

84TH GENERAL ASSEMBLY

REGULAR SESSION

April 23, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

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

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, April 11th; Friday, April 12th; Tuesday, April 16th; Wednesday, April 17th and Thursday, April 18th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's 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 the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 81, 171, 293 and 366.

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

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

House Joint Resolution 34.

PRESIDENT:

Consent Calendar.

SECRETARY:

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

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

House Joint Resolution 13.

PRESIDENT:

Executive. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a...on a point of personal privilege. I'm delighted to introduce to this Honorable Assembly of the Senate, my constituents, the former township supervisor of Zion, Illinois, Mrs. Marion Lush and her husband, John Lush, who happens to be one of my very devoted precinct committeemen from Zion, and they're in the President's Gallery. I'd like you to welcome them.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Resolutions.

SECRETARY:

Senate...Senate Resolution 150 offered by Senator Lechowicz, congratulatory.

151, by Senator Kelly...congratulatory.

152, by Senators Kelly and Jeremiah Joyce, congratulatory.

153, by Senator Degnan, it's congratulatory.

154, by Senator Degnan and it's congratulatory.

And 155, by Senator...Jerome Joyce and it's a death reso-

lution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 156, by Senator Jerome Joyce, O'Daniel and Luft.

PRESIDENT:

Executive. Senator Rupp, for what...purpose do you arise, sir?

SENATOR RUPP:

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

PRESIDENT:

State your point, sir.

SENATOR RUPP:

I would like to introduce in the gallery to the left the best eighth grade students from St. Patrick's School in Decatur, Illinois.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd move at this time to discharge the following committees from further consideration of the following bills for the purpose of Tabling them on...on the Floor: Agriculture, Senate Bill 255; Appropriations, Senate Bill 256 and Transportation, Senate Bill 69.

PRESIDENT:

All right. The lady seeks leave of the Body to discharge the Committee on Agriculture from further consideration of Senate Bill 255 for the purpose of Tabling, Appropriations from 256 for the purpose of Tabling and Transportation from 69, is that correct? For the purpose of Tabling. All in

favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Topinka now moves to Table Senate Bills 255, 256 and Senate Bill 69. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

For the purpose of asking leave to be added as hyphenated cosponsor to Senate Bills 1353 and 1354.

PRESIDENT:

I'm sorry, Senator, I missed those.

SENATOR SCHUNEMAN:

Asking leave to be added as a hyphenated cosponsor on two bills, Mr. President.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor on Senate Bills...

SENATOR SCHUNEMAN:

I read the bills, Mr. President.

PRESIDENT:

...1353 and 4?

SENATOR SCHUNEMAN:

Right.

PRESIDENT:

All right. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I'd like to request leave to be a hyphenated sponsor on Senate Bill 789. I had discussed it with the sponsor and he agreed to it.

PRESIDENT:

The gentleman seeks leave to be added as the hyphenated cosponsor on Senate Bill 789. Without objection, leave is

granted. Resolutions.

SECRETARY:

Senate Resolution 157, by Senator D'Arco, it's congratulatory.

Senate Resolution 158, by Senators Marovitz, Newhouse and Pavell, and it's congratulatory.

PRESIDENT:

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

SENATOR NETSCH:

Thank you, Mr. President. I would like to request leave of the Senate to have the amendment to Senate Bill 1021 printed although the bill has not yet been set for hearing in committee and I should just briefly explain. This is...Senate Bill 1021 is the bill that will carry the amendment of the Joint Utility Committee dealing with the Commerce Commission changes and the Energy Commission changes. It is an extraordinarily long amendment. No one will have an opportunity, really, to look at it ahead of time unless we find the device for getting it printed; and at the President's suggestion, this is probably the most expeditious way to do it. So, I would request leave to authorize the Senate...the Secretary of the Senate to print the amendment, which I will furnish a copy of, to Senate Bill 1021.

PRESIDENT:

All right. The...the lady seeks leave to have the amendment to Senate Bill 1021 which will be the utility rewrite given to the Secretary for the purpose of immediately printing and distributing to all members in advance of the committee meeting. Without objection...it seems reasonable. Is leave granted? Leave is granted. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

For a...for a parallel purpose of...Mr. President. The

other part of the joint committee recommendations involves telecommunications, and Senator Netsch and I discussed this and she conveyed to me the suggestion that these...that the amendments be printed up, and I would seek leave to have the amendment to 994, which has been rereferred to the proper committee, printed up so that the membership could also read the telecommunications component of the joint committee's recommendations.

PRESIDENT:

All right. The gentleman seeks leave to have the amendment for Senate Bill 994, which has been rereferred to the Committee on Agriculture, also given to the Secretary for the purpose of printing and distribution to all members in advance of that committee meeting. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having checked with the principal sponsor, I would ask that my name be added as a hyphenated sponsor to Senate Bill 882 and Senate Bill 1377.

PRESIDENT:

The gentleman seeks leave for him to be added as hyphenated cosponsor on 1377 and Senate Bill 882. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I would ask leave to add Senator Jones as a hyphenated cosponsor of House Bill 23.

PRESIDENT:

House Bill 23. The gentleman seeks leave to add Senator Jones as the hyphenated cosponsor. Without objection, leave is granted. (Machine cutoff)...Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President. Seek leave to add the names Dawson, D'Arco and Netsch as hyphenated cosponsors on Senate Bill 1018 instead of cosponsors.

PRESIDENT:

All right. Senate Bill 1018, Dawson, D'Arco and Netsch to be shown as hyphenated cosponsors, is that the request? Without objection, leave is granted. So ordered. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

I would be asked for leave to be added as a hyphenated cosponsor on House Bill 252.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of House Bill 252. House Bill 252. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 159 offered by Senator Maitland, and it's congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointment, Veterans' Affairs and Administration, to which was referred the Governor's Message of February the 5th, 1985; March the 6th, 1985 and April the 10th, 1985, report the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of February the 5th, 1985;

March 6th, 1985; April 10th, 1985.

PRESIDENT:

All right. You've heard the motion to resolve into Executive Session. Any discussion? If not, all in favor of the gentleman's motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. The Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I will read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be the Director of the Department of Employment Securities for a term expiring January 19th, 1987, Sally A. Ward of Oak Park.

I may just point out that this Senate thoroughly reviewed the qualifications of Ms. Ward and some of the allegations that were presented to the committee, and over six weeks of thorough investigation have found that the allegations that were confronted by this woman were not true. And basically what the element of employment was exposed to is a cutback in Federal funds of approximately 14.2 million dollars and, for that reason, the adjustments that had to be made. I'd like to commend her and her...entire staff in conjunction with our staff for thoroughly investigating some very serious charges. Mr. President, having read the salaried appointments, would you put the question as required by our rules.

PRESIDENT:

All right. Is there any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...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 55 Ayes, 2 Nays, none voting Present. The...Senate does advise and...the majority of the Senators elected concurring by...record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Illinois Industrial Commission for a term expiring January 19th, 1987, Calvin Tansor of Harwood Heights, Adolphus Green of Chicago.

To be members of the Illinois Industrial Commission for a term expiring January 16th, 1989, Ted Black of Chicago, Ralph Miller of Chicago, Dennis Douglas of Edwardsville.

To be chairman and member of the Illinois Industrial Commission for a term expiring January 19th, 1987, Mervin Bachman of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned on one roll call. Is leave granted? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I have no objection but I thought it important for the record, these nominees were...their consideration was...were...was held up for a number of weeks. Essentially, the reason was because of the

terrible delay that has occurred in the decision-making process at the Industrial Commission. One of the commissioners in particular was the object of much criticism because of the large number of cases to which he was assigned and which there was an undue delay. Without going into the merits of that particular situation, I wanted to inform my colleagues in the Senate that the chairman, Chairman Bachman, has undertaken and has gotten the consent of all of these nominees...all of the commissioners to a procedure that hopefully within thirty days the backlog of cases will be substantially reduced; and those cases that are not disposed of within thirty days will, within the power of the chairman, be re-assigned. I have alerted, as has the chairman of the...Executive Appointments Committee, that the Senate intends to watch very carefully that these cases that have long sat dormant will be expeditiously handled and justice done on behalf of both sides in the controversy. I wanted to share this information with the members of the Senate. Thank you, Mr. President.

PRESIDENT:

All right. The gentleman is seeking leave to have those names on one roll call. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I want to speak on the previous bill. So, perhaps, my remarks are not appropriate now, but would you recognize me once this goes out, please?

PRESIDENT:

Indeed. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Well, I would like to put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. 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, there are 53 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, for the record, I inadvertently punched the wrong button on the previous appointments; and had I been more alert, I would have objected to a roll call on that list. There are still some unresolved questions regarding the appointment of Sally Ward, and I would have asked for a separate roll call on that basis. I simply want to get this into the record. Thank you, Mr. President.

PRESIDENT:

All right. The Chair should point out, as I'm sure Senator Lechowicz will as chairman, there was, in fact, a separate roll call for that reason. Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct, Mr. President, there was a separate roll call for that reason. But I now, Mr. President, with respect to the Governor's Message of February 5th, 1985, I'll read the unsalaried appointment to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be member of the Department of Conservation Advisory Board for a term expiring January 16th, 1989, Mr. Dick Kehn of Bolingbrook.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye.

Those opposed will 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 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

...Mr. President, with respect to the Governor's Message of March 6th, 1985, I'll read the unsalaried appointment to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends the Senate do advise and consent.

To be a member of the Capital Development Board for a term expiring January 18th, 1988, Miki Cooper of Harrisburg.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. 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, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 10th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be members of the Board of Elections for a term expiring on June 30th, 1989, Carolyn R. Eyer of Springfield, David Murray of Sterling, Richard A. Cowen of Chicago, Langdon

Neal of Chicago.

Mr. President, having read the salaried appointments, I now seek to consider these appointments on one roll call, unless some Senator has objection to a specific appointment. Pursuant to Chapter 46, paragraph 1A-4 of the Illinois Revised Statutes nominees to the State Board of Elections shall require the advise and consent of a three-fifths vote of the members elected to the Senate. Mr. President, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...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, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made; and in accordance with the Statute as pointed out in the Constitution, as pointed out by Senator Lechowicz, with three-fifths of the members elected having concurred by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 10th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends the Senate do advise and consent.

To be a member of the Chicago Regional Port District Board for a term expiring June 1st, 1990, Mr. Raymond O'Keefe of Winnetka. Can we have a little order, please. Thank you.

To be executive secretary for the Statewide Health Coordinating Council for a term expiring January 19th, 1987,

Dr. B. Smith Hopkins of Urbana.

To be a member of the Pollution Control Board for a term expiring July 1, 1987, Ronald Flemaal of DeKalb.

To be a member of the Property Tax Appeal Board for a term expiring January 16th, 1991, Jacob J. Ringger of Gridley.

To be members of the Board of Review for a term expiring January 19th, 1987, Edward McBroom of Kankakee, Bruce Barnes of Palos Park, Peter J. Miller of Addison.

To be directors of the Illinois State Toll Highway Authority for a term expiring May 1st, 1989, Thea Flaum of Chicago, Daniel R. Fusco of Wilmette, Timothy Bresnahan of Glenview.

To be chairman and director of the Illinois State Toll Highway Authority for a term expiring May 1st, 1989, Myron F. Weil of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. 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, there are 55 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of April 10th, 1985, I'll read the unsalaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Board of Banks and Trust Companies for a term expiring January 1, 1988, John Seaton of Seaton.

To be a member of the Illinois Farm Development Authority for a term expiring January 16th, 1989, Carolyn Stone of Springfield.

To be a member of the Health Facilities Planning Authority for a term expiring June 30th, 1991, Joseph S. Wright of Chicago.

To be a member of the Health Facilities Planning Board for a term expiring June 30th, 1987, Ernest R. Jenkins of Chicago.

To be a member of the Board of Higher Education for a term expiring January 31st, 1991, Carolyn Lohman of Springfield.

To be members of the Illinois State...Historical Library Board of Trustees for terms expiring January 19th, 1987, Julie Cellini of Springfield, Sally B. Schanbacher of Springfield.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Fred Lutz of Belleville.

To be members of the Board of Investment for a term expiring January 16th, 1989, Michael S. Bozich of Chicago, Bart Van Eck of Chicago.

To be members of the Medical Determinations Board for a term expiring June 27th, 1987, Dr. Samuel L. Andelman of Niles, Dr. Richard Suhs of Springfield.

To be members of the Medical Determinations Board for a term expiring June 27th, 1989...1988, James Paulissen of West

Chicago.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned considered on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. 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, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we now arise from Executive Session.

PRESIDENT:

Heard the motion. All in favor of the motion to arise indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. In view of the lateness of the hour and the fact that we have a pretty heavy committee schedule at two o'clock, Senator Philip and I thought it best not to start on the Calendar unless some member has some pressing business. Is there further business or further announcements? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I just simply want to clarify something that I attempted clarify before and I was absolutely wrong. Senator, I certainly appreciate your cooperation in this effort, but I want the record to show

that I would have voted in opposition to the confirmation of Sally Ward. I want the record to show that clearly. Thank you, Mr. President.

PRESIDENT:

All right. The record will so reflect. Any announcements? Any further business to come before the Senate? This afternoon, Labor and Commerce, Transportation, Judiciary I and we have a full load and tomorrow morning and even fuller, if that's possible. The Senate will stand adjourned until Wednesday, tomorrow, at the hour of one o'clock. One o'clock, tomorrow. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I rise to seek permission from the Body to have Senator Etheredge and myself removed as hyphenated cosponsors on Senate Bill 627.

PRESIDENT:

627, the gentleman seeks leave to remove himself and Senator Etheredge as cosponsors. Is leave granted? Without objection, leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Similar motion. I'd like to be removed as a cosponsor of Senate Bill 396.

PRESIDENT:

396, Senator Demuzio seeks leave of the Body to remove himself as a cosponsor. Is leave granted? Leave is granted. Any further business, further announcements? Otherwise, Senator Nedza moves that the Senate stand adjourned until Wednesday, the 24th, tomorrow, at the hour of one o'clock. One o'clock, tomorrow. The Senate stands adjourned.