

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

71st Legislative Day

July 1, 1993

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: To the Committee on Executive - A motion to concur with House Amendment 1 to Senate Bill 1105; to the Committee on Judiciary - Conference Committee Report to Senate Bill 273; to the Committee on Public Health and Welfare - Conference Committee Report to Senate Bill 290; and Approved for Consideration - Conference Committee Report to Senate Bill 937.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 956, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 4 to Senate Bill 956.

We have a like Message on Senate Bill 100.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank -- thank you, Mr. President and Ladies and Gentlemen of the Senate. It would appear that we have -- may have come to an impasse. As you know, the Leaders have been working long and hard on -- what I thought was a reasonable compromise with the Governor's Office, and as you know, we brought them back -- that

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compromise back to our respective caucuses. And in my judgment, there is a lot of support on both sides of the aisle in the caucuses for this package. It would appear that the other side of the aisle has not got their act together. They're not prepared tonight to put any votes on. We're prepared to put nineteen votes on and do what the Illinois House did tonight: pass 937 with three-fifths - 71 votes. Evidently you're not -- prepared to do it. Shame on you. And, Mr. President, I move we stand in recess until 11 am.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip moves that the Senate stand in recess until 11 a.m. July 1. The Senate stands in recess.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Our prayer this morning will be given by one of our Members, Senator Geo-Karis. Will the guests in the gallery please rise, and Members be at your desk? Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer given by Senator Geo-Karis)

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committee: To the Committee on Executive - Senate Amendment 6 to

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House Bill 1038.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages for the Governor.

SECRETARY HARRY:

A Message for the Governor, by Mark Boozell, Director of Legislative Affairs, correcting a previous Message.

To be a member of the Southern Illinois University Board of Trustees for a term ending January 18, 1999, with an effective date of July 15th, 1993, Celeste Stiehl of Belleville.

PRESIDING OFFICER: (SENATOR DONAHUE)

WICS-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Madam President. I -- I arise to make a motion. Pursuant to Rule 7-17, I move that Senate Rule 3-11(e) be suspended in order to waive the six-day posting requirement to permit Senate Resolution 668, Senate Resolutions 667, 676 and 650 to be heard in the Executive Committee this afternoon.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion. All those in favor, say Aye. All those opposed, Nay. Ayes have it. Motion is accepted. WEEK-TV in Peoria-Bloomington seeks leave of the Body to videotape. Is leave granted? Leave is granted. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

For the purpose of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your announcement.

SENATOR MAHAR:

The Senate Environment and Energy Committee will be meeting today, Thursday, at 1 o'clock, in Room 400, to consider Senate

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Bill 406 and House Bill 300.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(machine cutoff)...LaPaille, for what purpose do you rise?

SENATOR LaPAILLE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR LaPAILLE:

Yes, Madam President and Members of the State Senate, I would like to introduce, standing to my right, Mr. Slavko Perivic, who is the leader of the Liberal Alliance Party from the country of Montenegro, which is in the old Yugoslavia. It is a neighbor of Croatia and Serbia. He is here on a trip visiting America. He's been to Washington, D.C. He's now visiting our State Capitol. He was over in the House all day yesterday. He'll be visiting with us today. He heads to the West Coast. He heads to Little Rock, Arkansas - I wonder why he's going to Little Rock - and then on to New York City. Would you please welcome Mr. Perivic.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

Thank you, Madam President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR HAWKINSON:

We're going to be having a -- Senate Judiciary Committee meeting at 12:30 in Room 400. That's Senate Judiciary Committee. We have three bills -- three conference committee reports that we need to hear. Room 400 at 12:30. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you. Senate stands in recess till the call of the Chair.

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(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...(machine cutoff)...come to order. Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports that the First Conference Committee Report to Senate Bill 869 Be Approved for Consideration.

And Senator Topinka, Chair of the Committee on Public Health and Welfare, reports that the First Conference Committee Report to Senate Bill 290 and to House Bill 1852 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 678, offered by Senator Hasara.

Senate Resolution 679, by Senators Ralph Dunn and Rea, and all Members.

Senate Resolution 680, by Senator Philip and all Members.

And Senate Resolution 681, offered by Senator DeAngelis.

They're all congratulatory and death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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

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House Joint Resolution 60.

Adopted by the House, June 30, 1993.

It's congratulatory.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1109, offered by Senator Collins.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Madam President - to announce that the Senate Committee on the Executive will meet at 7:25 p.m. in Room 212 to consider -- to consider the following Floor amendments, joint action motions, and conference committee reports: House amendments to Senate Bill 266, House amendments to Senate Bill 1105, Conference Committee Report 1 to Senate Bill 941, Conference Committee Report 1 to Senate Bill 614, Senate Amendment No. 6 to House Bill 1038; and also the following resolutions: Senate Resolution 650, Senate Resolution 667, Senate Resolution 668 and Senate Resolution 676. That's at 7:25 p.m. in Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

We will now go to Executive Session for the purpose of advice and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Ralph Dunn, Chair of the Committee on State Government Operations and Executive Appointments, to which was referred the Governor's Message of June 23rd, 1993, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Dunn.

SENATOR R. DUNN:

Thank you, Madam President. Before I start, I want to thank all of you for staying here all day so you could get this report. I know that you've been waiting all day on this. I move the Senate resolve itself in Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of June the 23rd, 1993. Mr. -- Madam President, with respect to the Governor's Message of that date, I will read the salaried appointment - period, one - to which the Committee on State Government Operations and Executive Appointments recommend the Senate do advise and consent:

To be the Sanitary District Observer for a term ending January 16th, 1995, Connie Peters of Arlington Heights.

That's the only salaried.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there...

SENATOR R. DUNN:

Having read the salaried appointment, I now seek leave to consider this appointment on one roll call, Mr. -- Madam President. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? The question is, does the Senate advise and consent to the nomination just made. 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, there are 58 Ayes, none Nays and none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Dunn.

SENATOR R. DUNN:

Thank you, Madam President. With respect to the Governor's

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Message of June the 23rd, 1993, I'll read the unsalaried appointments to which the Senate Committee on State Government Operations and Executive Appointments recommend that the Senate do advise and consent:

Board of Agriculture Advisors for terms ending January the 15th, 1995, Susan Adams of Atlanta; Don Ahrens of Harvard; James Hankes of Galesburg; Doris Hoener of Quincy; Don Holt of Champaign; Russell Koster of Sterling; Joan Ware -- Jon Ware of Jacksonville; Ronald Warfield of Gibson City; Edward Whitaker of Forest City; Robert Wood of Bowen.

To be a member of the Economic Development Board for a term ending November the 1st, 1994, Don Johnson of Springfield.

To be a member of the Employment Security Advisory Board for a term ending January the 15th <sic> (16th), 1995, Don Johnson of Springfield.

To be a member of the Illinois Affordable Housing Advisory Commission for a term ending October the 1st, 1994, Dan Mahru of Glencoe.

To be a member of the Labor Management Cooperative <sic> (Cooperation) Committee for a term ending July the 1st, 1994, Donald Johnson of Springfield.

To be a member of the Board of Regents for a term ending January 18th, 1999, William Sulaski of Normal.

To be a member of the Southern Illinois University Board of Trustees for a term ending January the 18th, 1999, with an effective date of July the 15th, 1993, Celeste Stiehl of Belleville.

To be a member of the Workers Compensation Advisory Council for a term ending January the 17th, 1994, Donald Johnson of Springfield.

Madam President, having read the unsalaried appointments, I now seek leave to consider the appointments on a single roll call,

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unless some Senator has an objection to these appointments. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. 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, there are 58 Ayes, no Nays, and none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Dunn.

SENATOR R. DUNN:

Madam President, I move the Senate rise from Executive Committee <sic> (Session).

PRESIDING OFFICER: (SENATOR DONAHUE)

You have heard the motion. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Motion carries. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR HENDON:

Thank you, Madam President. Ladies and Members of the Senate, someone with access to the Senate Floor - either a Senator, a staff person or a Page - put a very nasty, vile letter to me on my desk here. I -- I wanted to read the letter to the Senate so you could see exactly how low some of our Members have sank; however, my colleague, Senator Hall, advised me not to read such a

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profanity-filled letter into the record. This is an anonymous letter, and anyone who would like to see it, you're welcome to come and see it. Basically it compares me to Jesse Jackson and calls me a bunch of "m-fs" and other things. I believe that every Member of this Chamber has a right to say what they feel on this microphone, in whichever way they feel is -- is best for their constituency. I may be too compassionate for some of you, but so be it. But the coward who wrote this letter, I simply say to them, anything they want to say to Ricky Hendon, say it to my face. Here in this Chamber, in a back alley, or wherever, I'll take good care of you. Okay? But I just wanted to put this on the record. I don't think that this sort of thing is proper. President Pate Philip told me he would not have it. And I'm just going to say to the -- to the coward who put this on my desk, you know -- it's a good thing you didn't put your name on it, and you'd better not get caught doing it, by me. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Hendon. The record will so reflect. Senator Dunn, for what purpose do you rise?

SENATOR T. DUNN:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point, sir.

SENATOR T. DUNN:

Senator Hendon, no Senator wrote that.

PRESIDING OFFICER: (SENATOR DONAHUE)

On page 9 of the Calendar, on the Order of Constitutional Amendments 2nd Reading. Senator Watson, do you wish to have SJR 1 read? Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution Constitutional Amendment No. 1, offered by Senators Watson and Klemm.

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(Secretary reads SJRCA No. 1)

2nd Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Illinois Information Services requests permission to videotape today's -- proceedings. Is leave granted? Leave is granted. Senator Watson.

SENATOR WATSON:

Well, the constitutional amendment resolution that was just read changes the adjournment date - the constitutional adjournment date - from June 30th to April 30th. That was 2nd Reading, so this moves on to 3rd Reading, I assume.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thanks, Senator Watson. ...(machine cutoff)...joint resolution has moved to -- 3rd Reading. ...(machine cutoff)... could have your attention, please. The Senate will recess for five minutes for the purposes of the Rules meeting, to meet in the -- in Senator Weaver's Office. After the Rules Committee, Senator Mahar, do you have... The Energy and Environment Committee will meet in the anteroom immediately after Rules, for five minutes. Senate stands at ease.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I have filed a motion in writing to suspend Senate Rule

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7-17(d) on House Bill 1038 to the date, January 1, 1994. That is the bill that has been one of the agreements we allegedly have worked out. We have to extend the rules on it and hopefully tomorrow, or the next day, or the next day, or the next day, we will take some kind of an action on it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Mr. Secretary, read the motion.

SECRETARY HARRY:

Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that Senate Rule 2-10 be suspended, so that House Bill 1038 may be considered by the Senate on 3rd Reading on or before January 1, 1994.

Filed by Senator Philip, President of the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

WAND-TV requests permission to videotape. Is leave granted? Leave is granted. Senator Cullerton, for what purpose do you rise? Oh. Any discussion? You've heard the motion. All those in favor will say Aye. All opposed, Nay. The Ayes have it. Motion is accepted. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Madam President. I would like to request that the Democrats have a Caucus tomorrow morning at 9:30 in Senator Jones' Office. Be tomorrow morning at 9:30 in Senator Jones' Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Page 15 of the Calendar is the Order of Motions in Writing to Accept the Specific Recommendations for Change. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to accept the specific recommendations of the Governor as to Senate Bill 718, in manner and form as follows:

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Amendment to Senate Bill 718
in Acceptance of the Governor's Recommendations.
Filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 718 has passed both the House and the Senate without objection or -- or opposition. It was sent to the Governor, filed on behalf of the Illinois Association of Rehabilitation Facilities to allow them to do some lower-cost bond financing for their facilities. And after the Governor's staff reviewed it and the Comptroller's Office looked at it, they felt it needed some technical legal corrections to change the term "paying agent" to "trustee", and they also wanted to add an immediate effective date. There is no opposition to this legislation, and I move that we accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Sieben has moved to accept the specific recommendations of the Governor as to Senate Bill 718. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 718, in the manner and form just stated by Senator Sieben. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, and none voting Present. The specific recommendations of the Governor as to Senate Bill 718, having received the required constitutional majority votes of Senators elected, are declared accepted. Committee Reports.

SECRETARY HARRY:

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Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: To the Committee on Environment and Energy - Conference Committee Report to House Bill 300; and Be Approved for Consideration - Conference Committee Report to House Bill 176.

Senator Mahar, Chair of the Committee on Environment and Energy, reports that House Amendments 1, 4, 5 and 8 to Senate Bill 406 recommends Senate Do Concur; and First Conference Committee Report to House Bill 300 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(machine cutoff)...could have your attention, please. The Senate will stand in recess until the Executive Committee has met. We will keep the Chair open, in case we have Messages from the House to move. There will be no substantive action taken at the end of the Executive Committee, and at that moment, we will reconvene the Chair and adjourn the Senate until 10 o'clock tomorrow morning. I would remind the Democrat Caucus, you have a 9:30 meeting. Are there any other meetings or any other announcements to come? Senate stands in recess until the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

Thank you, Madam President. On page 10, under Secretary's

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Desk, Non-concurrence, I would like to refuse to recede on Senate Amendment No. 2, 3 and 6 on House Bill 203, and request a committee of conference.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Weaver has moved that the Senate refuse to recede from Senate Amendments 2, 3 and 6 to House Bill 203. All those in favor, say Aye. All opposed, Nay. The Ayes have it. Motion carries, and the Secretary will so inform the House. Committee Reports.

SECRETARY HARRY:

Senator Karpziel, Chair of the Committee on Executive, reports that House Amendment 1 to Senate Bill 266, the motion to concur Approved for Consideration; Senate Amendment 6 to House Bill 1038 Be Adopted; House Amendment 1 to Senate Bill 1105, the motion to concur Approved for Consideration; First Conference Committee Report on Senate Bill 941 Be Approved for Consideration; and Senate Resolutions 667 and 668 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone cutoff)...from the House.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 2062, with Senate Amendment No. 3.

Non-concurred in by the House, July 1st, 1993.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further business? Senator Weaver moves that the Senate stand adjourned until Friday, July 2nd, at the hour of 10 a.m. Senate stands adjourned.

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