

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

112th Legislative Day

May 4, 1994

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 88th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Tom Gerdts, the Lincoln Christian Church, Lincoln, Illinois. Pastor.

PASTOR GERDTS:

(Prayer by Pastor Tom Gerdts)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, April 19th; Wednesday, April 20th; and Thursday, April 21st, 1994.

PRESIDING OFFICER: (SENATOR WEAVER)

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.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler moves the approval of the Journals just read. There being no objection, it is so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, April 26th; Thursday, April 28th; and Friday, April 29th, in the year 1994, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Committee Reports.

SECRETARY HARRY:

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Senator Karpiel, Chair of the Committee on Executive, reports House Bill numbered 1332 Do Pass, as Amended, and House Joint Resolution Constitutional Amendment 35 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 2704, 2830, 3057, 3090, 3100, 3770, 3912, 3975, 4104, 4176.

All passed the House, May 3rd, 1994.

We have a like Message on House Bills 2729, 2799, 2937. House Bills 2627, 2686, 2802, 2866, 3439, 3457, 3498, 3704, 3779 and 3841.

All passed the House, May 3rd, 1994.

A 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:

House Joint Resolution 148.

Adopted by the House, May 3rd, 1994. It's congratulatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. Messages.

SECRETARY HARRY:

The report of the Compensation Review Board was filed in the Secretary's Office on April 29th, 1994.

PRESIDING OFFICER: (SENATOR WEAVER)

House Bills 1st Reading.

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SECRETARY HARRY:

...Bill 504, offered by Senator Watson.

(Secretary reads title of bill)

House Bill 2433, by Senator Berman.

(Secretary reads title of bill)

House Bill 2627, by Senator DeAngelis.

(Secretary reads title of bill)

Senator DeAngelis offers House Bill 2634.

(Secretary reads title of bill)

House Bill 2638 is offered by Senator Watson.

(Secretary reads title of bill)

House Bill 2641, by Senator DeAngelis.

(Secretary reads title of bill)

Senator Demuzio offers House Bill 2655.

(Secretary reads title of bill)

House Bill 2696, Senator Petka.

(Secretary reads title of bill)

House Bill 2794, by Senator Karpziel.

(Secretary reads title of bill)

Senator Shaw offers House Bill 2802.

(Secretary reads title of bill)

House Bill 2830 is offered by Senator Molaro.

(Secretary reads title of bill)

House Bill 2866, by Senator Molaro.

(Secretary reads title of bill)

House Bill 2937, offered by Senators O'Malley, Butler and Berman.

(Secretary reads title of bill)

Senator Petka presents House Bill 2938.

(Secretary reads title of bill)

House Bill 2962, by Senator Molaro.

(Secretary reads title of bill)

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Senator Hawkinson offers House Bill 3057.

(Secretary reads title of bill)

House Bill 3090, by Senator Mahar.

(Secretary reads title of bill)

Senator Geo-Karis presents House Bill 3100.

(Secretary reads title of bill)

House Bill 3278 is offered by Senator Donahue.

(Secretary reads title of bill)

House Bill 3322, Senator Madigan.

(Secretary reads title of bill)

Senator Philip offers House Bill 3498.

(Secretary reads title of bill)

Senator Dudycz offers House Bill 3587.

(Secretary reads title of bill)

House Bill 3704, by Senator Demuzio.

(Secretary reads title of bill)

House Bill 3770, by Senator Shaw.

(Secretary reads title of bill)

Senator Madigan presents House Bill 3979.

(Secretary reads title of bill)

Senator Tom Dunn offers House Bill 4040.

(Secretary reads title of bill)

House Bill 4176, by Senator Dudycz.

(Secretary reads title of bill)

And House Bill 2719, offered by Senators Carroll, Severns and Smith.

(Secretary reads title of bill)

1st Reading of the bills, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

I would like to advise the Membership that Supplemental Calendar No. 1 has been distributed, and Members wishing to sponsor any of those House bills on 1st Reading are encouraged to

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sign a slip as soon as possible so that these bills may be considered by the Rules Committee. For what purpose does Senator Carroll arise?

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. If I might, on a point -- on a point of personal privilege. As many people know, today is a historic day in Illinois and has always been so. In addition to celebrating the birthday of the former Attorney General of the State, Neil Hartigan, and the former President of the Illinois Senate, Phil Rock, and of course, the one who counts the most, W. Clement Stone, it is also the birthday of our colleague, Senator Arthur Berman. And he has with him today his wife Barbara, his most favorite constituent, and only because she is here, she has bought cake. We know Art wouldn't. She has bought cake for all the Members of the Senate to celebrate this most joyous occasion. Happy birthday.

PRESIDING OFFICER: (SENATOR WEAVER)

Thanks for the cake, Barbara. And happy birthday to you, Arthur. Resolutions.

SECRETARY HARRY:

Senate Resolution 1348 is offered by Senator Hall and all Members, as is Senate Resolution 1349.

Senate Resolutions 1350, 1351, 1352, offered by Senator Topinka.

Senator Hawkinson offers Senate Resolution 1353.

Senate Resolution 1354, by Senator Jacobs.

Senate Resolution 1355, by Senator Jones.

Senate Resolution 1356, by Senator Watson, as is Senate Resolution 1357.

Senate Resolution 1358, by Senator Dillard.

Senate Resolution 1359, by Senator Carroll.

Senate Resolution 1360, by Senator Donahue.

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Senate Resolution 1361, Senator Shadid.

Senate Resolution 1362, Senator Karpziel.

Senate Resolution 1363, Senator Raica.

Senator Topinka offers Senate Resolutions 1364, 1365, 1366,
1367, 1368.

And Senator Dudycz offers Senate Resolution 1369.

Senate Resolution 1370, by Senator Demuzio.

...Demuzio also offers Senate Resolutions 1371, 1372, 1373 and
1374.

They're all congratulatory or death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 1375 is offered by Senator Stern.

It's substantive. Senate Joint...

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose...

SECRETARY HARRY:

Senate Joint Resolutions 145, 146 and 147 are all offered by
Senator Dillard.

And Senate Joint Resolution 148, by Senator Jones and all
Members.

Senate Joint Resolution 149, by Senator Demuzio.

They're all congratulatory or death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
I would like to move to suspend all appropriate rules for the
immediate consideration and adoption of Senate Joint Resolutions
145, 146 and 147. They are all just congratulatory resolutions.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Dillard moves to suspend the rules for the purpose of the immediate consideration and adoption of these resolutions. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The rules have been suspended. Senator Dillard now moves for the adoption of Senate Resolutions <sic> No. 145, 146 and 147. Those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The resolutions are adopted. For what purpose does Senator Hasara arise?

SENATOR HASARA:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR HASARA:

I would like to introduce and have the Body recognize Mr. Benning's eighth grade class from Trinity Lutheran School in Springfield. They're sitting over on the Democratic side.

PRESIDING OFFICER: (SENATOR WEAVER)

It's nice to have you. Will you please rise and be welcomed by the Senate. For what purpose does Senator Fawell arise?

SENATOR FAWELL:

Thank you very much, Mr. President. I would like to rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR FAWELL:

I have a -- a group of beautiful Republican women from the DuPage Federation, sitting on the good side of the gallery. If the Assembly would please recognize them.

PRESIDING OFFICER: (SENATOR WEAVER)

Our guests will please rise and be welcomed by the Senate. Senator Burzynski, for what purpose do you arise?

SENATOR BURZYNSKI:

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Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR BURZYNSKI:

Well, we have the distinguished honor today to have with us the distinguished Judge John Countryman, and I'd like to recognize him, a former Member of the Illinois House of Representatives.

PRESIDING OFFICER: (SENATOR WEAVER)

Good to have you, John. Constitutional Amendments 1st Reading. On Supplemental Calendar No. 1 is the Order of Constitutional Amendments 1st Reading. House Joint Resolution Constitutional Amendment No. 35, sponsored by Senator Philip. Please read the resolution, Mr. Secretary.

SECRETARY HARRY:

House Joint Resolution Constitutional Amendment 35, offered by Senator Philip.

(Secretary reads HJRCA No. 35)

1st Reading of the resolution.

PRESIDING OFFICER: (SENATOR WEAVER)

HJRCA 35 is moved to the Order of 2nd Reading. For what purpose does Senator Jones arise? Senator Jones.

SENATOR JONES:

Thank you, Madam -- Mr. President. I move to suspend the appropriate rules for the immediate consideration of Senate Joint Resolution 148.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 148. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Jones, did you wish to explain the resolution?

SENATOR JONES:

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Thank you, Mr. President. Senate Joint Resolution 148 is a death resolution for one of our colleagues who passed away last Thursday - Nelson Rice. Representative Nelson Rice served in the Illinois House for ten years, and his funeral and wake will be in Chicago this evening. Representative Rice and I grew up together in Morgan Park. I first met Nelson Rice when I was attending elementary school, and he -- he offered me a ride on a mule for a nickel. And since that time in Morgan Park, we have become very good friends. We worked together in the insurance industry, and we worked on many civic endeavors in the community. Representative Rice was more or less a social worker. He always concerned himself with the needs of people, and he will be surely missed. He worked on Little League programs. He worked with the Jackie Robinson Little League, in that -- providing recreations for young people. He served as a board member of -- of the YMCA and many, many, many other endeavors. And so, Mr. President, I move for the immediate consideration and adoption of this resolution, and all Members of this Body's names be included on this resolution.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones has moved for the adoption of Senate Joint Resolution No. 148. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. For what purpose does Senator Philip arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to acknowledge the DuPage Republican Women's Federation up in the gallery behind me. And leading the delegation is Marcia Fleming, the President, and my lovely bride, Nancy Louise Philip. Would they please rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

Secretary's Desk, Resolutions. On page 8 of the Senate

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Calendar, on the Order of Secretary's Desk, Resolutions, the Chair intends to go to that Order of Business for the purpose of considering SR 1116. Senator Hasara.

SENATOR HASARA:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, will you read the resolution?

SECRETARY HARRY:

Senate Resolution 1116, offered by Senator Hasara.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Senate Resolution 1116 is in conjunction with the National Day of Prayer, which is tomorrow, May 5th. There will be a ceremony at noon on the steps of the Capitol. This is a tradition that was first proclaimed by the Continental Congress in 1775, and this resolution proclaims May 5th, 1994, as a day of prayer in Illinois, in conjunction with the National Day of Prayer. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Hasara moves the adoption of Senate Resolution 1116. Those in favor, say Aye. Those opposed, say Nay. The resolution's adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Senator Weaver and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, Senator.

SENATOR GEO-KARIS:

Senator Weaver and Ladies and Gentlemen of the Senate, it's my

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pleasure to introduce to you today a young man who served in Desert Storm, overseas. He's a young lawyer. He's one of my constituents and a very good friend, Peter Karlovics -K-A-R-L-O-V-I-C-S- and I'd ask you to welcome him here to the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

Welcome to Springfield. Senator Cronin, for what purpose do you arise?

SENATOR CRONIN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, Senator.

SENATOR CRONIN:

I'd like to join Senator Philip and Senator Fawell in welcoming the DuPage Federation of Republican Women. I have many good friends up there, and some close supporters. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Stern arise?

SENATOR STERN:

Mr. President, I'm requesting immediate consideration of a resolution I filed today, which will be moot by tomorrow. It is a resolution from this Body urging our members of the Illinois Congressional Delegation to vote in support of the assault weapon bill, which is coming before them tomorrow in Washington, and I would hope that this Body would want to be part of a -- an expression of support for that legislation. And by tomorrow, there will be not much future for it. I just would ask for immediate consideration. Senator Cronin joins me in this request.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

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Senator Stern has filed a motion with respect to Senate Resolution 1375.

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Mr. Secretary, the Chair requests that these motions be printed on the Calendar. There will be a Rules Committee meeting in about five minutes in the anteroom, so the Senate will stand in recess. There will be no other formal business, so committees will begin later this afternoon. Senate stands in recess.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDENT PHILIP:

The Senate will reconvene. Senator Jones, for what purpose do you rise?

SENATOR JONES:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR JONES:

We all know the passing of our beloved colleague, Senator Sam Vadalabene, and this is a point of information for you. Today between the hours of 2 p.m. and 8 p.m., the visitation will be at Fletcher's Funeral Home, at 627 South St. Louis Road, Edwardsville, Illinois. Tomorrow the funeral mass will be at 10 a.m. at St. Bonaventure Church, 110 North Buchanan, Edwardsville, Illinois. Now, I have arranged for transportation for those who would like to attend the funeral mass tomorrow morning. On the North Drive at 8 a.m., there will be vans

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available to take you there. It is approximately one hour from Springfield, and those who are interested in riding the van, I would suggest that you contact Mike Hoffman, the Chief of Staff, and let him know, so that your name can be included on the list for those who want to attend the funeral mass of Senator Sam.

PRESIDENT PHILIP:

Thank you, Senator Jones. Resolutions.

SECRETARY HARRY:

Senate Resolution 1376, offered by Senator Jacobs.

It's designatory, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution, Constitutional Amendment, 150, offered by Senators Shaw and Hendon.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2799, offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 3439, by Senator DeAngelis.

(Secretary reads title of bill)

Senator Jones offers House Bill 2729.

(Secretary reads title of bill)

House Bill 3457, by Senator Fawell.

(Secretary reads title of bill)

House Bill 3775, offered by Senators Dudycz, DeLeo and Raica.

(Secretary reads title of bill)

House Bill 3841, by Senator Severns.

(Secretary reads title of bill)

Senator Woodyard offers House Bill 3912.

(Secretary reads title of bill)

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And Senator Topinka offers House Bill 3975.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

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 Agriculture and Conservation - House Bill 2794; to the Committee on Appropriation - House Bills 6, 8 and 9; to the Committee on Education - House Bills 504, 2638, 2645 and 3457; to the Committee on Environment and Energy - Senate Amendment 1 to House Bill 1594; to the Executive Committee - House Bills 699 and 2205; to the Committee on Financial Institutions - House Bills 3582, 3784, 4031 and 4096; to the Committee on Insurance, Pensions and Licensed Activities - House Bills 1066, 1293, 1456 and 1809; to the Committee on Judiciary - House Bills 610, 1386, 1832, 2423, 2696, 2809, 3057, 3356 <sic> (3354) and 4033; to the Committee on Local Government and Elections - House Bills 3997 and 4101; to the Committee on Public Health and Welfare - House Bills 742, 1391, 2221, 3278 and 3498; to the Committee on Revenue - House Bill 3804; to the Committee on State Government Operations and Executive Appointments - House Bills 99, 2655, 2931, 2938, 3883 and 4176; and to the Committee on Transportation - House Bill 3522.

PRESIDENT PHILIP:

Is there any further business to come before the Senate?
Senator Raica, for what purpose do you rise?

SENATOR RAICA:

Just a point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

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SENATOR RAICA:

This afternoon at 1:30, the Local Government and Elections Committee will be meeting at 1:30 in A-1 in the Stratton Building.

I just ask that everyone be on time.

PRESIDENT PHILIP:

Any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Weaver moves the Senate stands adjourned until 3 p.m., Thursday, May 5th.

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