

85TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 15, 1988

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery kindly rise. Our prayer this afternoon by the Reverend William Oaks, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND WILLIAM OAKS:

(Prayer given by Reverend William Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Zito.

SENATOR ZITO:

Mr. President, I move that the reading and approval of the Journal of Thursday, November the 10th, 1988, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Zito. 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. Resolutions.

SECRETARY:

Senate Resolution 1360 offered by Senator Lechowicz.

Senate Resolution 1361 offered by Senator Woodyard.

Senate Resolution 1362 offered by Senator Woodyard.

Senate Resolution 1363 offered by Senator Philip and all members.

Senate Resolution 1364 offered by Senator Kelly and Jeremiah Joyce.

Senate Resolution 1365 offered by Senator Savickas and members.

They're all congratulatory.

Senate Resolution 1366 offered by Senators Lechowicz, President Rock, Savickas, Carroll and all members. It's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1367 offered by Senator Geo-Karis. It is substantive.

PRESIDENT:

Executive. (Machine cutoff)...resolutions.

SECRETARY:

Senate Resolution 1368 offered by Senators Demuzio, President Rock and all members.

Senate Resolution 1369 offered by Senator Ralph Dunn.

Senate Resolution 1370 offered by Senator Ralph Dunn.

Senate Resolution 1371 offered by Senator Topinka.

Senate Resolution 1372 offered by Senator Topinka.

Senate Resolution 1373 offered by Senators Demuzio, President Rock and all members.

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

(Machine cutoff)...Joint Resolution 171 offered by President Rock, Senator Philip and all members. It is also congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. There will be a Democratic Caucus immediately in Room 212. Immediately in Room 212, a Democratic Caucus.

PRESIDENT:

All right, that request is in order. There will be a Democratic Caucus immediately in Room 212, and for that purpose the Senate will stand in recess. We will have a supplemental Calendar available for those of you who have filed motions that do not appear on the Calendar. We will try to make a supplemental available when we return. The Senate

will stand in recess until the hour of two-thirty. Two-thirty, gentlemen.

RECESS

AFTER RECESS

PRESIDENT:

The hour of two-thirty having arrived, the Senate will again be in order. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 1374.

Senate Resolution 1375.

Senate Resolution 1376.

All offered by Senator Degnan. They're all congratulatory.

PRESIDENT:

Consent Calendar. Message from the Governor.

SECRETARY:

A Message for the Governor by Zack Stamp, director of Legislative Affairs. November 15, 1988.

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

To the Honorable members of the Senate, 85th General Assembly, I have nominated and appointed the following named persons in the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave of the Body to suspend the appropriate rules so those people can be heard in committee tomorrow morning at 10:00 a.m.

PRESIDENT:

All right, the gentleman seeks leave of the Body to have

these latest appointees or designees heard tomorrow morning in the Committee on Executive Appointments which is rescheduled until ten o'clock. If the members will make note, ten o'clock. Without objection, leave is granted. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Mr. President, apparently Senate Joint Resolution 167, which is congratulatory, was assigned, I think, by error to the Senate Executive Committee. It is congratulatory. I can assure the other side that. I would move to suspend the rules and discharge the Committee on Executive from further consideration of Senate Joint Resolution 167 and that we put it on the Consent Calendar in the Senate.

PRESIDENT:

All right. Senator Demuzio has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 167, a congratulatory resolution, asked that the resolution be placed on the Resolution Consent Calendar. 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. All right, ladies and gentlemen, the Secretary has informed me that the supplemental Calendar has also been distributed. So, what we will do in order to expedite everybody's time and schedule, we will go through the Calendar and afford the opportunity for those who have filed motions to have those motions heard if they wish, and then we will go through the supplemental Calendar and then we will adjourn until tomorrow morning. (Machine cutoff)...page 11 on the...on the regular Calendar. Page 11 on the Senate Calendar. Motion in writing to override item vetoes, Senate Bill 2022, Senator Poshard. Motions in writing to accept specific recommendations for change, Senate Bill 1800, Senator Marovitz. Senate Bill 1839, Senator Berman. Senator...Senate Bill 1996, Senator Marovitz. Senate Bill 2035,

Senator Poshard. Bottom of page 11, motions in writing to override, Senate Bill 1839, Senator Berman. We are now on Supplemental Calendar No. 1. On Supplemental Calendar No. 1, ladies and gentlemen, motions in...in writing to override total vetoes, Senate Bill 1647, Senator Poshard. Senate Bill 2022, Senator Poshard. Motions in writing to accept specific recommendations for change, Senate Bill 1470, Senator Netsch. Ladies and gentlemen, on the Order of Supplemental Calendar No. 1,...under motions in writing to accept specific recommendations for change, Senator Netsch has filed a motion with respect to Senate Bill 1470, Madam Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1470 in manner and form as follows. Amendment to Senate Bill 1470 in acceptance of Governor's recommendations. Filed by Senator Dawn Clark Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank...thank you, Mr. President. Senate Bill...excuse me, Senate Bill 1470 is the bill dealing with a long-term commitment for the funding of the state five pension systems that we in the Senate passed, as I recall, unanimously in 1987, and then was subsequently passed in...this year, 1988, by the House. The...the only change that the Governor has made in the bill is to delay the effective date for one year, and, indeed, that is a recommendation that some of us made to him after we went home. Our plea was this is a major, major piece of legislation, one of the first times the Legislature has ever really grappled with the pension commitments. We do not want to lose the substance of the bill. The extra funding that is required in the first few years is not in the budget. We understand it may have to be delayed for a year but do no

*SB 1626  
Spec. Recomm. of  
the Gov.*

more than that, and that is exactly what the Governor did, he delayed it for effectively one year. It is still an important piece of legislation and I would certainly recommend that we accept the Governor's amendatory veto. It is a proper use of the amendatory veto in this case.

PRESIDENT:

All right, Senator Netsch has moved the acceptance of the Governor's specific recommendations as to Senate Bill 1470. Is there any discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1470 in the manner and form just stated by Senator Netsch. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1470 having received the required constitutional majority vote of Senators elected are declared accepted. There's a motion in writing to accept specific recommendations for change with respect to Senate Bill 1626, Senator D'Arco. Ladies and gentlemen, on the same order of business on Supplemental Calendar No. 1, motion in writing to accept the specific recommendations of the Governor with respect to Senate Bill 1626. Madam Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1626 in manner and form as follows. Amendment to Senate Bill 1626 in acceptance of Governor's recommendations. Filed by Senator John D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill was amendatorily vetoed by the Governor, and what it does is change the

all-year program for IRAP into a winter program which was the original intent of the bill. It also provides that...instead of the funds running out in 1989, when it was originally proposed, the funds would run out, when the Exxon Oil over...oil refund money runs out whenever that occurs. This is acceptable to everybody. A task force has been appointed and we are looking into ways and means to keep IRAP viable in the State of Illinois; therefore, I would accept the Governor's amendatory veto.

PRESIDENT:

All right, Senator D'Arco has moved to accept the specific recommendations of the Governor as to Senate Bill 1626. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1626 in the manner and form just stated by Senator D'Arco. 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, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1626 having received the required constitutional majority vote of Senators elected are declared accepted. Same order, motions in writing to accept specific recommendations for change, on Supplemental No. 1 there's a motion filed with respect to Senate Bill 2124, Senator Poshard. Madam Secretary.

SECRETARY:

(Machine cutoff)...move to accept the specific recommendations of the Governor as to Senate Bill 2124 in manner and form as follows. Amendment to Senate Bill 2124 in acceptance of Governor's recommendations. Filed by Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. This bill originally dealt with the relation to security interest in crops. In brief, the...the bill allows either the mortgagee or the operational lender to claim the crops depending upon which lender first files a lien under the UCC. The Governor's amendatory veto here simply clarifies that the seed lender's priority lien is retroactive to the effective date of this Act and that was left out of the original bill. I'd move that we accept the Governor's change.

PRESIDENT:

All right, Senator Poshard has moved the acceptance of the specific recommendations of the Governor as to Senate Bill 2124. Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, as I understood the bill as it passed the General Assembly it had the support of both farm groups as well as the banking groups. Is this still true with this change?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

It is still true. This change is agreed upon by all the interests that are concerned about this bill.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2124 in the manner and form just stated by Senator Poshard. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have

all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 2124 having received the required constitutional majority vote of Senators elected are declared accepted. The bottom of Supplemental No. 1 there's a motion in writing to override the specific recommendations of the Governor with respect to Senate Bill 1562, Senator Netsch. No. All right. Ladies and gentlemen, we have gone through the motions on the Calendar. Those that were not called will reappear, obviously, on the Calendar tomorrow, Thursday being the final day. There were two additional requests, or one at least, Senator Zito. If you'll turn to page 8 on the Calendar. Page 8. With leave of the Body, we'll move to the Order of Motions in Writing. Senator Zito has filed a motion with respect to House Bill 2533. Madam Secretary.

SECRETARY:

I move to suspend Senate Rule 5C and that the Committee on Finance and Credit Regulations be discharged from further consideration of House Bill 2533 and that the bill be placed on the Calendar on the Order of 2nd Reading. Filed by Senator Zito.

PRESIDENT:

Senator Zito.

SENATOR Zito:

Yes, thank you, Mr. President and members. I have spoken to the minority spokesperson, Senator Keats, and all committee members on this legislation. We would like to discharge our Committee of Finance from further consideration, to move to 2nd reading on this legislation for the purpose of an amendment. I can explain the amendment now or take care of the discharge and would ask the Chair to recognize the fact that we would like to adopt...at least attempt to adopt the

HB 2533  
2nd Reading

amendment today and be happy to answer any questions about the discharge motion.

PRESIDENT:

All right, Senator Zito has moved to discharge the Committee on Senate Finance from further consideration of House Bill 2533 and asked that the bill be placed on the Order of 2nd Reading and, in fact, read a second time. Any discussion on the motion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. We will now move, with leave of the Body, to the Order of House Bills on 2nd Reading, Madam Secretary.

SECRETARY:

House Bill 2533.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Senator Zito offers Amendment No. 1.

PRESIDENT:

Senator Zito on Amendment No. 1.

SENATOR ZITO:

Yes, thank...thank you, Mr. President and members. You have all received an...a copy of Amendment No. 1 to House Bill 2533. This amendment in the bill would then create the Illinois Financial Services Development Act. The purpose of the legislation is to permit financial institutions to issue credit cards with adjustable interest rates. The Act will permit a lender to increase the interest rate on existing and future debt if agreed to by the borrower in the initial application for credit. The plan is modeled after the concept of adjustable rate home mortgages. With this proposal financial institutions can issue revolving credit under

either existing law or this proposed amendment and Act. The purpose of the Act is to strengthen the economic development of the financial institutions of this state. Illinois based financial institutions are losing existing jobs and future job opportunities due to the adverse regulatory climate involving customer revolving credit laws. In order to secure these jobs, the restrictions on such credit laws need to be modernized to enhance the competitive advantage permitted financial institutions located in other states. I think the legislation will put Illinois on par with several states, most notably Delaware and South Dakota that are quite unrestrictive in their credit card laws. While Illinois does not have an interest rate ceiling, restrictions against adjustable rates for interest costs and the twenty dollar maximum...annual fee do exist. This has prohibited Illinois to be able to grow with the credit card industry and has, in fact, ladies and gentlemen, lost Illinois jobs, lost...Illinois economic development; and I think by the passage of this legislation we can immediately be the beneficiaries of approximately two thousand jobs in Illinois and expand this operation so Illinois can compete with South...South Dakota, Delaware and some of the other states. I'll be happy to answer any questions on the amendment and would move for the adoption of Amendment No. 1 to House Bill 2533.

PRESIDENT:

All right, Senator Zito has moved the adoption of Amendment No. 1 to House Bill 2533. Is there any 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. Ladies and gentlemen, if I can have your attention. On the same Order of Motions in Writing, there was a motion filed last Thursday, along with the one from Senator Zito, filed by Senator Kelly and at that point, since we were in a less than full session, we suggested that that motion would be better heard today. So, on the same Order of Motions in Writing is a motion in writing with respect to Senate Bill 1700. Middle of page 8, Madam Secretary.

SECRETARY:

I move that the Committee on Rules be discharged from further consideration of Senate Bill 1700 and the bill be placed on the Calendar on the Order of 2nd Reading. Filed by Senator Kelly.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This motion would place Senate Bill 1700...or take it from committee and place it on 2nd reading. This legislation would reestablish the one thousand dollar exemption for senior citizens and the...the blind which was taken away by the federal tax revisions. I've talked with, and I'm sure you have too, a number of senior citizens that felt that the Senate let them down during the last year by not passing such legislation, and I would at least like to have the opportunity to have it on the Floor and say we're aware of it, we know it's very important and when the money is there, we're going to go ahead and put this back into place and, therefore, I...I move for this motion.

PRESIDENT:

All right, Senator Kelly has moved to discharge the Committee on Rules from further consideration of Senate Bill 1700 and asked that the bill be placed on the Calendar on the Order of 2nd Reading. Is there any discussion? If not, all

in favor of the motion indicate by saying Aye. All...all opposed. The Ayes have it. The motion carries and it's so ordered. Any further business to come before the Senate? Any announcements? (Machine cutoff)...no further business or no announcements, remember the Senate Committee on Executive Appointments meets at ten tomorrow morning. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 1377 offered by Senators Barkhausen and Geo-Karis.

Senate Resolution 1378 offered by Senator Savickas.

Senate Resolution 1379 offered by Senator Ralph Dunn.

They're all congratulatory.

Senate Resolution 1380 offered by Senators Davidson, Etheredge and all members. It's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 172 offered by Senator Etheredge.

And Senate Joint Resolution 173 offered by Senators Keats, Barkhausen and Geo-Karis.

Pardon me, Senate Joint Resolution 172 offered by Senator Etheredge was substantive.

PRESIDENT:

(Machine cutoff)...Executive.

SECRETARY:

Senate Joint Resolution 173 offered by Senators Keats, Barkhausen and Geo-Karis. It is a death resolution.

PRESIDENT:

(Machine cutoff)...Calendar. Any further business? Any further announcements? Again, remember, the Calendar says nine o'clock for Executive Appointments, Senator Lechowicz has indicated that the meeting would begin at ten. Ten o'clock for Executive Appointments for all of you executives.

Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. An announcement to remind...remind the membership that the Economic and Fiscal Commission is meeting at 8:00 a.m. tomorrow morning in Room 400 of the State Capitol and we will discuss the revised revenue update. Eight o'clock tomorrow morning.

PRESIDENT:

All right, if there's no further business or further announcements, the Senate will stand adjourned until one-thirty. One-thirty tomorrow afternoon, Wednesday, November 16th, the...the hour is one-thirty. Senate stands adjourned.

DAILY TRANSCRIPTION OF DEBATE INDEX

NOVEMBER 15, 1988

|          |                    |      |    |
|----------|--------------------|------|----|
| HB-2533  | SECOND READING     | PAGE | 10 |
| HB-2533  | MOTION             | PAGE | 9  |
| SB-1470  | MOTION             | PAGE | 5  |
| SB-1626  | MOTION             | PAGE | 6  |
| SB-1700  | MOTION             | PAGE | 12 |
| SB-2124  | MOTION             | PAGE | 7  |
| SR-1360  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1361  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1362  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1363  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1364  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1365  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1366  | RESOLUTION OFFERED | PAGE | 1  |
| SR-1367  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1368  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1369  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1370  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1371  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1372  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1373  | RESOLUTION OFFERED | PAGE | 2  |
| SR-1374  | RESOLUTION OFFERED | PAGE | 3  |
| SR-1375  | RESOLUTION OFFERED | PAGE | 3  |
| SR-1376  | RESOLUTION OFFERED | PAGE | 3  |
| SR-1377  | RESOLUTION OFFERED | PAGE | 13 |
| SR-1378  | RESOLUTION OFFERED | PAGE | 13 |
| SR-1379  | RESOLUTION OFFERED | PAGE | 13 |
| SR-1380  | RESOLUTION OFFERED | PAGE | 13 |
| SJR-0171 | RESOLUTION OFFERED | PAGE | 2  |
| SJR-0172 | RESOLUTION OFFERED | PAGE | 13 |
| SJR-0173 | RESOLUTION OFFERED | PAGE | 13 |

SUBJECT MATTER

|                                  |      |    |
|----------------------------------|------|----|
| SENATE TO ORDER - PRESIDENT ROCK | PAGE | 1  |
| PRAYER - REV. WILLIAM OAKS       | PAGE | 1  |
| JOURNAL - POSTPONED              | PAGE | 1  |
| MESSAGE FROM THE GOVERNOR        | PAGE | 3  |
| ADJOURNMENT                      | PAGE | 14 |