

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

113th Legislative Day

May 5, 1994

PRESIDENT PHILIP:

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 John Duke, Zion Lutheran Church, Pleasant Plains, Illinois. Pastor Duke.

PASTOR DUKE:

(Prayer by Pastor John Duke)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, April 26th; Thursday, April 28th; and Friday, April 29th, 1994.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

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

PRESIDENT PHILIP:

Senator Butler moves to approve the Journals just read. There being no objection, so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Wednesday, May 4th, in the year 1994, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

Senator Raica, Chair of the Committee on Local Government and

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Elections, reports House Bill 1635 Do Pass, and House Bills 232 and 1569 Do Pass, as Amended.

Senator Fawell, Chair of the Committee on Transportation, reports House Bills 2849, 3407 and 3551 Do Pass, and House Bills 457, 460, 537, 1513 and 3197 Do Pass, as Amended.

Senator Hawkinson, Chair of the Committee on Judiciary, reports House Bills 696, 2612, 2924 and 3081 Do Pass, and House Bills 381 and 1786 Do Pass, as Amended.

And Senator Watson, Chair of the Committee on Education, reports House Bill 3244 Do Pass, and House Bill 2010 Do Pass, as Amended.

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

A Message for the Governor by Mark Boozell, Director of Legislative Affairs, dated May 4th, 1994.

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

To the Honorable Members of the Senate, 88th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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 Bills 2774, 3488 and 3911.

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All passed the House, May 5th, 1994.

We have like Messages on House Bills 2349, 2491, 2613, 2656, 2714, 3079, 3193, 3891, 4037, 3790, 4074 and 4094.

All passed the House, May 4th, 1994.

PRESIDENT PHILIP:

The Chair will now yield to Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's my pleasure today to introduce Joan Moran, an elementary physical education teacher from East Coloma School in Rock Falls, Illinois. And last year Joan received the Master Teacher Award from Western Illinois University, and was also a finalist for the Walt Disney American Teacher Award. Joan serves as a member of the Governor's Council on Health and Physical Fitness. She comes to us today to speak in her position as President of the Illinois Association of Health, Physical Education, Recreation and Dance. Mrs. Joan Moran.

MRS. JOAN MORAN:

(Remarks by Mrs. Joan Moran)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're going to have House Bills 1st Reading.

SECRETARY HARRY:

House Bill 1705, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 2349, by Senator Ralph Dunn.

(Secretary reads title of bill)

House Bill 2491, by Senator Dudycz.

(Secretary reads title of bill)

House Bill 2686, by Senator Raica.

(Secretary reads title of bill)

House Bill 2714, by Senator Philip.

(Secretary reads title of bill)

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House Bill 2952.

(Secretary reads title of bill)

Senator Barkhausen offers House Bill 3079.

(Secretary reads title of bill)

House Bill 3108, by Senator Fawell.

(Secretary reads title of bill)

Senator Peterson offers House Bill 3193.

(Secretary reads title of bill)

House Bill 3487, by Senator Weaver.

(Secretary reads title of bill)

House Bill 3518, by Senator Ralph Dunn.

(Secretary reads title of bill)

Senator Rauschenberger offers Senate -- or, House Bill 3779.

(Secretary reads title of bill)

House Bill 3891, by Senator Watson.

(Secretary reads title of bill)

And House Bill 3937, by Senator Petka.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, please.

SENATOR WATSON:

Yes. After the speech there on fitness, it may be an appropriate time to mention that the House-Senate softball game is going to be held May 17th. And as you know, we've done pretty well the last couple years. And I know most of you are at home working out and getting the arm in shape, but we want -- we want to have a practice or two, and so next week, plan on maybe having

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a practice. But May 17th is the game, and again, it's sponsored by the Regional Commerce and Growth Association out of St. Louis, which we appreciate very much their participation. The following week is the tennis tournament. So we are truly trying to get ourselves in shape and -- and fit here in the Senate. So, the following week is the tennis tournament, so all of you be, I'm sure, hitting the courts over the weekend.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Keep in mind, the famous House and Senate Baseball Game is going to be on Tuesday, May 17, and those of you who are going to play, get busy and practice and see Senator Watson. And the tennis tournament, I believe, is going to take care the week after. See Senator Watson for more details. Senator Dudycz, for what purpose do you rise, sir?

SENATOR DUDY CZ:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point of personal privilege.

SENATOR DUDY CZ:

Thank you, Madam President. While we're on the subject of physical fitness, I'd like to -- to inform the Membership that one of our most physically fit Members, and undoubtedly our tallest Member in the Illinois General Assembly, is celebrating his birthday today. And I just would like for all of us to acknowledge Senator Dick Klemm's sixty-second birthday, and wish him a happy birthday.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Well, thank you.

SENATOR DUDY CZ:

Seventy-six, eighty-six. I'm not sure which one.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Congratulations from your colleagues, Senator Klemm. And all I

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can say is you sure don't look it. Senator Thomas Dunn, for what purpose do you rise, sir?

SENATOR T. DUNN:

Thank you, Madam President. I rise to ask that the appropriate Senate rules be suspended for the immediate...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a second. Wait. We haven't gotten to the rules, yet. Just hold on.

SENATOR T. DUNN:

Pardon me. I'm sorry.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hold on. We haven't gotten to the resolutions yet.

SENATOR T. DUNN:

Hold onto it? Okay.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. Requesting a change in sponsorship of a bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right.

SENATOR BURZYNSKI:

Okay. I request that the primary sponsor of House Bill 1774 be changed from myself to Senator Topinka.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any objection? Hearing none, it's so ordered. Senator Karpziel, for what purpose do you rise, ma'am? Senator Karpziel?

SENATOR KARPIEL:

Thank you, Madam President. Just to make an announcement that the Executive Committee meeting that has been scheduled for 3:30 this afternoon has been canceled. It has been canceled. Do not show up for the Executive Committee meeting, please.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

I think that's a very, very well worth reminder. At this time... Senator Garcia, for what purpose do you rise?

SENATOR GARCIA:

Thank you, Madam President. I would like to beg leave of the Body for immediate consideration of a congratulatory resolution, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We haven't gone to the Order of Resolutions yet, but hold on. Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Yes, Madam President. The Health Committee - Senate Health Committee - will meet right after our Session, for two amendments. It should go very quickly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The -- the Health and Public Welfare Committee is meeting right after the Session for two amendments. Thank you. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, please.

SENATOR BURZYNSKI:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Hold on just a minute. Could we have some order in the Senate please, so we could hear Senator Burzynski's point.

SENATOR BURZYNSKI:

Thank you. In the gallery behind me, we have a group of the outstanding students from Winnebago County, representing several different school districts. I'd like for them to stand and be recognized by the Chamber, if they would, please.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to our Senate. Senator Mahar, for what purpose do you rise?

SENATOR MAHAR:

For the purpose of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Purpose of announcement. State your -- your purpose.

SENATOR MAHAR:

The Senate Environment and Energy Committee will be meeting tomorrow morning at 9 a.m. in Room 400 to consider four bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Senate Environment Committee will meet tomorrow morning at 9 a.m. in Room 400 to consider four bills. Resolutions.

SECRETARY HARRY:

Senate Resolution 1377, offered by Senator Trotter.

Senate Resolution 1378, by Senator Hasara.

Senate Resolution 1379, by Senator Petka.

Senate Resolution 1380, by Senator Garcia.

Senate Resolution 1381, by Senator Jones.

Senator Topinka offers Senate Resolution 1382.

Senate Resolution 1383, 1384, 1385 and 1386 are all offered by Senator Ralph Dunn.

Senate Resolution 1387, by Senator Tom Dunn and others.

Senate Resolution 1388, by Senator Rea.

Senate Resolution 1389, offered by Senator Madigan.

Senate Resolution 1390, by Senator Rauschenberger.

And Senate Joint Resolution 151, offered by Senators Butler and Madigan. Or, that's offered by Senator Butler. They're all congratulatory, death or designatory resolutions, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

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SECRETARY HARRY:

Senate Joint Resolution 152, offered by Senator Shaw.

It's substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn.

SENATOR T. DUNN:

Thank you, Madam President. I ask that the Senate suspend the appropriate rule so that we could hear Senate Resolution 1387.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn moves to suspend the rules for the purpose of the immediate consideration and adoption of Resolution 1387. Those in favor will say Aye. Those opposed, No. The Ayes have it. The rules are suspended. Senator Dunn, to explain -- explain your resolution.

SENATOR T. DUNN:

Thank you, Madam President. This resolution deals with this weekend's Vietnam Veterans' Memorial celebration in Springfield. It's the sixth annual ceremony and vigil that will be held, and General Westmoreland is coming in for the dedication, and I believe former Director Colby of the CIA is also coming in. And we'd like to pass this resolution today so that we can give it to them over the weekend.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dunn has moved for the adoption of this resolution. Those in -- it's 1380 <sic>. Those in favor, say Aye. Those opposed. The Ayes have it, and the resolution's adopted. Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. I would like to beg leave of the Body for immediate consideration of a congratulatory resolution, Senate Resolution No. 1380.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Garcia has moved for the -- the Body to adopt the -- to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution - what number?

SENATOR GARCIA:

1380, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

1380. Those in favor will say Aye. Those opposed. The Ayes have it. The rules are suspended. And Senator Garcia, to explain -- to explain your resolution.

SENATOR GARCIA:

Yes, Madam President. I am moving passage of this congratulatory resolution. It welcomes and congratulates the students of Kanoon Magnet Community Academy, who performed here in the Rotunda this afternoon, and it wishes them continued success in their educational endeavors and all their cultural involvement in the community.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Senator Garcia has moved for the adoption of this resolution. Those in favor, say Aye. Aye. All opposed. The Ayes have it. The resolution's adopted. Senator Stern, for what purpose do you rise?

SENATOR STERN:

Madam President, on page 13 of the Calendar is my motion, Senate -- to suspend the rules on Senate Resolution 1375. I wonder if we could move to that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Stern, we're not on the Order of Motions at this point. We'll reach you when we get to the Order of Motions. Resolutions.

SECRETARY HARRY:

Senate Resolution 1391, offered by Senator Demuzio. It's commendatory.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR WOODYARD:

Thank you, Madam President. On your Calendar, the Ag-Conservation Committee is to meet tomorrow morning at 8:30. That meeting will take place. We have one bill, so if you'll get there real quick, we'll be out real quick. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. We're going to go to page 5, the Senate Calendar, on the Order of Constitutional Amendments 2nd Reading. House Joint Resolution Constitutional Amendment 35, sponsored by Senator Philip. Senator Philip here? Please read the resolution, Mr. Secretary.

SECRETARY HARRY:

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

(Secretary reads HJRCA No. 35)

2nd Reading of the resolution.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

HJRCA 35 is moved to the Order of 3rd Reading. On page 7 of the Senate Calendar is the Order of Secretary's Desk, Resolutions. We will now proceed to that Order for the purpose of considering Senate Resolution 1117. 1117. Mr. Secretary, will you proceed. Read the resolution, sir. 1117.

SECRETARY HARRY:

Senate Resolution 1117 is offered by Senator Farley. No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley.

SENATOR FARLEY:

Thank you, Madam President and Ladies and Gentlemen of the

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Senate. I would ask for the adoption of Senate Resolution 1117. What this resolution calls for is an investigation by the Chicago -- Postmaster General and the Director of the Federal Bureau of Investigation, in Chicago in five postal areas. We all know that the Postmaster General has been to Chicago. There's been some movement in the postal service there. I still think, though, that we should send a strong message here that we're not going to tolerate any -- anything less but excellent postal service in the City of Chicago, specifically these -- these that are indicated in the resolution. I also feel that as far as my knowledge, the tampering of the mail is a federal violation of the law, and that's why I call for also the -- the Director of the Bureau of Investigation to come in and -- and see if there's any -- any illegal tampering with the mail. So with that, Madam President and Ladies and Gentlemen, I would ask for the adoption of Senate Resolution 1117.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, Senator, to close. You ask for a favorable vote. Senator Farley moves the adoption of Senate Resolution 1117. Those in favor, say Aye. All opposed. The Ayes have it. The resolution's adopted. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Well, thank you, Mrs. -- Madam President. I have an announcement to make in the Republican side. We will have a caucus immediately following the Rules Committee, which will be very shortly. And for the Democrat Members, the Appropriations Committee will meet immediately following the caucus.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There will be a Republican Caucus immediately after this Session, and there will be an Appropriations Committee meeting right after the Republican Caucus. How much time do you need,

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Senator Donahue?

SENATOR DONAHUE:

We hope we're concluded by 4 o'clock. We recognize the problems that you have on the other end, and we're very aware of that. So hopefully it'll be as close to 4 o'clock as we can make it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

All right. Anything further to come before us? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. The Democrats will not be caucusing. We have nothing to caucus about yet. We will not be caucusing until we find out what you caucused about.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Senator Madigan. Senator Madigan?

SENATOR MADIGAN:

Thank you, Madam President. I rise for purposes of an announcement: that the Insurance Committee will meet after the Republican Caucus, in Room 400. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Anything further? The Senate will -- will be in -- in recess till the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

...(microphone cutoff)...come to order. Committee Reports.

SECRETARY HARRY:

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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 2799; to the Committee on Education - House Bills 2638 <sic>, 2641 and 2937; to the Committee on Environment and Energy - House Bills 44, 298 and 3090; to the Committee on Executive - House Bills 1705, 3205, 3487, 3518, 3704 and 3891; to the Committee on Financial Institutions - House Bills 902, 3329 and 3611; to the Committee on Insurance, Pensions and Licensed Activities - House Bills 3322 and 4033 <sic>; to the Committee on Judiciary - House Bills 356, 1129, 3079 and 3937; to the Committee on Local Government and Elections - House Bills 343, 1527, 2627 and 3779; to the Committee on Public Health and Welfare - House Bill 3975; to the Committee on Revenue - House Bill 2634; to the Committee on State Government Operations and Executive Appointments - House Bills 2349 and 3587; and to the Committee on Transportation - House Bills 3094 and 3478.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 1392, offered by Senators del Valle and Garcia.

It's substantive.

Senate Joint Resolution, Constitutional Amendment, 153 and 154, both offered by Senator Fitzgerald.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any further business to come before the Senate? If not, Senator Barkhausen moves that the Senate stand adjourned until 10 o'clock a.m., Friday, May the 6th.

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