

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

May 27, 1993

PRESIDING OFFICER: (SENATOR DeANGELIS)

Please come to order. The prayer this afternoon is by Reverend Larry Clementson, Faith Lutheran Church, Lincoln, Illinois. Will our guests and all Senators please rise. Reverend.

THE REVEREND CLEMENTSON:

(Prayer by the Reverend Clementson)

PRESIDING OFFICER: (SENATOR DeANGELIS)

Tough Chair today. Reading of the Journal. Senator Butler. Senator Butler, reading of the Journal.

SENATOR BUTLER:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, May 19th; Thursday, May 20th; Friday, May 21st; Sunday, May 23rd; Monday, May 24th; Tuesday, May 25th; and Wednesday, May 26th, in the year 1993, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler moves to postpone the reading and approval of the Journal, pending arrival of the transcripts. There being no objection, it is so ordered. Senator Dunn, for what reason do you rise?

SENATOR T. DUNN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR T. DUNN:

I -- I want to inquire of the Chair what denomination that -- that fine minister was, because I know he wasn't Catholic, and Art Berman tells me he wasn't a Rabbi. Lord knows he wasn't a Baptist. Can -- can we put him on the permanent roll as coming back? I'd like to put that in the form of a motion.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sure can. Well, in all fairness, I have to tell you that I

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said that he gets a hundred-dollar stipend, and we deduct a dollar for every word. So he cut it down pretty short. Committee Reports.

SECRETARY HARRY:

Senator DeAngelis, Chair of the Committee on Revenue, reports that the motion to recede from Senate Amendments 1 and 2 to House Bill 1212 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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 refused to recede from their Amendment No. 2 to a bill of the following title, to wit:

Senate Bill 139.

I am further directed to inform the Senate that the House of Representatives requests a first committee of conference, to consist of five Members from each House, to consider the differences of the two Houses in regard to the amendment to the bill.

Action taken by the House, May 26th, 1993.

We have like Messages on the following bills with House amendments: 268, with Amendment 1; 273, with Amendment 1; 289, with Amendment 1; 311, with Amendments 1, 2, 4, 5, 6, 8, 12, 13, 14, 16 and 17; 314, with Amendments 1, 2, 4, 5, 6, 7, 8; 315, with Amendments 1, 2, 3, 4, 5, 6, 10, 11, 12 and 13; 317, with Amendment 1; 318, with Amendments 1 and 2; 319, with Amendments 1 through 6 and 8; 320, with Amendments 1 and 2; 321, with Amendments 1 and 2; 322, with Amendments 1 and 2; 425, with Amendment 2; 483, with Amendments 2 and 3; 499, with Amendment 1; 520, with Amendments 1 and 2; 521, with Amendment 1; 522, with Amendment 1; 525, with Amendments 1 and 2; 526, with Amendment 1;

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527, with Amendments 1, 2 and 4; 528, with Amendments 1 through 4; 529, with Amendments 1 and 2; 532, with Amendments 1 and 2; 614, with Amendment 1; 707, with Amendments 1 and 2; 712, with Amendments 1 and 2; 798, with Amendment 1; 869, with Amendments 2 and 3; 937, with Amendments 1 and 3; 944, with Amendments 1 and 2; 945, with Amendments 1 and 2; 946, with Amendments 1 and 2; 953, with Amendment 1; 964, with Amendment 5; 1096, with Amendment 1; and 1099, with Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. Station KWQC wishes to shoot videos. Is leave granted? Leave is granted. 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 concurred with the Senate in the adoption of the following joint resolution, to wit:

Senate Joint Resolution 44, together with the attached Amendment No. 1 thereto, in the adoption of which I am instructed to ask the concurrence of the Senate.

Passed the House, May 26, 1993.

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 House wit -- or to wit:

House Joint Resolution 28.

Adopted by the House, May 26th, 1993.

They're both substantive.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Resolutions.

SECRETARY HARRY:

Senate Resolution 553, offered by Senator Jones.

Senate Resolution 554, by Senator Rea.

And Senate Resolution 555, by Senator Ralph Dunn.

They're all congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Consent Calendar. Top of page 10. On the Order of Concurrence, Senate Bills. Senate Bill -- Senate Bill 186. Senator Welch. Senator Welch, on Senate Bill 186. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendments 4, 5 and 6 to Senate Bill 186.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to non-concur on House Amendments 4, 5 and 6, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch moves to non-concur in House Amendments 4, 5 and 6 to Senate Bill 186. All those in favor, say Aye. Opposed, say Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 207. Senator Geo-Karis? Senator Cullerton. Senator Cullerton, on 207. Senator Cullerton, on the Order of Non-concurrence <sic>, Senate Bill 207. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Amendment No. 1 to Senate Bill 207.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Mr. President, Members of the Senate. I would move to non-concur with the Senate <sic> amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor said he will yield. Senator Cullerton, you have a question coming your way. Senator Madigan.

SENATOR MADIGAN:

Senator Cullerton, it's our understanding that this House Amendment No. 1 to Senate Bill 207 was and continues -- or was an agreed amendment by all parties. What makes that disagreeable at this point?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

Well, that's -- that's not the case. The -- the -- the House amendment is really a technical amendment. The bill deals with adopted children, and the bill did pass out of here with some language dealing with providing health insurance for adopted children. The -- the language that was approved in the Senate was changed in the House; there is no longer an agreement. And so it's my plan to not concur with that House amendment, put the bill in a conference committee, and then remove all of the language dealing with health insurance for adopted children. There still are some very important measures that should be passed, dealing with adopted children, that should be -- that we would include in a conference committee. As you know, I've already presented a proposed conference committee to you. It doesn't have anything in there about insurance for adopted children. So that's my intention, and I can state publicly that the conference committee,

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if approved by your committee, will not have any language in there about insurance for adopted children.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. And I thank Senator Cullerton for those remarks. However, I must stand in opposition to this motion to non-concur. The problems with this bill, as Senator Cullerton stated, can be addressed by an amendatory veto by the Governor. And I think that's what we should do. I -- I don't see any reason to send this bill to a conference committee. The language changes that the Senator suggests can be handled very simply on an amendatory veto at the Governor's Office, and I'm sure will be handled, and I will be most happy to help Senator Cullerton in those efforts. But I would oppose this motion to non-concur and would ask that -- would ask for a roll call, and would ask that this motion be defeated.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton, do you wish to close?

SENATOR CULLERTON:

Well, this is an interesting proposal. I should pass a bill that I'm not in favor of, so that the Governor can amend it, rather than have the Legislature amend it in a conference committee. It's -- it's -- it's kind of a unique idea. I don't think it's a good idea. I have said -- maybe I should give some more on the background, in closing. This bill was proposed by some advocates for adopting -- adopting parents. What they wanted to do was to make sure that if you adopted a child, you had -- your insurance policy would cover the birth -- the cost for the birth mother. The insurance industry opposed that, and they came up with an amendment. I accepted the amendment, passed it over to the House; it was modified in the House. And we had a meeting,

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and we agreed that we could not agree. So the insurance portions will be removed from the conference committee. However, there are still some very important measures that deal with adopting children that I wish to put in a conference committee, and that's all I'm asking for: to non-concur, to have the House refuse to recede, to go to a conference committee. So -- and if we go to a conference committee, as you know, under our rules, it has to be approved by the committee. So you've got total control over what's to be in or not in the conference committee. So for that reason, it -- it's -- it's unfair to not be allowed to even have a proposed conference committee, by opposing the motion. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton moves to non-concur in House Amendment No. 1 on Senate Bill 207. All those in favor, vote Aye. Opposed, vote Nay. The voting is 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? You had your shot last year, didn't you... Have all voted who wish? Take the record. On that motion, there are 31 Ayes, 26 Nays, none voting Present. The motion carries, and the Secretary shall so inform the House. Senator -- Senator Madigan requests a verification. Verification. Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I'd like to withdraw my -- motion of verification.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Motion is in order. Verification request is withdrawn. We will now move again on page 10 to the Secretary's Desk, Non-concurrence, House Bills. House Bill 152. Senator Syverson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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Senate Amendment 1 to House Bill 152.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson.

SENATOR SYVERSON:

Yes. We'd like to refuse to recede on 152 and request a conference committee.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson moves that the Senate refuse to recede from the adoption of Senate Amendment No. 2 <sic> (1) to House Bill 152, and that a conference committee be appointed. All those in favor, say Aye. Opposed, say No. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Chair requests to come back to 419. House Bill 554. Senator Geo-Karis. Okay. On the Order of Non-concurrence, House Bill 554. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Amendment 3 to House Bill 554.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to recede from Senate Amendment No. 3, and ask for final passage of -- and a vote on this bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Okay. This is final passage. The motion is to recede. Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

...(machine cutoff)...of the sponsor, please?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says she will yield.

SENATOR HAWKINSON:

Will you please tell us what the Senate amendment did?

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senate Amendment 3 related to Illinois Emergency Management Agency. I talked with the liaison officer from there, and he did not object to my removing this language. But it also had a statement in there about gross negligence, instead of negligence, and this bill suffered with -- because of it, from the trial lawyers.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? This is final action. The question is, shall the Senate recede from Senate Amendment No. 3 to House Bill 554. Those in favor, vote Aye. Those opposed, 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 the question, the Ayes are 55, the Nays are 2, 1 voting Present. The Senate recedes from Amendment No. 3 to House Bill 554, and the bill, having received the required constitutional majority, is declared passed. House Bill 991. Senator Trotter. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Amendment 1 to House Bill 991.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter.

SENATOR TROTTER:

Yes. Mr. President and Members of the Senate, I would like a motion to recede from amendment -- Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter, you cannot make that motion.

SENATOR TROTTER:

But -- I'm sorry.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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It has to be in writing and filed with the Secretary, if you're going to recede.

SENATOR TROTTER:

I...

PRESIDING OFFICER: (SENATOR DeANGELIS)

That's final action, and it would have to go to Rules. Do you need any further information? Senator Trotter.

SENATOR TROTTER:

Mr. President, can I make the substitute motion to refuse to recede from the amendment?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter moves that the Senate refuse to recede from the adoption of Senate Amendment to House Bill 991, and that a conference committee -- appointed. All those in favor, say Aye. Opposed, say No. The motion carries, and the Secretary shall so inform the House. Senate Bill -- House Bill 1039. Senator Madigan. Take it out of the record. Senator Weaver, could you handle 1040 for Senator Philip? House Bill 1040. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Amendment No. 1 to House Bill 1040.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move to refuse to recede from Senate Amendment No. 1 on House Bill 1040.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1040, and that a conference committee be appointed. All those in favor, say Aye. Opposed, say Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 1212. Senator

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Woodyard. Take that out of the record, Mr. Secretary. House Bill 1226 -- 1256. Senator Cronin. Is Senator Cronin here? Senator Cronin. Take it out of the record. House Bill 1787. Senator Barkhausen. Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Amendment No. 2 to House Bill 1787.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 2 to House Bill 1787, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Barkhausen moves that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 1787, and that a conference committee be appointed. All those in favor, say Aye. Opposed, say Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. We will now go to the Motions in Writing to Reconsider the Vote. Mr. Secretary, on House -- Senate Joint Resolution 35.

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Joint Resolution 35 failed.

Filed by Senator Molaro.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When this resolution came up, it came out of committee, and it was on the Calendar the next day. By the time my secretary had filed -- or we filed the analysis, I didn't have time to look at it. After reading today's paper and a few other things about

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what's going on with O'Hare Airport, I think something of this issue needs a little time. I spent the last two days reviewing this issue. It is an important issue and a big one, and I'd like to reconsider the vote, and that's my motion.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. I, too, rise in support of this -- in this motion. After having more than five minutes to study what the resolution was all about, I would say it -- it's a necessary and an acceptable first -- first step. So I would -- I, too, would urge reconsideration.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Stern.

SENATOR STERN:

Mr. President, may I ask Senator Butler a question, who just spoke on this issue?

PRESIDING OFFICER: (SENATOR DeANGELIS)

If Senator Butler will accept the question, but that's -- this is not his motion.

SENATOR STERN:

I understand.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler. Senator Butler, is it okay?

SENATOR STERN:

Is this the bill to which you spoke so eloquently a couple of days ago, and that on your urging, I voted No?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler.

SENATOR BUTLER:

Thank you very much for your compliment. Yes. It is the same motion. As I said just a minute ago, after giving more than five

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minutes thought to it - which is all the time I had before - in doing some more detailed look at it -- take a detailed look at it, I now agree that it -- it is a good first step.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Could we get some order, please? First, maybe? That's close, maybe the second one would do it. A little -- that was a little order, how about medium order? Okay. I do have and will have a parliamentary inquiry. I'm -- I -- my question, in part, is, is this the appropriate time to make the parliamentary inquiry? And if it is, I would like to go into detail on it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Well, it would probably be more appropriate about 3:30 this afternoon, but I -- I think you can make your inquiry now. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. We raised the same inquiry last time, and I think it's even more clear, now that we've done a little more research, that this is not appropriately before this Body as a matter of State law. I will refer you again to 605 ILCS, Sections -- 10/14 and then its subparts. 14 says, as its title, "Additional toll highways-Approval by the Governor of proposed study". Then Section 14 begins with, the authority shall, - shall - prior to the commencement of any engineering and traffic study or studies to determine the feasibility or construction of additional toll highways within the State of Illinois, submit to the Governor for his approval, the route, routes, proposed for additional toll highways together with an estimate of the cost study or studies. If the Governor shall approve such proposed study or studies, the estimated thereof, or

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fail to approve <sic> within 30 days, the Authority may then proceed with the study. It then goes on -- to go through what the Authority has to do prior to issuance, and finalizes with prior to the issuance of any bonds, there shall be a joint resolution. So the first step by Statute - by Statute - is that the Authority shall go to the Governor with the plans and the estimates; then it shall come to us. And if there's nothing in the record to indicate that the Authority has, in fact, gone to the Governor for approval of the plans and the cost estimates, there is nothing that can be before the Senate. Secondly, and on a very different issue, is if, in fact, we have no cost estimates, how dare we even consider approving it?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Is that it, Senator Carroll? Would you like to repeat that? Now, I will give you a ruling, but let me remind you, Senator Carroll, we are voting on the motion to reconsider; we are not voting on the resolution. Senator Carroll.

SENATOR CARROLL:

That's why I asked you, Mr. President, seriously, before, if this was the appropriate time to do the parliamentary inquiry, or if you want it - should this motion be successful - if you want it when they're debating on the resolution. I'll repeat it then or go into it briefly then, if that's your preference.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Why don't we vote on the motion right now and then if the motion prevails, we can then -- you can very briefly restate your parliamentary inquiry. Okay? Senator Carroll.

SENATOR CARROLL:

Just a -- a brief, brief parliamentary inquiry: How many votes will this take?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thirty.

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SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Okay. Having voted on the prevailing side, Senator Molaro moves to reconsider the vote by which Senate Joint Resolution 35 -- failed. Okay. All those in favor, vote Aye. The opposed, 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 motion, there are 35 Ayes, 21 Nays, 1 voting Present. The motion prevails. Now, Senator Cronin, on the page 10 of the Calendar, do you wish your resolution considered? Senator Cronin. Yes. He does. Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Joint Resolution 35, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We debated this issue at length yesterday. We touched on some of the points that were made just moments ago. I would like to just memorialize my comments that were made yesterday, and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I, too, have looked at some information since we took this vote, and I would like to draw the Body's attention to a finding in a study of Illinois' State Toll Highway Authority. On page 19 of the study, one finding is that the Authority did not comply with statutory mandates requiring set-asides for minority- and female-controlled businesses, nor did it attempt to comply with these requirements. So I would suggest

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that we not give them the right to do anything else until we take a good look at what they are already not accomplishing. And I, too, would like to memorialize the statements that I made about this issue the other day. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. First, if I may ask a question of the sponsor, Senator Cronin, and then I will have an inquiry.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says you can.

SENATOR CARROLL:

Senator Cronin, have we, in fact -- has the Authority, in fact, engaged in traffic study or studies to determine the feasibility of constructing this additional toll highway or extension thereof? And secondly - you might as well answer both at the same time - have cost estimates been submitted to the Governor and/or the General Assembly?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

Senator Carroll, I know that there's been extensive discussion, and there has been review of this project. And I know that various schemes have been considered, and I know that the Governor's Office is aware of this. We are proceeding with this resolution just as we have with many other resolutions. This is the first step, and this is no different than the way we have proceeded with respect to any other tollway project.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll.

SENATOR CARROLL:

Thank you. I'll -- I'll re-ask the question. The schemes, I

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know, are necessary at the tollway. The scheme was thirteen thousand dollars of tollway expense to do picnics and buy balloons and T-shirts. But as to the tollway itself - and I'm referring obviously to the Auditor General's report on the tollway - the question is, as the Statute requires, prior to commencement of any engineering - any engineering - and any traffic study, there must be submitted to the Governor - submitted, not discussions, not schemes, not comments, submitted - a cost estimate of the proposal and of the studies for approval or disapproval by the Governor before any action can be taken. And my question to the sponsor is: Have those formal documents - formal documents - been submitted by the Toll Authority to the Governor, and if so, are copies available?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

Senator Carroll, with all due respect, you have your interpretation of the statutory language, and I have mine. With respect to this resolution, we are complying with law, in that we are seeking authorization by joint resolution of the General Assembly prior to the issuance of bonds. We're merely complying with that statutory obligation.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll.

SENATOR CARROLL:

Maybe three is a charm. Regardless of how you or I interpret the Statute, my question was very different. My parliamentary inquiry will be to the Chair. The question was simply: Were these, in fact, submitted to the Governor? Are there cost estimates submitted to the Governor at this point in time? And -- and I think the answer to that should be either yes or no. Were there formal cost estimates - whether required by Statute or not

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in your opinion - were there formal cost estimates submitted to the Governor and/or the General Assembly?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cronin.

SENATOR CRONIN:

I don't know.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll.

SENATOR CARROLL:

At which point, Mr. Chairman -- Mr. President, I would restate my parliamentary inquiry of the Chair. It is my reading of the Statute, and particularly now that we have the ILCs, and in the order in which the Statute is presented to the public, it starts off with -- that the Authority is authorized, but that prior to commencement of any engineering and traffic study or studies to determine feasibility - this is in Section 10/14 - they shall submit to the Governor for his approval, the route -- the route or routes proposed, together with an estimate of the costs of the proposed study. It then goes on, as we have said yesterday and earlier today - and I'll be very brief in it - that before they can issue, they shall have that approval and then come to the General Assembly for the joint resolution approval. It would seem to me, based on the answer of Senator Cronin, that to his knowledge, nothing has been so submitted. There is nothing that can be before the General Assembly. That would be my parliamentary inquiry. And to save a little time, let me just further comment, as I did a moment ago, so that you don't have to call on me again, that assuming that -- that you say that it's still before us, which I disagree with, and assuming it is, and there has been no such study, we have no business authorizing something that we have no idea what it'll cost to do. But to my parliamentary inquiry, Mr. President, I believe the Statute is

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crystal-clear, and based on Senator Cronin's representation that he has no knowledge, it should not be before us.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Carroll, the Chair ruled yesterday and will rule today, it takes thirty votes for passage. Senator Cronin moves the adoption of Senate Joint Resolution 35. Those in favor shall vote Aye. Opposed, 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 34 Ayes, 23 Nays, none voting Present. The resolution is adopted. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Today, the Senate -- having visited the Senate, the eighth-grade graduating class of St. Rene's School, which is my home parish. They're in the Republican side of the Visitors' Gallery to the rear, and I would just ask that the Senate -- that the guests in the gallery please rise and the Senate welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Will our -- will our guests please rise and be recognized. Welcome to Springfield. Senator Carroll.

SENATOR CARROLL:

Oh! Since it's now beyond the point, that -- my parliamentary inquiry was never the number of votes; it was whether anything was before us. So just that the record is clear, I don't think that the President ever answered the parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

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State your point, Senator.

SENATOR HENDON:

Thank you very much. We have a gentleman in our gallery, on the Democratic side, who is the manager of the John Hay Homes Boxing Team - the team of one of the charities for which we had the benefit last night - and we wanted to thank everybody for their cooperation. The team is going off this week -- I mean, next week, June 6th, 7th and 8th, to represent Springfield, the John Hay Homes Boxing Team, in the national tournament. He just came back from Arkansas, where they had two young men who won national tournaments, representing Springfield well, representing John Hay Homes Boxing Team well. And we want to thank everybody for their cooperation. We have a very nice check here for the John Hay Homes Boxing Team, because of your cooperation. Let's give a hand for Luther Howell, the Manager of the John Hay Homes Boxing Team, from public housing, and we -- let's give him a big hand for what -- what they've done. And let's wish them well.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Mr. Howell, welcome. Thank you, Senator Hendon. Committee Reports, Mr. Secretary.

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 - the motion to recede from Senate amendment to House Bill 1039; to the Committee on Judiciary - motion to recede from Senate amendments to House Bill 1256; and to the Public Health and Welfare Committee - motion to recede from Senate amendment with respect to House Bill 152 <sic>.

PRESIDING OFFICER: (SENATOR DeANGELIS)

We will now go on the Order of Business of Advise and Consent <sic>. We will now go to Executive Session for the purpose of

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advise and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Ralph Dunn, Chair of the Committee on State Government Operations and Executive Appointments, to which was referred the Governor's Message of April 27, 1993, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of April 27th and May the 4th, 1993. Mr. President, with respect to the Governor's Message of April 27th, 1993, I will read the salaried appointments to which the Senate Committee on State Government Operations and Executive Appointments recommends that the Senate do advise and consent:

To be Members of the Illinois Human Rights Commission, for terms beginning January 20th, 1997, Mathilda Jakubowski; Grace Kaminkowitz -- a little hard; Bashir Malik; Sylvia Neil; Randall Reynolds of Springfield.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. And, Mr. President, will you put the question as required by the rules?

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, does the Senate -- any discussion? Any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. The 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, none voting Nay,

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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 Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. With respect to the Governor's Message of May the 4th, 1993, I will read the salaried appointments to which the Senate Committee on State Government Operations and Executive Appointments recommends the Senate do advise and consent:

Illinois Commerce Commission - to be members of the Commerce Commission for terms ending January 19th, 1998, William Dickson of Chicago; Ruth Kretschmer of Medinah.

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

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? Senator Welch.

SENATOR WELCH:

Thank you. I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield. Senator Welch.

SENATOR WELCH:

Senator Dunn, could you tell me who William Dickson is replacing, and what his background is?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

Mr. President, I don't have that information. I could get it for him, I'm sure.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

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SENATOR WELCH:

Well, if -- it seems like we don't know anything about the guy. Can we get -- could we get back to that? I mean, that's kind of elementary information. I would hate to end up with eight Commerce Commission members, if he's not replacing anybody.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

Senator Cullerton is the sponsor of William Dickson. Maybe he can answer that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

Could the question be repeated, please?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch, will you -- repeat your question for Senator Cullerton?

SENATOR WELCH:

I wanted to know who Mr. Dickson is replacing on the Commission and what his background is to be nominated to be on the Illinois Commerce Commission.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

He's a -- he lives in my district. He's a -- an attorney who's retired from the partnership of Mayer, Brown and Platt. He's a former member of the -- I believe the Civil Aeronautics Board, and I'm not sure who he's replacing.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Well, does he have any experience with utilities or utility

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rates at all?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

No, he did not, but he did indicate that he -- as I indicated earlier, that he's -- did serve on a regulatory board, but is not -- in the past, has not worked in the area of utilities.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. The 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, none voting Nay, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. For the benefit of the Senators asking about William Dickson, he replaced Paul Foran, who is on the Commission.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

Fine. Thank you, Mr. President. With respect to the Governor's Message of May the 4th, 1993, I'll read the unsalaried appointments to which the Senate Committee on State Government and Operations and Executive Appointments recommends the Senate do advise and consent:

To be a member of the Carnival Amusement Safety Board for a term ending January 17th, 1996, Lee Sullivan of Jacksonville.

To be a member of the Carnival Amusement Safety Board of term ending January 17th, 1997, Nick Dispensa of Downers Grove;

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Patricia Skinner of Marengo; Joseph Wachtel of Galena.

To be members of the State Board of Education for terms ending January 18th, 1999, Rick Catt of Oblong; Mark Gallagher of Wheaton; Harry Litchfield of Orion; Jim Palos of Chicago; Patricia Yuzawa-Rubin of Wilmette.

To be a member of the Board of Higher Education for a term ending January the 31st, 1999, Arthur Quern of Evanston.

The Illinois -- to be members of the Illinois Housing Development Authority for terms ending January 13th, 1997, Floyd Bauman of Champaign; John Green of Fox River Grove.

To be a member of the Illinois State Police Merit Board for a term ending March the 21st, 1994, Arthur Smith of Glencoe.

To be a member of the Illinois State Police Merit Board for a term ending March the 15th, 1999, Richard Joutras of Northfield.

Okay. Mr. President, having read the unsalaried appointments, I now seek leave to consider the appointments on a single roll call, unless some Senator has an objection to these appointments. Mr. President, will you put the question as required by our rules?
PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that vote, there are 57 Ayes, none voting Nay, 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 Dunn.

SENATOR R. DUNN:

Mr. President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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You've heard the motion. Those in favor, say Aye. Opposed, say No. The motion carries. Senator Raica, for what purpose do you rise?

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator Raica.

SENATOR RAICA:

Senator Dudycz and I have a few guests we'd like to introduce to the Members of this General Assembly. First of all, we have the newly elected President of the Fraternal Order of Police Lodge 7, William Nolan. And with him we have Bob Pagonia, who's the first Vice President of Fraternal Order of Police Lodge 7, standing next to Senator Dudycz. Also in attendance in this Body this afternoon, just when you thought that radio talk shows were going out the window because of their dullness, along come two guys that have probably been around and through politics more than any of us here in this Chamber, other than Senator Weaver, I think. I would -- it's my privilege to announce -- two of the probably greatest guys that are on radio today. They're on Talk Radio WLS every day from the hours of 3 until 6, and this is a free public service announcement. We have with us in the -- in the General Assembly, Mr. Ed Vrdolyak and Ty Wansley. If we can give them a big round of applause, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Let's -- let's welcome our guests. Thank you for coming to the Senate. Senator Raica, are you done? Okay. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I have an announcement.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Senator. Yes, sir.

SENATOR HAWKINSON:

The Senate Judiciary Committee will meet at 2:45, in Room 212. That's different than our usual meeting place - Room 212, at 2:45.

PRESIDING OFFICER: (SENATOR DeANGELIS)

For what purpose does Senator Rea rise?

SENATOR REA:

Thank you, Mr. President. I would request leave for immediate consideration of a congratulatory resolution. Senate Resolution 554.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Rea moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 554. Is that congratulatory, Senator Rea? Those in favor, say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Rea. Senator Rea has moved for the adoption of Senate Resolution 554. Those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 556, offered by Senator Petka <sic> (Topinka).

Senate Resolution 557, by Senator Topinka <sic> (Severns and all Members).

And Senate Resolution 558 <sic> (559), by Senator Severns and all Members.

They're all congratulatory, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 73, offered by Senator Hendon.

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It's substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

House Bill 419. Senator DeAngelis. Leave was granted earlier for Senator DeAngelis to return to the Order of Non-concurrence, House Bill 419. Senator DeAngelis. Mr. Secretary, will you read the bill.

SECRETARY HARRY:

Senate Amendment No. 1 to House Bill 419.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. Secretary, will you take 419 out of the record?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

419 out of the record. Senator DeAngelis. House Bill 2130? Mr. Secretary, out of the record. Senator DeAngelis.

SENATOR DeANGELIS:

Yes, I would like to make a motion to not recede from Senate Amendment No. 1 to House Bill 2130, and wish the House to be advised of such.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, please.

SECRETARY HARRY:

Senate Amendment No. 1 to House Bill 2130.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator DeAngelis, will you explain the -- your motion, please.

SENATOR DeANGELIS:

I move that the Senate not recede from Senate Amendment No. 1 to House Bill 2130.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? All those in favor -- Senator DeAngelis moves that the Senate refuse to recede from the adoption of Senate

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Amendment No. 1 in House Bill 2130, and that a conference committee be appointed. All those in favor, say Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Woodyard, for what purpose do you rise, sir?

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. There will be a -- a short meeting in Room 212, at 3 o'clock sharp, for the Ag-Conservation Committee.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There'll be a short meeting in 212, at 3 o'clock for the Conservation Committee meeting. Senator Woodyard just -- just announced it. Senator Raica, for what purpose do you rise, sir?

SENATOR RAICA:

Madam President, a question of the Chair.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Go ahead with your question.

SENATOR RAICA:

Is the Chair planning to have us stand at ease during these conference committee reports or are we...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're standing at ease -- we're going to stand in recess until the call of the Chair. We're going to stand in recess, Senator Demuzio, until the call of the Chair. Can you hear me now? The Senate stands in recess.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

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PRESIDENT PHILIP:

The Senate will please come to order. Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports that the motion to recede from Senate Amendments 1 and 2 to House Bill 1256 Be Approved for Consideration.

Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports that the motion to recede from Senate Amendment 1 to House Bill 1039 Be Approved for Consideration.

PRESIDENT PHILIP:

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 301, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 1.

We have a like Message on Senate Bill 553, with House Amendment No. 1.

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 5.

Adopted by the House, May 26th, 1993.

It's substantive.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that

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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 34.

Adopted by the House, May 26th, 1993.

It's substantive.

PRESIDENT PHILIP:

WCIA-TV has requested permission to videotape the proceedings. Is there leave? Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 558, offered by Senator Hasara.

It's congratulatory, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. May I have the attention of the Membership for purpose of an announcement, to give you some kind of an idea what we're going to be doing this weekend, and -- and -- and next week? It's the intention of the Chair to -- to have the Senate stand at ease till 5 o'clock to receive paperwork from the House of Representatives, come back in tomorrow morning at 10 o'clock, perhaps do some paperwork here, and probably adjourn around noon - not adjourn, but stand at ease to receive some more paperwork from the House - and come back here Wednesday at noon, and probably work Wednesday and Thursday, maybe Friday, and get the -- the normal work of the House and the Senate completed. There may be still some the heater items still laying around loose. Maybe during this weekend, and maybe in the first part of next week, we can get some of those problems solved. So, without further ado, the Senate will stand at ease until 5 o'clock. And, Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you, Mr. President. I would request a Republican Caucus immediately following the recess.

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PRESIDENT PHILIP:

Thank you. That's in order. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'd like to have permission to have a bill on the Calendar called so that I can refuse to recede from the amendment. It's a...

PRESIDENT PHILIP:

Is there leave? Leave is granted. Senator -- Senator DeAngelis, on House Bill 419. Mr. Secretary.

SECRETARY HARRY:

Senate Amendment No. 1 to House Bill 419.

PRESIDENT PHILIP:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 1 to House Bill 419, and wish the House to be notified as such.

PRESIDENT PHILIP:

Any discussion? If not, Senator DeAngelis moves to -- that the Senate refuse to recede from Amendment No. 1 to House Bill 419. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The -- the motion carries, and the Secretary shall so inform the House. Senator Hall, for what purpose do you rise?

SENATOR HALL:

I just wanted to get a little information. I got a letter, and I'm sure everybody did, from the Secretary of State. My understanding is they're supposed to be hanging a picture on the second floor for our Governor -- former Governor. Is that tomorrow? At 10...

PRESIDENT PHILIP:

I believe it's tomorrow at 10 a.m.

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SENATOR HALL:

Yeah, but if we coming in at ten, how are we going to do both?

PRESIDENT PHILIP:

I guess you'll have to flip a coin, or draw lots. You know what? I -- I suppose we could make it -- would it be happy -- more happy for everybody to make it at 10:30 tomorrow?

SENATOR HALL:

That's better.

PRESIDENT PHILIP:

Why not? And -- and may I say this to the Members that are here: I want to encourage you to get your paper moving on your conference committees. You know, you ought to get that stuff filed and get it moving, and we're serious about that. Now, we're -- we're going to stand at ease till 5 o'clock tonight, so if you get your stuff done, get it filed with the Secretary. And -- and we'll be in tomorrow at 10:30. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

For purposes of a motion, Mr. President.

PRESIDENT PHILIP:

State your motion.

SENATOR CRONIN:

May I move that Senate Bill 615, which is on the Calendar on the Order of 2nd Reading, be referred back to the Rules Committee?

PRESIDENT PHILIP:

You've -- you've heard the motion. All those in favor, signify by saying Aye. Those opposed, Nay. Ayes have it. Be referred back to Rules. All right. If the Republicans will go back to my office, we'll have our caucus. Thank you very much. We stand at ease.

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(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR BUTLER)

Senate will come to order. 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 refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 508, with Senate Amendments 1, 2 and 3.
Non-concurred in by the House, May 27, 1993.

PRESIDING OFFICER: (SENATOR BUTLER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 559, offered by Senator Severns and all Members.

It's congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR BUTLER)

Consent Calendar. Any further business to come before the Senate? If not, we stand adjourned until 10:30 a.m. tomorrow morning.

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