

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

60th Legislative Day

October 20, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our quests in the galleries please rise. Our prayer today will be given by the Reverend Wayne R. Meyer, Tallula Christian Church, Tallula, Illinois. Reverend Meyer.

THE REVEREND WAYNE R. MEYER:

(Prayer by the Reverend Wayne R. Meyer)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Sunday, May 21st; Monday, May 22nd; Tuesday, May 23rd; Wednesday, May 24th; Thursday, May 25th; and Friday, May 26th, 1995.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journals just read. There being no objection, so ordered. And, Senator Sieben, I forgot. Will you please rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

A Message to the President.

Dear Senator Philip - This letter is to notify you that I

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am hereby resigning my position as State Senator from the Illinois 50th Senate District, effective midnight Friday, June 30th, 1995. It has been an honor and a privilege to have served under your leadership and to have served the people of the State of Illinois as Senator from the 50th District.

Sincerely, Karen Hasara.

Dear Senator Philip - I hereby resign my position as State Senator from the 58th Legislative District, effective 12:01 a.m., September 15th, 1995. It has been an honor and a privilege to have served the people of southern Illinois as the Senator from the 58th District.

Sincerely, Ralph Dunn.

Messages from the Secretary of State.

Dear Mr. Secretary - This office is forwarding herewith copies of the resignation letter of Karen Hasara and the Notice of Vacancy existing in the office of Senator in the General Assembly for the 50th Legislative District. Also enclosed is the Republican Legislative Committee's Certificate of Appointment of Larry Bomke, 345 South Old Covered Bridge Road, Springfield, who is appointed to fill the vacancy, and his Oath of Office.

Yours truly, George H. Ryan, Secretary of State.

Dear Mr. Secretary - This office is forwarding herewith copies of the Republican Legislative Committee's Certificate of Organization and the Notice of Vacancy now existing in the office of Senator in the General Assembly for the 58th Legislative District as a result of the resignation of Senator Ralph Dunn. Also enclosed are the Republican Legislative Committee's Certificate of Appointment of David S. Luechtefeld, 204 Sunset, Okawville, and his Oath of Office as State Senator in the 58th Legislative District.

Yours truly, George H. Ryan, Secretary of State.

Message addressed to the Secretary.

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Please be advised, I do hereby resign my position as Minority Spokesperson for the Transportation Committee. This letter shall serve as my written resignation according to Article III of the Senate Rules, 89th General Assembly, which requires committee resignations to be made in writing, by the resigning Member, and submitted to the Secretary of the Senate.

Sincerely, Denny Jacobs, Minority Spokesperson, Senate Transportation Committee.

A Message from the Minority Leader.

Dear Mr. Secretary - Please be advised that I've -- I have appointed Senator Denny Jacobs to serve as the Minority Caucus Chair to fill the vacancy created by the death of Senator Kenneth Hall. This appointment takes effect immediately.

Signed by Senator Jones, Minority Leader, June 22nd, 1995.

Dear Mr. Secretary - Please be advised that I have appointed Senator George Shadid to serve as the Minority Spokesman for the Transportation Committee to fill the vacancy created by the resignation of Senator Denny Jacobs. This appointment takes effect immediately.

Dated June 22nd, 1995, and signed by Senator Jones, Minority Leader.

Dear Mr. Secretary - Please be advised that I have appointed Senator Larry Bomke to replace Senator Hasara on the following standing committees of the 89th General Assembly: Executive Appointments; Appropriations; Higher Education, Vice Chair; and Local Government and Elections, Vice Chair. These appointments are effective immediately.

Dated August 14, 1995, and signed by President Philip.

Dear Mr. Secretary - Please be advised that I have appointed Senator David Luechtefeld to replace Senator Dunn on the following standing committees of the 89th General Assembly: Executive Appointments, Vice Chair; and State Government

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Operations. These appointments are effective immediately.

Dated October 20th, 1995, and signed by President Philip.

A Message from Joseph A. Spagnolo, State Superintendent of Education.

As required by Public Act 89-3, enclosed are summaries of requested waivers of School Code mandates for consideration by the Illinois General Assembly. Also attached are summaries of waiver applications previously acted on by the Illinois Board of Education.

Message from the Secretary of State.

To the Honorable President of the Senate - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate bills as vetoed by the Governor, together with his objections:

Senate Bills 95, 103, 245, 549, 703 and 836.

Respectfully, George H. Ryan, Secretary of State.

To the Honorable President of the Senate - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate bills that are being returned by the Governor with specific recommendations for change:

Senate Bills 46, 93, 276, 377, 442, 566, 736, 949, 1094 and 1133.

Respectfully, George Ryan, Secretary of State.

Message from the Comptroller.

To the Honorable Members of the Senate, 89th General Assembly - I have nominated the following named person to the Comptroller's Merit Commission to fill an unexpired term following a resignation and respectfully ask concurrence in the confirmation of this appointment by your honorable Body.

Sincerely, Loleta Didrickson, Comptroller.

To the Honorable Members of the 89th General Assembly - I have nominated the following named person to the State Mandates

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Board of Review and respectfully ask concurrence in the confirmation of this appointment by your honorable Body.

Sincerely, Loleta A. Didrickson, State Comptroller.

A Message for the Governor by Deno Perdiou, Director of Legislative Affairs.

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

To the Honorable Members of the 89th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below, and respectfully ask concurrence in and confirmation of these appointments by your honorable Body.

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 51 to a bill of the following title, to wit:

Senate Bill 19.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference on said bill.

Action taken by the House, May 26th, 1995.

PRESIDENT PHILIP:

Senator O'Malley moves to accede to the request of the House for conference committee on House <sic> bills just read by the Secretary. Their being no -- all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The motion is carried. Resolutions.

SECRETARY HARRY:

Senate Resolution 84, offered by Senator Shaw and all Members.

Senate Resolution 85, by Senator Lauzen and all Members, as is Senate Resolution 86.

Senate Resolution 87, by Senator Jones and all Members.

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Senate Resolution 88, by Senator Shaw and all Members, as is Senate Resolution 89.

Senate Resolution 90, by Senator Cullerton and all Members, as is Senate Resolution 91.

Senate Resolution 92, by Senator Jones and all Members.

Senate Resolution 93, by Senator Geo-Karis and all Members.

And Senate Resolution 94, by Senator Garcia and all Members. They're all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 95, offered by Senators Cullerton and Rea.

Senate Resolution -- Senate Joint Resolutions 52 through 58, all offered by Senator Berman.

Senate Joint Resolution 59, by Senators Cronin and O'Malley, as is Senate Joint Resolution 60.

Senate Joint Resolution 61, offered by Senator Demuzio. They're all substantive.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1220, offered by Senator Parker.

(Secretary reads title of bill)

Senate Bill 1221, by Senator Berman.

(Secretary reads title of bill)

Senate Bill 1222, by Senators DeLeo, Berman and others.

(Secretary reads title of bill)

Senate Bill 1223, by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1224, by Senators Cullerton and Rea.

(Secretary reads title of bill)

Senate Bill 1225, by Senator Philip.

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(Secretary reads title of bill)

House <sic> Bill 1226, by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1227, by Senator Welch.

(Secretary reads title of bill)

House Bill 1228, by -- or Senate Bill 1228, by Senator DeAngelis.

(Secretary reads title of bill)

1st Reading of the bills.

...Bill 1229, offered by Senator Palmer.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 96, offered by Senator Jones.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

If we.. Well, Mr. President, we have had a -- an event that occurred Wednesday of this week while we were not here. And we'd like to reflect -- have the record to reflect that the leader on this side, Senator Jones, had a birthday on the eighteenth. He turned - What? Ninety? - sixty. And there is cake for everyone down in the well on this side. And so we would like to wish Senator Jones a happy sixtieth birthday.

PRESIDENT PHILIP:

Thank you and congratulations, Congressman. Resolutions.

SECRETARY HARRY:

Senate -- Senate Joint Resolution 62, offered by Senator

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Peterson.

And Senate Joint Resolution 63, offered by Senator Mahar. They're both substantive, Mr. President.

PRESIDENT PHILIP:

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

A point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR SYVERSON:

I don't want to top Senator Jones, but we have two birthdays on this side of the aisle. And I think if you combine both of them they probably equal the same age as Senator Jones, but... The baby -- the baby in our caucus, Peter Fitzgerald, is thirty-five today. Wherever he is. Back here. Thirty-five today. And on Sunday Senator O'Malley turns forty-five. So forty-five. But, unlike Senator Jones, I don't think we have any cake here, so we'll celebrate and we'll join in in Senator Jones' cake.

PRESIDENT PHILIP:

Thank you. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee of Rules, reports the following Legislative Measures have been assigned to committees: referred to the Committee on Education - House Bill 854, Senate Joint Resolution 59, and Senate Joint Resolution 60; to the Committee on Insurance, Pensions & Licensed Activities - Senate Bill 1222; to the Committee on Judiciary - House Bill 115.

PRESIDENT PHILIP:

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Mr. President, the following Members have filed motions

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with respect to the following bills: Senate Bill 46, Senator Mahar; Senate Bill 93, Senator Rauschenberger; Senate Bill 276, Senator Mahar; Senate Bill 377, Senator Watson; Senate Bill 442, Senator Woodyard; Senate Bill 566, Senator Geo-Karis; Senate Bill 703, Senator Dunn; Senate Bill 736, Senator Madigan; Senate Bill 1094, Senator Fitzgerald; Senate Bill 1133, Senator Rauschenberger; Senate Bill 886, Senator Dunn; and Senate Bill 652, Senator Berman.

PRESIDENT PHILIP:

Mr. Secretary, I request that these motions be printed on the Calendar. So ordered. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

Yes. Thank you, Mr. President. I know most of us realize that Mayor Karen Hasara, of course, has resigned as Senator from the District here in Springfield. And I'd like to take this opportunity to introduce our new State Senator from here in Springfield, Larry Bomke. Larry, would you stand? We certainly welcome Larry to the Senate, and obviously wish him well. And our elder Statesman, Ralph Dunn, who served in this Body for almost twenty-two years, resigned and, of course, we will miss Ralph. Ralph, of course, from my area of the State, and -- represented his district well, and -- and we will miss him. But we also want to welcome the new Senator from Okawville, Washington County, and that is Dave Luechtefeld. And Dave is right here in the back, and we wish Dave well and welcome him also to the Senate.

PRESIDENT PHILIP:

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all of those that have been read in today will be added to the Consent Calendar. Mr Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

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SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDENT PHILIP:

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, signify by saying Aye. Those opposed, Nay. The motion carried. The resolutions are adopted. May I have your attention, please. The Chair would remind all Members, motions on veto measures should be filed with the Secretary as soon as possible. It's the intent of the Chair to take up these motions beginning Wednesday, November 1. So please file your motions and your paperwork as soon as possible. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank -- Mr. President, thank you. Ladies and Gentlemen of the Senate, I would like to request a Republican Caucus immediately following the recess, in Senator Pate Philip's Office.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, let me make an inquiry of the Chair, if I might. Are we -- we're recessing for a Republican Caucus, and then are we coming back to conduct business after that?

PRESIDENT PHILIP:

It would be the intent of the Chair to pass the adjournment resolution and leave the Clerk's open if you wanted to file anything, and then - we're not going to do anything serious - we will adjourn and then have our caucus and go home. So we're not going to do anything more. But if you got something to file, I wish you would bring it up here and file it. Yeah, Vince. Senator Demuzio.

SENATOR DEMUZIO:

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So it's only going to be for paperwork, and therefore those who want to do whatever they want to do can do whatever they want to do and we're not going to conduct any business today?

PRESIDENT PHILIP:

That is correct. Senator -- Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 64, offered by Senator Weaver.

(Secretary reads SJR No. 64)

PRESIDENT PHILIP:

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and the adoption of Senate Joint Resolution 64. Those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver moves the adoption of Senate Joint Resolution 64. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The resolution is adopted. Is there any other further business to come before the Senate? If not, the Senate stands adjourned... We will stand in recess for the purpose of filing motions.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

SECRETARY HARRY:

...will come to order in perfunctory Session. On the Order of Motions, the following Members have filed motions with respect to the following bills: Senate Bill 95, Senator Severns; Senate Bill 245, Senator Dudycz; Senate Bill 949, two motions filed by Senator Klemm. At the direction of the Chair, these motions will be

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printed on the Calendar. On the Order of Resolutions is:

Senate Joint Resolution 65, offered by Senator Carroll.

It's substantive.

On the Order of Introduction of Bills is:

Senate Bill 1230, offered by Senator Dunn.

(Secretary reads title of bill)

1st Reading of the bill.

If there's no further business to come before the Senate, pursuant to the adjournment resolution, the Senate now stands adjourned until 11 a.m., Wednesday, November 1st.

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