils down to in the future, but I don't really think this bill is going to have any real serious impact at all because the sponsor admits he's talking about not touching anyone out there now who's not paying child support but somewhere in the future, and, therefore, I think the bill is a farce.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of this legislation and I know that where many of us are coming from, I happen to serve as chair for health welfare. I serve...cochairman on the welfare

reform...for reviewal and also a member of the Council on Public Aid, and I've listened to a lot of testimonies and I've been across this state in many hearings. We've got to start somewhere. As hard as it sounds and we're talking...everything is talking about money and means, but you are forgetting the main thing, the child. The child does not ask to come into this world. It was the lust of man and woman that brought that child into the world and why should the child suffer. This is why I'm supportive of this. If this is some way to start in any way to get things on the right road, I am fully in support of it and I ask for your support.

PRESIDENT:

Further discussion? Senator DeAngelis, for what purpose do you seek recognition? All right. Any further discussion? I...I can't do it. Honest to God, I can't do it. Senator Schaffer may close.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is an important bill. I should, in response to Senator Collins, point out that the passage of this bill will prospectively solve a lot of problems which will allow the courts and the state's attorneys' offices and the Attorney General's Office to work on that backlog that does, indeed, exist. So, to that extent, it is a very positive tool to solve that problem. I happen to come from a large collar county that is generally viewed as being reasonably affluent. I belong to a Rotary Club, as you might expect for a Senate Republican, and that Rotary Club has a Christmas program where we go out and we help the needy and we deliver presents and toys and clothes to the needy in our area. I discovered several years ago and getting my nose rubbed very thoroughly in it that there is poverty in my area. There is abject poverty in my area and almost universally it is single parents who are not receiving

the child support that is due them. In all deference to the mechanisms now in place to collect that child...payment, it is not working. I'm sorry, it is not working. I have to tell you that anybody that has kids and goes to court and gets a divorce and agrees to pay a certain level of child support, that can pay it, that still has a job and if they've got a...a legitimate gripe, they can go in and get relief; if they don't have a legitimate gripe and they don't pay, well, frankly, they're scumbuckets in my mind or worse. This bill is aimed at the scumbuckets of this state. I ask you to vote for me, this bill, the kids of this state to prevent poverty and put it to the scumbuckets. Thank you.

PRESIDENT:

Question is, shall House Bill 2862 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 47 Ayes, 9 Nays, none voting Present. House Bill 2862 having received the required constitutional majority is declared passed. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point, please.

SENATOR DeANGELIS:

Seated in the gallery behind the President is the wife...the attractive, younger looking and more intelligent wife of our chief of staff, Diane...Carter Hendren's wife, Diane Hendren. Please stand up...

PRESIDENT:

Please stand and be recognized...top of page 4, 2906, Senator Marovitz. 2917, Senator Demuzio. 2925, Senator Holmberg. (Machine cutoff)...Order of House Bills 3rd

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Reading, the middle of page 4, is House Bill 2925. Read the bill, Madam Secretary, please.

END OF REEL

REEL #6

SECRETARY:

(Machine cutoff)...Bill 2925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 2925 is the result of a bill we passed last Session in which the Department of Conservation proposed various changes to the Boat Registration and Safety Act for administrative and enforcement purposes. These changes were based on problems raised by recreational boaters and from within the legal system and canoes and kayaks were included in the definition of watercraft. Almost immediately many of us received pleas from canoeists and kayak boaters in our district that they felt it was unfair they had not been contacted and that the fee and titling and various aspects of the bill were not anything that they wanted. I'm sure many of you have had petitions and letters from those in your area who have these type of watercraft. As the...the bill moved out of the House 108 to 2 and into our Senate committee where we promised to work with the department to try to come up with some agreeable language both for the department and the canoeists, and I...it took awhile, I...I must admit, before we could sit down and...and begin the negotiations, but in the last couple of weeks they have...there's been a lot of give and take but we still have become hung up on titling. The way it is now under this particular legislation, even as far as we've been able to go on the agreement, you still would need to title

your canoe just like you title your car. It would cost you seven dollars, you would have to send it in to the Department of Conservation. If you sell it to the people next door, you've got to go through a whole titling procedure, that's an addition to the numbers you put on the canoe. All of the other things...as we know, we've had legislations about the boy scouts, the girl scouts, the not-for-profit, the historic canoe people; and the other thing that has come to the attention of all the Senate sponsors is the fact that...in passing all these small items of legislation on the same subject, we have created a mishmash in that it will be very difficult, I believe, for the department to enforce because you won't know whether the person operating that canoe is a girl scout, a boy scout, a visitor from out-of-state, somebody with a historic canoe. It seems a lot simpler to do what many other states do and just exempt canoes and kayaks from the Boat Registration and Safety Act and that's what this bill in its pure form does.

PRESIDENT:

Discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I have to get up and reluctantly oppose this bill. We let this bill out of committee with the understanding...out of my committee, the Committee on Agriculture and Conservation, with the understanding that there would...they would get together with the department and work out their differences, and I would hope that Senator Holmberg would hold this bill for a short time and maybe they could work out their differences; if not, I'll have to oppose this bill.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, as the chief

sponsor of the bill which created this item which she speaks about last year, I want to tell you, I never heard from one person or one group, one...not one of them. I heard from a lot of people said, we've got to have some way to identify the kayaks and the canoes that are stolen. Now, earlier, I think today we already passed a bill which exempts canoes by girl scouts, boy scouts, not-for-profit and historical canoes and I have no real problem with that 'cause they were...really the ones that had been stolen. I got to tell you, this bill we had as a Senate bill was defeated in Conservation Committee...or, I mean, Agriculture Committee earlier this year as a Senate bill and it hasn't improved and I thought they were going to try to work out a compromise which has not happened, and I would urge all of you defeat this bill as the Senate Ag. Committee took the heat for you and defeated the bill which was under her sponsorship as a Senate bill. This bill does not accomplish what you want to do, and most importantly, when you have somebody in your district who's had a canoe stolen or kayak stolen and there's no way to identify it, if you vote for this bill, I want to tell you, don't call me, you reimburse them.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I, too, would just like to mention that we did feel that we had an agreement to try to work out our differences. In legislation that has passed this Chamber we have done two things that addressed the situation, and one is we have eliminated the display of decals which does take care of some of the concerns by the historic people and we have eliminated the not-for-profits. So we have addressed two of the situations that...that have been raised and concerned with this, and another thing that we have been trying to get a figure on that...from the

Department of...Conservation, when we register our boats, whether they be yachts or speedboats or whatever, there is a federal matching dollar that comes into the state, and by not registering our kayaks and our canoes, there will be a loss of about twenty-four to thirty thousand dollars to the department. Now, I shouldn't say it's a loss actually, but that is the figure that the...the canoes represent. So, I, too, would hope that we could defeat this legislation.

PRESIDENT:

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

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

PRESIDENT:

Sponsor indicates she will yield, Senator Karpziel.

SENATOR KARPIEL:

I didn't quite understand, Senator Holmberg, did you say that the registration fees and the title fee has been removed from this bill, that there is none?

PRESIDENT:

Senator...

SENATOR KARPIEL:

...or is there still that registration and title fee?

PRESIDENT:

...Senator Holmberg.

SENATOR HOLMBERG:

This exempts canoes and kayaks from the Boat and Registration Act...as...the bill as it is right now.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

From everything...from the whole bill? All right. Thank you.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I stand in support of 2925. I don't know what's been said in committee or I don't know what compromises might have been intimated, but I think it boils down to the fact that I...I see no earthly reason to license kayaks and canoes, bicycles, scooters, what have you. These are personal items that our friends and neighbors have that they may loan, they may trade, you find them at garage sales all over the state. I see no reason to even title them, license them or charge a fee. These people that have these kayaks and canoes are all taxpayers. They pay taxes to support the Department of Conservation and I just stand in support of the legislation, they shouldn't be titled at all or registered.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I'd like to rise also in support of the legislation. I...I don't really understand why we need to title them, I mean, we...we...bicycles are stolen every day, we have personal items stolen every day. We can't register and title everything that we have. To say that the Department of Conservation may lose twenty-five to thirty thousand dollars in...in federal money, do you have any idea what it will cost to implement this legislation, the number of people we'll probably have to hire in order to title every canoe and kayak in...in this state? I...I just think that it's a good piece of legislation and should pass. Thank you.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

When I first started getting calls about this require-

ment, I was just amazed that the Legislature would pass the bill...that would do this to the canoe owners and I wondered how in the world could this have happen, and I did some research, and you know who sponsored the bill? I did. In defense of the Department of Conservation and what we did last year is that when we redid the boat fee structure, the...Department of Conservation very diligently went out and got all the fishing and hunting and conservation groups together and they had some hearings and meetings and they talked to everybody about what would be a fair fee schedule and they all agreed on the fee schedule that was in the bill, and as a result, the bill blew through both Houses and barely without a dissenting vote. Unfortunately, in that process...and I don't think it was by any evil intent, the one group that was never contacted...never included in the process were the canoe owners because the canoe owners aren't necessarily hunters or fishermen, some of them happen to be boy scouts and girl scouts and just people who like to paddle around and they were not consulted. So it came to them as some...somewhat of a...a terrible shock when this new piece of legislation hit them. I happen to agree. I think it's overkill, and even though it was my bill, I think we ought to repeal it. I don't think that the money that will generate for the state is worth the heat that the members of this Body alone are going to take if we continue to do it. It really is...it is overkill, and I don't blame the Department of Conservation, it's hard sometimes to get everybody in the room that should be there, but I am confident had the canoeing interest groups been informed of this and been invited to participate, that at the time the bill passed this wouldn't have been part of the bill and it wouldn't have been even thought of. I think this is one of those things that needs to be corrected and I urge an Aye vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. I agree with Senator Schaffer, Senator Watson, Senator Weaver, who are cosponsors of this bill with me, that the small amount of money we'd be giving up in the return of federal dollars, the sum twenty-four thousand that I think we've been able to estimate, would not be worth the added expense of trying to enforce this bill to pick up every violator of the canoe and kayak titling; particularly now when you've exempted lots of different groups, it would make it very, very difficult to enforce. May I add that one of the things that we are trying to do in this state is to really encourage tourism and I have here a Chicago Tribune article about the midwest canoe races that were...we usually have to restrict the numbers who enter, we did not even fill all the slots this year. The reason was given, the new Boat Registration Act, Canoes and Kayaks. People all around us are confused by this particular restriction, they're afraid to come into Illinois with their canoes and kayaks. Let's not hurt business, let's help our constituents at home, let's pass this bill.

PRESIDENT:

The question is, shall House Bill 2925 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 53 Ayes, 4 Nays, none voting Present. House Bill 2925 having received the required constitutional majority is declared passed. 2942, Senator Smith. On the Order of House Bills 3rd Reading, in the middle of page 4, is House Bill 2942. By the way, the question has been asked how late we're going to work. Senator Philip and I discussed that we would adjourn our business...or complete our business by five o'clock and

start tomorrow at noon. There is an Executive Committee meeting tomorrow morning and it has a number of resolutions, so we'll begin tomorrow again at noon, but we will be out of here by five o'clock. 2942. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 2942.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2942 merely...institute commemorative holidays that on...we'll observe March the 4th as commemorative holiday to be known as Mayors' Day, and if March 4th falls on a Saturday or a Sunday, Mayors' Day shall be observed on the following day. All mayors that are deceased, of course, Mayor Daley and Mayor Harold Washington, they would be included in this observance. It...when it was on the agreed bill, it had no opposition and so I'm asking for your favorable support in this piece of legislation. Any questions, I'd be happy to answer.

PRESIDENT:

Is there any discussion? If not, the question is, shall House Bill 2942 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 44 Ayes, 9 Nays and 1 voting Present. House Bill 2942 having received the required constitutional majority is declared passed. 2993, Senator Jacobs. 3007 is on the recall. 3010. 3024, Senator Jones. 3085 is on the recall...that's also recall. 3099, Senator Mahar. On the Order...top of page 5, ladies and gentlemen,

on the Order of House Bills 3rd Reading is House Bill 3099.
Read the bill, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3099.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. First, I'd like to seek leave to add Senator DeAngelis as a hyphenated sponsor.

PRESIDENT:

The gentleman seeks leave to show Senator DeAngelis as hyphenated cosponsor. Without objection, leave is granted.
Senator Mahar.

SENATOR MAHAR:

Okay, thank you. Thank you. House Bill 3099 amends the Criminal Code that would give individuals who have been classified as severely or profoundly mentally retarded the same protective status as now...as children now...have under certain criminal offenses. This effect...the effect of this is to either increase the potential penalty or to allow a charge to be brought that currently could not be brought. The rationale is that these individuals because of their disability are more vulnerable to these types of offenses. It's supported by the state's attorneys and the Illinois Coalition Against Sexual...Assault and passed the Judiciary without opposition.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3099 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 56 Ayes, no

Nays, none voting Present. House Bill 3099 having received the required constitutional majority is declared passed. 3124, Senator Karpziel. On the Order of House Bills 3rd Reading, at the top of page 5, is House Bill 3124. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3124.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3124 amends the Environmental Protection Act and it provides that the Illinois Pollution Control Board's standards that are more strict than current federal standards for the emission of certain pollutants shall not apply to any sewage treatment facility operated by a municipality of less than five thousand. As amended, it takes out the...out of the bill all the part about any money or paying these towns or anything like that. It does just what I said and no more as amended and I ask for your Aye vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 3124 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 3124 having received the required constitutional majority is declared passed. 3125, Senator Welch. Middle of page 6, Senator Berman, is 3216, middle of page 6. It's on the recall, I'm sorry. (Machine cutoff)...3260. Top of page 8, ladies and gentlemen, we're all the way over to page 8. 3264, Senator

Berman. 3-2-6-4, top of page 8. (Machine cutoff)...going to be on the recall, that's indicated. 3297, Senator Luft, middle of page 8. That's recall. (Machine cutoff)...3338, Senator Marovitz. 3345, Senator Macdonald. On the Order of House Bills 3rd Reading, middle of page 8, House Bill 3345. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3345.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. House Bill 3345 changes the makeup of the Suburban Cook County Public Aid Committee which hears the appeals for general assistance recipients that include two township supervisors and three persons knowledgeable about the general...the General Assembly...general assistance, excuse me. There is no stated effective date and the bill prohibits more than three members of the same political party from being appointed to the committee. This bill was requested by the township officials and I ask for your vote for its passage.

PRESIDENT:

Is there...

SENATOR MACDONALD:

...it applies only to Cook County.

PRESIDENT:

...is there any discussion? Any discussion? If not, the question is, shall House Bill 3345 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 3345 having

AB 3349
3rd Reading

received the required constitutional majority is declared passed. Senator Hall on 3349. On the Order of House Bills 3rd Reading is House Bill 3349. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3349.

(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 is a new Act and it amends the Personnel Code. It provides that a policy making officer of a state agency shall be discharged from employment when there's a judgment rendered against such officer for violation employee's rights guaranteed under the first and fourteenth amendment to the U.S. Constitution provided that this award is of punitive damages has been made and...against the officer and there's a finding of willful or wanton conduct by this officer. Harassment case was...and it...I just want to read you something here. A lady who was a former State Correction Department spokesman was success...for the order that she was fired for a complaint about...sexual harassment as it regard...results of this and she was fired from her twenty-four thousand dollars a year job in May 1984, and she filed a complaint. As it was, there was a tremendous amount of publicity and whatnot given, and she had to pay back...the Department of Corrections was ordered to pay back more than a hundred and thirty thousand dollars to reinstate her in her former job. These harassment cases must be...and most of them are females who have been harassed. I'd ask for your most favorable support of this amendment.

PRESIDENT:

HB 3415
3rd Reading

Discussion? Any discussion? If not, the question is, shall House Bill 3349 pass. Those in favor vote Aye. Opposed vote...Senator Hudson.

SENATOR HUDSON:

...question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR HUDSON:

Senator Hall, is there any opposition to this measure that you're aware of? This was the bill, as I recall, that you did have discharged from committee, right?

PRESIDENT:

...Senator Hall.

SENATOR HALL:

That's right and no one has come before the committee for any opposition for this bill that we know of.

PRESIDENT:

The question is, shall House Bill 3349 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 49 Ayes, 1 Nay, 4 voting Present. House Bill 3349 having received the required constitutional majority is declared passed. 3372, Senator Welch. 3379, Senator Brookins. It's on the recall, I'm sorry. 3408 is on the recall. 3415, Senator Donahue, top of page 9. On the Order of House Bills 3rd Reading is House Bill 3415. Read the bill, Madam...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 3415.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. There are two parts to this bill; I will deal with the first part and Senator O'Daniel will deal with the second part. But this amends the Grain Dealers' Act and add...and deletes the provision that requires changes in financial position as a criteria in applying for license. This is replaced with the requirement for a statement of class...cash flow. It is supported by the Grain Dealers' Association and is a very important bill to the Department of Agriculture. The second part deals with the Grain Quality Act. There was an amendment put on by Senator O'Daniel, and if I might have leave to have him explain it, I would appreciate that, Mr. President.

PRESIDENT:

Discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Body. Floor Amendment No. 1 to House Bill 3415 allows the Department of Agriculture and the University of Illinois to develop measurements of grain quality and make those measurements available to the grain industry. The Department of Agriculture does support this amendment because...it's...as it's amended now, it makes use of grain grading system permissive rather than mandatory and I'd appreciate your favorable consideration.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3415 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 3415 having received the required constitutional majority is declared passed. 3424, Senator Macdonald. On the Order of House Bills 3rd

Reading is House Bill 3424. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3424.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. House Bill 3424 amends the Environmental Protection Act. It is an administration bill. It provides that the Pollution Control Board is not required to issue variances based on hardship just because the environmental standard in question is under review and the cost of compliance is substantial and certain. The reason for the change was a 1987 court decision and the board believes that this decision if left standing will greatly increase the number of variance petitions, and since most environmental standards are under review somewhere almost all the time, it often takes both the board and the United States Environmental Protection Agency several years to review and rewrite a standard. Therefore, I ask for your approval and...and vote for this bill.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 3424 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 55 Ayes, no Nays, none voting Present. House Bill 3424 having received the required constitutional majority is declared passed. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Mr. President, I'd like to be removed as a hyphenated co-

HB 3425
3rd Reading

sponsor of House Bill 3464.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be removed as the cosponsor on 3464. Without objection, leave is granted. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, I'd like leave of the Body to be recorded as voting Aye on House Bill 2862. I was away from my desk and failed to make the roll call.

PRESIDENT:

All right. The record will so reflect. 3425, Senator Macdonald. On the Order of House Bills 3rd Reading is House Bill 3425. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3425.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This bill does several things at this point. Originally, the bill was an administration bill that clarified that the Pollution Control Board has the authority to level several penalties in a situation where a violator has come into compliance on the eve...of enforcement. It was introduced in 1987 Legislative Session and it was identical and was sent to the Governor as part of House Bill 1867. The omnibus environmental bill, 1867, died in the Veto Session because controversial solid waste provisions. Floor Amendment No. 2 was successfully adopted and adds the following provisions. It provides that an applicant for a waste water land treatment site designed to accept waste water produced inside the county shall submit to the county and the...IEPA its engineering report and proof of financial

capability. All out-of-county provisions remain fully intact. The county will then have forty-five days to come in and the...Illinois EPA must consider such review and comment when issuing a permit. It removes the prohibition against the locating of a regional garbage transfer station within a thousand feet of an exiting dwelling providing that the dwelling is in an area not zoned residential. In regard to an industrial area greater than ten contiguous acres, a transfer station may not be located any closer than eight hundred feet from the nearest property zoned for...residential uses. It also grandfathers in without regard to zoning any transfer station in existence on January 1st, 1988, instead of the current 1986, B, any nonregional station which becomes a regional transfer station and any existing regional pollution control facility which has been used as a garbage transfer station at least one year prior to January 1st, 1988. The...provisions contained in Floor Amendment No. 2 are almost identical to House Bill 3179 which passed out of the Energy-Environment Committee on an 11 to 0 vote. The Northwest Municipal Conference has requested this legislation to allow it to site two transfer stations it is planning to build, and effective on April 15th, Northwest Municipal Conference's thirty-one member municipalities will join to form a municipal joint action...or agency under the Intergovernmental Cooperation Act. So I ask for your support of this piece of legislation. It is vital to those twenty-eight communities in the...and...and three townships in the northwest suburban area.

PRESIDENT:

Discussion? Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Which townships are involved, can you tell me?

PRESIDENT:

Senator Geo-Karis, would you mind repeating the question?

SENATOR GEO-KARIS:

You mentioned three township, which...townships, which townships are involved?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

I'm sorry, Senator Geo-Karis, I cannot tell you. I can get that information from you but they are members of the Northwest Municipal Conference.

PRESIDENT:

(Machine cutoff)...Geo-Karis.

SENATOR GEO-KARIS:

Senator, I...I listened to your explanation, but...are you saying that the Northwest Municipal Conference is asking for this bill?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

That's correct.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

And ask you what...just give me a short reason for it because I...I was trying to follow you but I think I got lost.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

(Machine cutoff)...original request of Northwest Municipal Conference was to provide the abolition of the thousand feet in nonresidential areas to site two transfer stations. Then, we did accept this amendment in the House which was the waste water treatment amendment.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 3425 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 53 Ayes, 2 Nays, 2 voting Present. House Bill 3425 having received the required constitutional majority is declared passed. 42 is on the recall, I'm told, as is 44. 3448, Senator Davidson. On the Order of House Bills 3rd Reading, middle of page 9, is House Bill 3448. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3448.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar. It's a conveyance of land. There was two controversial amendments that had been put on in the House which we struck from Senate amendment. We removed Senate...House Amendment 5 and 6 and I know of no opposition. Appreciate a favorable vote.

PRESIDENT:

Discussion? Senator Watson.

SENATOR WATSON:

Yes, I'd just like to ask the sponsor a question concerning the amendments that were taken off. One of those, was that the City of Maryville?

PRESIDENT:

Senator Watson, I'm sorry, Senator Davidson indicates he did not hear the question.

SENATOR WATSON:

Was...was one of the House amendments you were referring

to the City of Maryville land transfer?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Yes, it was, it and an area up by Pontiac. They were the two controversial amendments that created problem...agreement I had with the President of the Senate who was presiding in committee was to remove those two amendments on the Floor of the Senate, which we did; otherwise, the bill would have died in committee.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, will this go into a conference committee now, is that...is that the plan here?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

. It's not my plan, it's not my will. It's a DOT bill. My understanding that they had not been contacted or they had not agreed to either one of the two amendments till after they were on, they were talked to. It has nothing to do with their...with...with their legislative priority of conveyances, that'll have to be the House sponsor. As far as I'm concerned, it's going over to be...concurred in.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 3448 pass. Those in favor 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 3448 having received the required constitutional majority is declared passed. Senator Joyce, 3462. Senator Etheredge, 3464. On the Order of House Bills

3rd Reading is House Bill 3464. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3464.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and...Ladies and Gentlemen of the Senate. The description which you just heard is...is wrong, this bill has been amended. What the bill now does is to permit certain community college districts, there actually are five in number, levy a small property tax under certain very restricted circumstances. A...if a community college district's operating levy falls below the state average and if the calculation indicates that this has held true for more than three years, then upon certification of the State Community College Board and upon affirmative action of the board of trustees of that institution, they could levy a property tax equal to seventy-five percent of the difference between their operating rate and the statewide average. As I indicate, there are only five community colleges that would be eligible to participate under the terms of this legislation. I'll be happy to answer any questions.

PRESIDENT:

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

SENATOR HALL:

Will the...thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

I guess I should ask Senator Watson too, Belleville Area

College I see you have...in there. They've had a...a lot of discussions on some of the things that they've been doing up there. It's...who did that request come from for Belleville Area College?

PRESIDENT:

...Senator Etheredge.

SENATOR ETHEREDGE:

As I understand it, Senator, the...the request did not come from this particular college. This is a...a proposal which comes...comes to us from the Community College Board. There is a formula that is applied to the...all the community college districts, and under the terms of the proposal that I have now just put before you, there are five community colleges that would be eligible to participate. It just so happens that Belleville would be one of those that would be...eligible to participate, but it's not a...it's not particularly at their request, it's the way they happen to fall within the group that the formula identifies as particularly worthy of need.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, it...are they able to do this without a referendum? Is there any...how do...how do they arrive at this...

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, there is a calculation that is made by the State Community College Board. If they find as a consequence of the application of that formula that a college is eligible to...to participate for three consecutive years, then the State Community College Board certifies to the local community college board that they are eligible to participate. Then the local community college board has the option

of...if...if they wish, indeed, to participate, then they have to vote to do so.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, Blackhawk College is...is in my district and, apparently, the other colleges are Thornton, Lakeland, Kankakee and Belleville. Is this the bill that allows the...these colleges to levy additional property taxes without referendum?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, indeed, it does with the restrictions that I just noted before.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, to...to the bill. Naturally, the colleges that are affected by this support it. Those of us that support those colleges are caught in a box on the issue because, of course, the people that are paying property taxes are writing to us asking us not to raise their taxes without referendum. So I just wanted the members to be aware of the fact that this is a tax increase without referendum, although it does correct, I think, a longstanding injustice perhaps or inequity among the junior colleges.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Will the sponsor yield, please?

PRESIDENT:

Sponsor indicates he will yield, Senator.

SENATOR VADALABENE:

Yes, is this permissive legislation first, and...

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, indeed, it is. It is permissive insofar as the local board is concerned.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

That's okay.

PRESIDENT:

Thank you. Further discussion? Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I would say in closing that this bill, indeed, is designed to...to correct a...a longstanding inequity that goes back...in the instance of these colleges back to the time when they were originally...established. I think we've worked on this concept over the last several months and years. I think that we have formulated a solution to the problem which is...because it is restrictive and I...I think resolves the problem but in a way which I believe also represents the best interest of the property taxpayers as well. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3464 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

HB 3470
3rd Reading

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 35 Ayes, 21 Nays, 1 voting Present. House Bill 3464 having received the required constitutional majority is declared passed. 3470, Senator Rigney. On the Order of House Bills 3rd Reading is House Bill 3470. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3470.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, House Bill 3470 in its present form is identical to Senator Marovitz' bill that passed out of this Chamber, I think, without any dissenting votes and without any discussion. It does a number of things but I think most importantly it deletes the sunset provision that unless we take some positive action during this term of the General Assembly there will be no Charitable Games Act after this fall. It also makes a number of concessions to smaller downstate counties that have found difficulty in complying with the...the present provisions of the law. I ask your support.

PRESIDENT:

Question? Any discussion? If not, the question is, shall House Bill 3470 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, 2 Nays, 1 voting Present. House Bill 3470 having received the required constitutional majority is declared passed. 3477 is on the recall. 3489, Senator Schaffer. Top of page 10,

Senator Welch, 3499. 3527, Senator Holmberg. On the Order of House Bills 3rd Reading, top of page 10, is House Bill 3527. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 3527 is basically a clean-up bill to last year's Public Act 373 which was the first amendment to the Metes and Bounds and Conveyance Act since 1961. A couple of the descriptions were not clear and so those things have been cleared up. It basically allows the legal descriptions to deeds of conveyance to include linear distant values based on approximations and directional values, and I would advocate its passage.

PRESIDENT:

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank...thank you, Mr. President. Senator, as you know, I opposed the Public Act last year that you're talking about I...I think for some of the same reasons that have made this bill necessary. My...my question comes regarding the...the Senate amendment, I guess, that removed the words "approximate" and "instant." In your description, you said it would allow approximations, is that still true after your amendment?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, after adding that, we found that it spoiled the agreed nature of the bill the Bar Association and titling

HB 3615
3rd Reading

associations and so forth had agreed to. And so that amendment was Tabled, so approximations is now back in the bill.

PRESIDENT:

Further discussion? Senator Watson. All right. Further discussion? If not, the question is, shall House Bill 3527 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, 1 Nay, none voting Present. House Bill 3527 having received the required constitutional majority is declared passed. 3548 is on the recall. 3570 is on the recall. 3572, Senator Fawell. Senator Fawell, going once. 3587 is on the recall. 3590 is on the recall. Top of page 11, 3592, Senator Dunn. 3615, Senator Degnan. On the Order of House Bills 3rd Reading is House Bill 3615. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3615.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3615 as amended creates the crime of aggravated battery of a protected person, makes it nonprobational, a Class 2 felony, includes ten categories of people as Senator Hawkinson amended yesterday. I know of no opposition. I move its passage.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3615 pass. Those in favor 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 57 Ayes, no

Nays, none voting Present. House Bill 3615 having received the required constitutional majority is declared passed. 3661, Senator Degnan. 3662, Senator Newhouse. On the Order of House Bills 3rd Reading is House Bill 3662. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

House Bill 3662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Bill 3662 is a bill that creates the Job Referral and Job Listing Services Consumer Protection Act, and what this does is regulate business that...that in...in the practice of...of...of...of referring people for jobs for money. The problem here is that there has been a practice of referring people for jobs which don't exist, for...for referring people to job that is simply taken out of the want ads. So there's no connection between the referral service and the job that does or does not exist. This would cure that...that...that defect and it would provide for the enforcement by the Attorney General, the state's attorney under the Consumer Fraud and Deceptive Business Practices Act. I know of no opposition, would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, what lists will now be required to be kept by our state's attorneys under this bill?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

...I'm sorry, Senator, when you say what lists, do you...could you give me a little bit more?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

My...in my analysis, under a summary, it...it says that the state's attorney of each county will be required to maintain all job listing authorizations received by the job service during the immediate past year. What kind of a list are we talking about here?

PRESIDENT:

(Machine cutoff)...Newhouse.

SENATOR NEWHOUSE:

...whatever jobs are available, those listings have to be submitted to the Attorney General. Is that...is that the question you're asking?

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

No. My question is, what has to be submitted to each downstate state's attorney, what list do they have to keep?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Take it out of the record. Let me get back to the Senator.

PRESIDENT:

All right. Take it out of the record. 3683 is on the recall and that takes us through the Calendar. So we have

effectively concluded our business for today. We will go through the paper that the Secretary has and then we will adjourn until noon tomorrow. There's an Executive Committee meeting at nine, we'll adjourn until noon tomorrow. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

A point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR WATSON:

Thank you, Mr. President. As you know, tomorrow night is the annual House-Senate softball game and Senator Kelly and myself have distributed tickets to each of you and, also, each one of you got a shirt with your name on it. We're asking each member to contribute ten dollars and of that ten dollars is going to go to a charity...a local charity here in Springfield, and from what I understand, some of you haven't done this at this particular time. So Senator Kelly or myself will be contacting you about helping out and we're just asking for ten bucks. So I hope you can dig into your pocket to help out the local kids. Thank you.

PRESIDENT:

Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave of the Body to add as a principal cosponsor Senator DeAngelis on Senate Resolution 1212 and also as sponsors Senator Macdonald, Geo-Karis, Fawell, Karpel and Marovitz.

PRESIDENT:

All right. The gentleman seeks leave to show those members...if you'll share that list with the Secretary to make sure we have them all, Senator Lechowicz, to show Senator DeAngelis as the hyphenated cosponsor along with Senator

Lechowicz and the others that Senator Lechowicz named. Without objection, leave is granted. Senator Dunn.

SENATOR THOMAS DUNN:

...yes, Mr. President, on House Bill 3231 I...inadvertently hit my red light when I meant to hit my green light and I was recorded as a No, and I'd like the record to reflect that had I not made the mistake, I would have voted for the appropriation.

PRESIDENT:

The record will so reflect. Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DUDYCH:

Just a reminder to the members that the Cook County Sheriff will be hosting a reception this evening at Play it Again Sams between five and seven, and all members...are invited.

PRESIDENT:

All right. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 1167 with House Amendments 1 and 2.

I also have like Messages on Senate Bills 1689 with House Amendments 1 and 2.

Senate Bill 1690 with House Amendments 1 and 2.

Senate Bill 1692 with House Amendments 1, 2, 3, 4 and 5.

Senate Bill 1693 with House Amendments 1 and 2.

Senate Bill 1694 with House Amendments 1 and 2.
Senate Bill 1695 with House Amendments 1 and 2.
Senate Bill...1696 with House Amendments 1 and

3.

Senate Bill 1728 with House Amendment 1.
Senate Bill 1729 with House Amendments 1, 6, 7,

9 and 11.

Senate Bill 1730 with House Amendment 1.
Senate Bill 1732 with House Amendment 1.
Senate Bill 1733 with House Amendment 1.
Senate Bill 1735 with House Amendments 2, 6 and

9.

Senate Bill 1737 with House Amendment 1.
Senate Bill 1738 with House Amendments 1, 2 and

3.

Senate Bill 1739 with House Amendments 1, 3, 6,
7, 9 and 11.

Senate Bill 1869 with House Amendment 1.
Senate Bill 1889 with House Amendment 1.
Senate Bill 1893 with House Amendment 1.
Senate Bill 1959 with House Amendment 1.
Senate Bill 1960 with House Amendment 1.
And Senate Bill 2141 with House Amendment 1.

PRESIDENT:

Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 1240 offered by Senators Ralph Dunn and
Woodyard.

Senate Resolution 1241 offered by Senator Ralph Dunn.

Senate Resolution 1242 offered by Senators Dudycz and
Philip.

Senate Resolution 1243 offered by Senator Schuneman.

They're all congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary.

SECRETARY:

Senate Resolution 1244 offered by Senator Etheredge.

Senate Resolution 1245...offered by Senator J. E. Joyce, they're both death resolutions.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1246 offered by Senator Severns, it is substantive.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 147 offered by Senator Woodyard.

Senate Joint Resolution 148 offered by Senator Philip, they're both congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 150 offered by Senators Topinka, Hudson and Etheredge.

Senate Joint Resolution 151 offered by Senator Luft.

Senate Joint Resolution 152 offered by Senator Jerome J. Joyce and they're all substantive.

PRESIDENT:

Executive. All right, ladies and gentlemen, if anybody has a...an...any further further amendments, tomorrow will probably be the last day for recalls, so I'd ask you to turn them into the Secretary. We will begin on 2nd reading, then go to recalls and then pick it up on the beginning of the Calendar on 3rd reading. Further business to come before the Senate? Any announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, June 23rd, tomorrow, at the hour of noon...noon tomorrow, ladies and

gentlemen, we'll begin on recalls. The Senate stands adjourned.

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