

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 29, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Tuesday, April 15; Wednesday, April 16th; Thursday, April 17th; Wednesday, April...Tuesday, April 22 and Wednesday, April 23, 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

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

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. It's so ordered. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 836, by Senator Hall, President Rock and all members.

Senate Resolution 837, Senator Hall, President Rock and all members.

838, by Senator Jerome Joyce.

839, by Senator Geo-Karis.

840, by Senator Holmberg.

841, Senator Lemke.

842, Senator Davidson and all members of the Senate.

843, Senator Dudycz and all members of the Senate.

844, Senator Dudycz.

All congratulatory resolutions.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution 145 offered by Senator Welch.

PRESIDENT:

Executive. The Chair would like to announce that the report of the Compensation Review Board of the State of Illinois was filed in the Office of the Secretary of the Senate on April the 24th at 1:16 p. m. The Journal will reflect the fact of the filing, and under the law we have the appropriate amount of time with which to react. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A...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 adoption of the following joint resolution Constitutional Amendment, to-wit:

Senate Joint Resolution Constitutional Amendment No. 11, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Amendment No.1 to Senate Joint Resolution No. 11. Passed the House April...as amended. Passed the House April 29, 1986. John F. O'Brien, Clerk of the House.

PRESIDENT:

All right. Mr. Secretary, let's hold that, I...Senator Vadalabene has not yet joined us. I'm sure he's going to have a appropriate motion. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 845 offered by Senators Lechowicz, Rock and all members.

846, Senators Lechowicz, Nedza and Lemke.

847, Senator Lechowicz, Rock and all Senators.

Two congratulatory and one death memorial.

PRESIDENT:

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

SENATOR DEMUZIO:

...yes, while there's a lull, I'd...I'd like to be added as a hyphenated cosponsor of Senate Bills 1981 and Senate Bills 1982. I have spoken with the sponsor.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of Senate Bills 1981 and 1982. Without objection, leave is granted. It's so ordered. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Apparently when we left here last Wednesday there was supposed to be a motion made to move a bill from Public Health into the Executive Committee and that didn't get done. So at this point, Mr. President, I would move to discharge Senate Bill 1533 from further consideration by the Committee on Public Health, Welfare and Corrections and ask that the bill be referred the the Committee on Executive.

PRESIDENT:

All right. The gentleman seeks leave to rerefer Senate Bill 1533 from the Committee on Public Health to the Committee on Executive. Is leave granted? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, hasn't this bill traditionally been heard in Public Health in past Sessions?

PRESIDENT:

...Senator Sangmeister.

SENATOR SANGMEISTER:

What?

PRESIDENT:

There was a question on your motion. Senator Weaver, repeat the question, please. Can we have some order, please.

SENATOR WEAVER:

...Mr. President, I think this bill has been heard in previous years in Public Health and I...I see no reason to change it into Executive.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, it was my understanding that this bill...this bill has not been heard in Public Health before and it was misassigned to Public Health and should have been in Executive. This bill has been introduced in the House the last several years and has always been heard in Executive Committee in the House.

PRESIDENT:

All right. Senator Macdonald, on this question?

SENATOR MACDONALD:

...yes, Mr. President. Senator Sangmeister, my problem with changing the bill at this particular point is that it has been posted in...the Committee on Public Health, and I'm the minority spokesman, as you know, and there has been a great deal of public interest. We've had...all the members have had a substantial number of telephone calls both for and against the bill and I just wonder, you know, if it's...if...if this serves the public well to change the bill at this particular point.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I was told by the representative of the Committee on the Assignment of Bills last week that it was going to be changed, and I could tell you it also has been posted in the

Executive Committee. Okay? So, our posting requirement has been met as far as that goes, and there was supposed to be a motion made after we left last Wednesday to move it into that committee and that motion never got done. But as far as posting is concerned, it is posted in the Executive Committee for today.

PRESIDENT:

Tomorrow. Senator Kustra, on this question?

SENATOR KUSTRA:

Thank you, Mr. President. I just wanted to add myself as a cosponsor of Senate Bill 1533 and I've talked to Senator Sangmeister. With leave of the Senate, I would ask permission to do so.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of Senate Bill 1533. Without objection, leave is granted. All right. On Senator Sangmeister's motion to rerefer the Senate Bill 1533 from the Committee on Executive to Committee on Public Health, further discussion? Senator Sangmeister, you wish to make any further remarks?

SENATOR SANGMEISTER:

No, everybody that has been notified as witnesses on that bill have been told also to appear before the Executive Committee, it's the proper place for the bill and I ask for the motion to carry.

PRESIDENT:

All right. The gentleman has moved to rerefer the...Senate Bill 1533 from Public Health...from Executive...from Public Health to Executive for the purpose of hearing on Wednesday, tomorrow. Any objection? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to say because of the mental health budget, some other budgets, appropriations are going to be heard Thursday. I'd like to change the time to 9:30 a. m. instead of 10:00 a. m. That's a...we have...I've just been notified that there are going to be several hundred people in attendance and I think we ought to advance it one-half an hour. So, I'd like to give proper notice to everybody. Appropriations II will be Thursday, May the 1st, in Room 212 at 9:30 a. m.

PRESIDENT:

All right. If you take a look, top of Page 11 on the Calendar, I'll ask the Secretary to make the appropriate change. Appropriations II Committee, Thursday, May 1. Gentlemen, as the chairman has requested the committee begin at 9:30 a. m. instead of ten o'clock, nine-thirty instead of ten o'clock. Senator Donahue, for what purpose do you arise?
SENATOR DONAHUE:

Mr. President, I...I think we...that this side had requested a roll call...on the...on Mr. Sangmeister's motion.
PRESIDENT:

Well,...Senator Philip, for what purpose do you arise? I...I didn't hear a request for a roll call, Senator Donahue...I

SENATOR PHILIP:

Thank you, Mr. President, I had the same request. I heard...the...the suggestion on this side, we would appreciate a roll call.

PRESIDENT:

Well, difficulty is that the motion, you know, we...we are on a, frankly, a different order of business. The motion has been declared carried. There was no request that I'm aware of...public request for a roll call. Discussion maybe, but nothing...nothing addressed to the Chair. Senator

Carroll, for what purpose do you arise?

SENATOR CARROLL:

Dual purpose, Mr. President, a motion. One is to suspend the Six-day Posting for two Senate appropriation bills, Senate Bill 1734 and Senate Bill 1826 which are sent...were sent to Appropriations I Committee. We would like the Six-day Notice requirement waived so that we may hear them tomorrow, April 30th. And what we would also like to do is move up the committee from ten to nine-thirty. Ag. is meeting...Agriculture is meeting in that room at eight, they expect to be done by nine-thirty. With leave, we would like to have our meeting then start at nine-thirty and have those two bills heard along with the rest of the list.

PRESIDENT:

All right. Both requests are in order. Senator Carroll has moved to waive the Six-day Posting requirement for Senate Bill 1738 and 1826 so that they may be heard in the Committee on Appropriations I, tomorrow, Wednesday, April 30, and further has asked leave of the Body to begin that meeting at 9:30 a. m. So, Wednesday's meeting, 9:30 a. m., Room 212 for Appropriations I. Without objection, leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Oh, I...I understand that officially we have to make a motion to suspend the rules on all bills that are posted for committee this week and, therefore, I would make that motion.

PRESIDENT:

All right. The gentleman has made a coverall motion for...to waive the Six-day Posting requirement for all bills to be heard in committee this week. Any objection? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

*S.J.R. 22 C.A.
2nd Reading*

Thank you, very much, Mr. President. The...Judiciary II Committee which is scheduled to meet at two o'clock today, has some very, very important bills up. We will meet at two-twenty in Room A-1. We'll start twenty minutes later than usual, at two-twenty, and we do have some very important bills up today. A-1, Judiciary II, at two-twenty.

PRESIDENT:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I'd like the record to reflect that Senator Chew is absent today because of illness.

PRESIDENT:

The record will so reflect. Thank you. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President, for the purpose of a motion. A motion for Constitutional Amendment...Senate...Senate joint resolution be read a first time.

PRESIDENT:

All right. The Secretary has read in the Message from the House about Senate Joint Resolution Constitutional Amendment No. 11. The Senator has requested that the bill be...the resolution be read a first time in full as amended. Without objection, Mr. Secretary, read the Constitutional Amendment as...with the House amendment.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution 11 Constitutional Amendment.

(Secretary reads SJR 11 CA)

PRESIDING OFFICER: (SENATOR DEMUZIO)

2nd reading. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask that Senate Joint Resolution 22 as amended be read a second time, Constitutional Amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave of the Body to go to...to page 7, Constitutional Amendment, 2nd reading? Senator Davidson has made a request. Is leave granted? Leave is granted. On page 7, Constitutional Amendment Senate Joint Resolution 22. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 22 Constitutional Amendment as amended by House Amendment No. 1.

(Secretary reads SJR No. 22 CA)

2nd reading of Senate Joint Resolution No. 22 as amended by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? 3rd...3rd reading. Senator Geo-Karis, for what purpose do you arise? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President...and Ladies and Gentlemen of the Senate, I would like to...to suspend the appropriate rules in order that House Joint Resolution 12 could have a first reading today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Geo-Karis, have you discussed this with the...respective leadership? Senator Geo-Karis.

SENATOR GEO-KARIS:

...discussed it with my minority leader, Senator Philip, and I haven't had a chance to discuss it with Senator Rock...who's sitting up there. If you want to pass me...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, could we have some...could we have some order, please. All right. Senator Geo-Karis, for what...purpose do you rise again?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise for the purpose of suspending the appropriate rules in order

to give a first reading to House Joint Resolution 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Discussion? Senator Rock.

SENATOR ROCK:

Well, I...I object. I object for a number of reasons, not the least of which is that this is one of a series of House Joint Resolution Constitutional Amendments that the House has seen fit to thrust upon us with but three days remaining, technically, to be acted upon. These resolutions may have some merit. This particular one does not because we have fought this one tooth and nail for fifteen years. But the fact is some of the others may but they're properly assigned to the Executive Committee and...and they'll get a hearing whenever the sponsor requests a hearing, but I think they ought to be heard. So I object to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpel. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. If Senator Rock means what he says that they should be heard, the fact is that...in the time frame that's allowed, it would not do any good; because based on the schedule of the Executive Committee, hearing it would have absolutely no value whatsoever because the time frame necessary to put this on the ballot would have been passed. So the only way that it can be heard is the manner in which Senator Geo-Karis has made her request. And if I am wrong, I would like to be corrected, President Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Seldom do I have the audacity, Mr. President, to correct Senator DeAngelis, but the fact is he's wrong. All that

means is if you want it on the November '86 ballot it's got to be acted on by Friday. Who says it has to be on the November '86 ballot, particularly this thing? Do...do you know what this thing does? This is the infamous Totten Amendment. Representative Totten has gone on to bigger and better things, I'm not sure he's even interested any more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am sorry that I didn't state the obvious assumption that it was to be for this November's ballot. I realize that this amendment might have a few feathers on it, but the fact is that if it is to be heard for this particular Session to be put on the November ballot, it must, in fact, be done in the manner that Senator Geo-Karis has requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator DeAngelis, if this one happens, then there are a bunch more to get on the same thing. I have HJRCA8 which is fundamentally noncontroversial, it simply conforms our Constitution to what we're already doing as a matter of law, and I was told that it had to go to Executive and be heard like any other good, little Constitutional Amendment. I would be happy to get into all sorts of discharge motions 'cause I've got a discharge motion on another Constitutional Amendment which was bottled-up in committee that I would be delighted to have on the agenda. You join me on that and give me twenty-eight votes, maybe we can do business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further discussion? Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Well, Senator Netsch, I would say, it's every woman for

herself on this one.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, this House resolution has been debated for a long time, it passed the House last week by 93 to 18. And what it does, it gives the citizens of Illinois the right to decide how much of their income they want us to spend in the two major funds, General Revenue and Common School Fund...Schools. And it...as the job climate improves and personal spending goes up, the State could spend more money. I will want a...a...a roll call on this because this is an important resolution that the people should vote on. We do have the responsibility to cut down taxes and use them wisely. And we also have the right under this resolution by...an...an extraordinary vote to change it. But for heavens sake, I think it's something that should face the public in November. I ask your...vote to suspend the rules and put this resolution on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Geo-Karis, I think that the proper motion would be to discharge the...the committee.

SENATOR GEO-KARIS:

Can I be heard? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...

SENATOR GEO-KARIS:

Mr. President, I did file the appropriate motion...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right.

SENATOR GEO-KARIS:

...to discharge the committee and put it on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Well, I...I...we're...we're going down the wrong trail here because we have a number of motions to discharge that also I'm sure can and would be filed. We should not probably have gotten to this order of business. I think, if you'll take a look, this gem was introduced in April of 1985. It is now April of 1986 and we are supposed to hurry, hurry, hurry. I think it's a mistake. I think this...this Body has operated with deliberateness and I think we ought to sustain that attitude. And so, I would hope that this motion would fail utterly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis...seems...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, we've had a year to make a decision on it and they finally made the decision in the House last week. So what harm is it to put it before the people? After all, they are the taxpayers, and let's put it on the ballot. I move to discharge the...this resolution from the Executive Committee and be heard today at 1st reading and I filed the appropriate motion for it. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Forget it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 12 and that it be placed on the Calendar...Order of 1st Reading. Those in favor indicate by saying Aye. Oh, there's been a roll call. Roll call

requested. Senator Geo-Karis has moved to discharge the committee on Executive from further consideration of House Joint Resolution 12, be placed on the Order of 1st Reading. Those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Senator Geo-Karis, it will take thirty votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 17, 1 voting Present. House joint...the motion fails. Further business to come before the Senate? All right. With leave of the Body, we'll go to the order of...Senator...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your inquiry.

SENATOR DeANGELIS:

Why does it take thirty votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am told by my Parliamentarian that Senate Rule 10 requires a discharge of the committee to take thirty votes...thirty affirmative votes. All right. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 850, by Senator Watson.

Senate Resolution 848, by Senators Topinka, Hudson, Fawell, Etheredge and Philip.

Senate Resolution 849, Senator Topinka.

All congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 850, by Senator Poshard. Sorry, 851.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Jones, for what purpose do you

arise?

SENATOR JONES:

Yeah, thank you, Mr. President. For the purpose of an announcement. I wish to inform those members of the committee and those individuals sponsoring bills...those Senators sponsoring bills in the Insurance, Pension and Licensed Activity Committee that the hearings will be held here on the Senate Floor at 9:00 a. m., at 9:00 a. m. tomorrow morning. Instead of Room 400, we'll meet here on the Senate Floor at 9:00 a. m..

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to be added as a hyphenated cosponsor on Senate Bill 1852 of which Senator Maitland is...is sponsor and I have his approval. I'd like to have leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Watson to be added as a hyphenated cosponsor...

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...of Senate Bill 1852. Is leave granted? Leave is granted. All right. I am...I am told that there was a resolution that was put on the Resolutions Consent Calendar that is...congratulatory that is of some urgency that needs to be adopted today. On the Order of Resolutions...Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would move for the suspension of the rules and adoption of this resolution. It's important that it get out today. This resolution is for Mr. Jasper Garrison who will be one hundred and six years old

Thursday and is the oldest surviving member of the Spanish American War. He lives in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves the adoption of Senate Resolution 851. He moves to...all right, he moves...moves to suspend the appropriate rule in order that the resolution may be adopted today. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Poshard now moves the adoption of Senate Resolution 851. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 851 is adopted. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President and members of the Senate, I want to remind you, today was laid on your table an invitation for the Governor's Prayer Breakfast. I do need to hear from you if you're going to attend before Friday so that we will have tickets in the tables we have reserved for different members of the Legislature. So, please get them to me before Friday because we're well on the way of selling it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I would just like leave to be added as a cosponsor to Senate Joint Resolution 120 and Senate Resolution 411, and I have the approval of the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpziel has requested to be added as a cosponsor of Senate Joint Resolution 120 and Senate Resolution 411. Is leave granted? Leave is granted. Further business to come before the Senate? Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow, Wednesday, April 30th, at the hour

of one o'clock. The Senate stands adjourned.

02/29/88
15:31

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84TH GENERAL ASSEMBLY
SENATE
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