

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

78th Legislative Day

October 24, 1991

PRESIDENT ROCK:

The hour of ten having arrived, 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 morning by Pastor Bob Hanson, Greenview United Church, Greenview, Illinois. Reverend.

PASTOR BOB HANSON:

(Prayer by Pastor Bob Hanson)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journal of Wednesday, October 9, 1991.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. 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. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, October the 22nd, and Wednesday, October the 23rd, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. 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

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ordered. Resolutions.

SECRETARY HAWKER:

Senate Resolution 814 offered by Senator Davidson and all Members.

Senate Resolution 815 offered by Senator Jerome Joyce.

Senate Resolution 816 offered by Senator Demuzio and all Members.

Senate Resolution 817 offered by Senator Demuzio and all Members.

Senate Resolution 818 offered by President Rock.

And Senate Resolution 819 offered by Senator Topinka.

They're all congratulatory.

PRESIDENT ROCK:

Consent Calendar. Committee Report.

SECRETARY HAWKER:

Senator Welch, Chairman of the Committee on Energy and Environment, reports House Bill 2643 Do Pass, as Amended.

PRESIDENT ROCK:

Message from the House.

SECRETARY HAWKER:

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 refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 257.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regards to their amendment to the bill.

Action taken by the House, October 23, 1991.

I have a like Message on Senate Bill 1071 with House Amendment No. 1.

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PRESIDENT ROCK:

All right. Senator Demuzio moves that the Senate accede to the request of the House for a conference committee with respect to those two Messages. Resolutions.

SECRETARY HAWKER:

...(machine cutoff)...Resolution 820 offered by President Rock and all Members.

It's a death resolution.

PRESIDENT ROCK:

Consent Calendar. All right. Ladies and Gentlemen, if I can have your attention. We have only nine items of business before us this morning. On Page 2, there's Senate Bill 934 by Senator Marovitz. On Page 3 there is House Bill 2611. Senator Jerome Joyce. And then there are motions -- all right. Ladies and Gentlemen, we'll begin, with leave of the Body, on the Order of House Bills 3rd Reading. Bottom of Page 3 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 2611. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 2611.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. First, I believe we have to suspend the rules for the -- waive the deadline rule for the final passage of this.

PRESIDENT ROCK:

All right. The Gentleman seeks leave to suspend the appropriate rule so that House Bill 2611 can indeed be considered. Without objection, leave is granted. Senator Joyce.

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SENATOR J.J. JOYCE:

Thank you, Mr. President. House Bill 2611, as amended, is needed to allow various agencies to issue moral obligation bonds. A few weeks ago Standard & Poor's refused to underwrite the moral obligation bond issues proposed by the Rural Bond Bank, the Southwestern Illinois Development Authority and the Illinois Housing Development Authority. This bill is the result of negotiations between the Governor's Office and the S & P's, and basically clarifies what has been the existing practice in regard to the issuance of moral obligation bonds. Any questions, I'd be happy to respond.

PRESIDENT ROCK:

All right. The Gentleman has -- moved passage of House Bill 2611. Is there any discussion? If not, the question is, shall House Bill 2611 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have 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, no Nays, 1 voting Present. House Bill 2611, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we'll now move to Page 13 on the Calendar. There are four motions that have been filed. Page 13 on the Calendar. The Secretary informs me there are two additional motions which will show up on a supplemental. ...(machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I wonder if I would be in order, Mr. President, to ask for suspension of the rules in order to approve a Senate joint resolution honoring a gentleman who has made many contributions and is being honored by the Annual United Hellenic American Congress Banquet.

PRESIDENT ROCK:

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Yes. We'll -- resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 100 offered by Senator Geo-Karis.

PRESIDENT ROCK:

All right. Senator Geo-Karis has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 100. Discussion on the motion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Joint Resolution 100. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it, and the resolution is adopted. All right. Ladies and Gentlemen, a Supplemental Calendar is being distributed -- or has been distributed. With the addition of the Supplemental, that makes -- there are six motions that are still pending. We will afford the Member the opportunity to call motions if they wish, and at the conclusion of the call, we are -- have effectively concluded our business. Page 13 on the Calendar. Senate Bill 443. Senator Cullerton. Senate Bill 468. Senator Collins. Senate Bill 1059. Senator Jones. Senate Bill 477. Senator Collins. On the Supplemental, Senate Bill 42. Senator Dunn. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 42, in manner and form as follows:

Amendment to Senate Bill 42

in Acceptance of Governor's Recommendations.

Filed by Senator Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you very much, Mr. President. This was the bill that we

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attempted to override yesterday. We lost that. This portion that the Governor is recommending is Senator Ralph Dunn's original proposal. So I move to accept the specific recommendations of the Governor.

PRESIDENT ROCK:

All right. The Gentleman has moved to accept the Governor's specific recommendations with respect to Senate Bill 42. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 42, in the manner and form just stated by Senator Dunn. Those in favor will vote Aye. Opposed, vote Nay. And 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. Senate Bill -- the specific recommendations of the Governor as to Senate Bill 42, having received the required constitutional majority vote of Senators elected, are declared accepted. Senator Savickas, on Senate Resolution 549. ...(machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, I have Senate Joint Resolution 97, honoring the sesquicentennial anniversary of the Immaculate Conception Church in Waukegan, and I would like to move to suspend the rules so I can have immediate consideration of it.

PRESIDENT ROCK:

It's on the Consent Calendar, which will be adopted momentarily.

SENATOR GEO-KARIS:

Oh, is it? All right.

PRESIDENT ROCK:

Momentarily. Thank you.

SENATOR GEO-KARIS:

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Thank you.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, all we have left before us are the Resolutions Consent Calendar, the adjournment resolution, and then we will afford the Secretary the opportunity to stay open so that we can receive Messages from the House. The House, they tell me, will be working into the afternoon. So we will remain open for the purpose of receiving Messages from the House - looking forward to our return on November the 6th. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 821 offered by Senators Fawell, Philip, Karpel, Topinka, Mahar, Hudson and Etheredge.

It is a death resolution.

PRESIDENT ROCK:

Consent Calendar. All right. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 101.

(Secretary reads SJR No. 101)

Offered by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 101 is the adjournment resolution. It calls for us, upon the conclusion of our business today, to return November the 6th at the hour of twelve noon. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 101.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of -- moved to suspend the rules for the immediate consideration and adoption

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of Senate Joint Resolution 101, the adjournment resolution. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 101, which calls for us to return on Wednesday, November the 6th. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. Ladies and Gentlemen, if I can have your attention. There's been a request to go back to Page 13, on the Order of Motions in Writing to Override Total Vetoes, on Senate Bill 1059. Page 13 on the Calendar, there's a Motion in Writing to override a total veto on Senate Bill 1059. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move that Senate Bill 1059 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Senate Bill 1059 received overwhelming support of -- of this Body, and also in the House. And what the bill did is allow employees who retired before 1966 to be eligible for life insurance. These are retired persons who do not have any insurance whatsoever. It has strong support of the AFSCME and also AFL-CIO; has very strong support in this Body. And I ask that we override the Governor's veto, and let those persons who are retired receive their life insurance.

PRESIDENT ROCK:

All right. The Gentleman has moved that Senate Bill 1059 pass, the veto of the Governor to the contrary notwithstanding. Discussion? Senator Madigan.

SENATOR MADIGAN:



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Thank you, Mr. President. Unfortunately - and on this issue I must rise in opposition to this Motion to Override - the fiscal cost of this is two hundred and eighty thousand dollars. The premium cost, according to our analysis, can run up over a million dollars. Based upon what's happened in the last couple days, and our own Economic and Fiscal Commission, and the other things that we've done, I really think - although I admire what Senator Jones is trying to do here - that we simply cannot afford this measure. And I think that we should come back with this in the Spring in perhaps another bill, and try to take care of these people who may or may not have some life insurance, for those people that have retired back prior to 1966. Unfortunately, I must ask everybody to sustain the Governor's veto on this.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. With all due respect to the minority spokesperson, I don't know where he pulled those huge figures from. They must have got them out of the sky somewhere, but that is not the case. There is no million dollars of cost in this fiscal year. We're talking about a mere hundred and seventeen thousand dollars, and this is what CMS estimate that the cost would be for the current fiscal year. So these million-dollar figures that he's throwing around -- actually is not applicable to this piece of legislation. And I know he believes in it. That's the reason why he supported it when it was in this Body, as well as all the other Members on the other side of the aisle. And ask for a favorable vote on this override.

PRESIDENT ROCK:

All right. WCIA-TV has requested permission to shoot some videotape. Without objection, leave is granted. And the question

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is, shall Senate Bill 1059 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. Have all voted who wish? Have 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 26 Ayes, 24 Nays, 4 voting Present, and the motion fails. Further business to come before the Senate? Senator Marovitz has a matter on Page 2 on the Calendar, Ladies and Gentlemen. Page 2. Senator Marovitz seeks leave of the Body to go to the Order of Senate Bills 3rd Reading to take up Senate Bill 934, as amended. Without objection, leave is granted. On the Order of Senate Bills 3rd Reading is Senate Bill 934. Read the bill.

SECRETARY HAWKER:

Senate Bill 934.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. Before I consider the bill, as we did with Senator Joyce, I would move to suspend the appropriate deadline rule.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the appropriate rule so that Senate Bill 934 can indeed be considered. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. This bill, Senate Bill 934, automatically enjoins any party to a dissolution action or

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his agent from encumbering any property, abusing each other or -- or removing any minor child from Illinois without court order. It establishes that the valuation of property -- of marital property shall be determined at the date of trial. This bill, as we amended it yesterday, is the same as the original Senate Bill 548, which was passed by both Houses without a particular provision, which the Governor found objectional <sic>, and he vetoed the bill because of that objection. In his veto message, the Governor said that he had no problem with any other parts of the bill except one particular part which he found objectionable, and which this Body removed in toto yesterday from the bill. As the bill stands, there is absolutely no objection from anybody - all the -- all the judges that deal with child welfare and matrimonial cases, the attorneys, the women's groups, the men's groups. There is no opposition to the bill, and it protects children in divorce matters without having to go in and -- get costly fees and court costs. I would ask for a -- a total agreement on the bill.

PRESIDENT ROCK:

All right. The Gentleman has moved the passage of Senate Bill 934. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, if the sponsor would yield.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Schaffer.

SENATOR SCHAFFER:

Senator Marovitz, I believe we're talking -- the objectionable part had to do with that statute of limitations on the ability to claim. Or are we on a different issue?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Different issue. This had nothing to do with statute of

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limitations whatsoever.

SENATOR SCHAFFER:

So this bill in no way impinges on that issue? What is the status of that issue?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR SCHAFFER:

The Governor did an amendatory veto. Is that a House bill coming over?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That --

PRESIDENT ROCK:

Marovitz.

SENATOR MAROVITZ:

That's House Bill 658, which is in the House right now. It has nothing whatsoever to do with this.

PRESIDENT ROCK:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. Just to confirm that our staff indicates that the -- the objectionable parts -- or the controversial parts of this bill have been removed. You didn't mention it, Senator, but as I understand it, any reference to periods of cohabitation have also been removed?

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

That is correct. It was removed by amendment yesterday.

PRESIDENT ROCK:

Further discussion? Senator Marovitz, you wish to close?

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SENATOR MAROVITZ:

No.

PRESIDENT ROCK:

Question is, shall Senate Bill 934 pass. Those in favor will vote Aye. Opposed, vote Nay. And the voting's 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. Senate Bill 934, having received the required constitutional majority, is declared passed. Madam Secretary, the Consent Calendar has indeed been distributed. Have any objections been filed?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDENT ROCK:

All right. Senator Demuzio will then move the adoption of the Resolutions Consent Calendar, and those that were added by leave of the Body this morning. All in favor of the adoption, indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Any further business to come before the Senate? Yes. Ladies and Gentlemen, we have effectively concluded our business. We will stand adjourned until November the 6th, at the hour of noon. Today, however, we will remain open for the purpose of receiving House messages, so that -- the Senate will stand in recess until the hour of four-thirty or five o'clock, when the House concludes its business. The Senate stands in recess till five o'clock.

(RECESS)

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of five having arrived, the Senate will come to order. Messages from the House.

SECRETARY HAWKER:

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 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 81.

It is substantive.

Adopted by the House, October 24, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY HAWKER:

...(machine cutoff)...Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I'm instructed to ask the concurrence of the Senate, to wit:

House Bills 50, 136, 179, 274, 318, 475, 533, 542, 827, 883, 894, 1230, 1432, 1811, 1892, 2052, 2162, 2329, 2476 and 2633.

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 passed a bill of the following title, the item veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 376 and 651.

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

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Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change, which are attached to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2, 12, 70, 175, 298, 477, 551, 679, 1365, 1369, 1481, 1499, 1514, 1533, 1538, 1565, 1584, 1699, 1700, 1750, 1838, 1996, 2085, 2177, 2181, 2193, 2378 and 2527.

Adopted by the House, October 23, 1991.

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 overridden the Governor's specific recommendations for change, which are attached to a bill of the following title, in the adoption of which I'm instructed to ask concurrence of the Senate, to wit:

House Bills 673, 1254, 2366.

Adopted by the House, October 23, 1991.

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 adopted the following joint resolution, in the adoption of which I'm instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 79.

It is substantive.

Adopted by the House, October 24, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(machine cutoff)...Joint Resolution 79 will go to the Committee on Exec. And the other items just read by the Secretary will be on the Calendar when we return. Further business to come before the Senate? If not, Senator Severns moves that the Senate stand adjourned until the hour of noon, November the 6th, 1991.

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