

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

66th Legislative Day

June 23, 1993

PRESIDENT PHILIP:

The Senate will please come to order. If our Members would please rise, and our friends in the gallery please rise, for the prayer today. The prayer is by Reverend Rusch, Pawnee Assembly of God Church, Pawnee, Illinois. Reverend Rusch.

THE REVEREND RUSCH:

(Prayer by the Reverend Rusch)

PRESIDENT PHILIP:

...(microphone cutoff)...of the Journal.

SECRETARY HARRY:

Senate Journals of Monday, May 24th; Tuesday, May 25th; Wednesday, May 26th; Thursday, May 27th; Friday, May 28th; Wednesday, June the 2nd; and Thursday, June the 3rd, in the year 1993.

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 Journal just read. There being no objections, so ordered. 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 accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 1886.

Adopted by the House, June 3rd, 1993.

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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 406, together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1, 4, 5 and 8.

Passed the House, as amended, June 3rd, 1993, by a three-fifths vote.

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 amendment to a bill of the following title, to wit:

House Bill 1218, with Senate Amendment No. 1.

Non-concurred in by the House, June 3, 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 wit:

House Joint Resolution 27.

Adopted by the House, June 3rd, 1993 -- or adopted by the House May 18, 1993.

It's substantive.

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 52.

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Adopted by the House, June 3rd, 1993.

It's congratulatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. WCIA-TV has requested permission to videotape. Is there leave? Leave is granted. Messages from the Governor.

SECRETARY HARRY:

A Message for the Governor by Mark Boozell, Director, Legislative Affairs.

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 of your Honorable Body.

PRESIDING OFFICER: (SENATOR WEAVER)

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 Education - Conference Committee Report to Senate Bill 159; to the Executive Committee - Conference Committee Reports on Senate Bill 614 and 899; to the Committee on Judiciary - Conference Committee Report on House Bill 2397; to the Committee on Public Health and Welfare - Conference Committee Reports to House Bills 258, 1102 and -- Senate Bill 712; and to the Revenue Committee - Conference Committee Report on House Bill 2080; Approved for Consideration - Conference Committee Reports to Senate Bills 289, 536 and 940.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

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ACTING SECRETARY HAWKER:

Senate Resolution 584, offered by Senator Hasara.

Senate Resolution 585, offered by Senator LaPaille and all Members.

Senate Resolution 586, offered by Senator LaPaille.

Senate Resolution 587, offered by Senator LaPaille.

Senate Resolution 588, offered by Senator Garcia.

Senate Resolution 589, offered by Senators DeLeo, Dudycz, Severns and all Members.

Senate Resolution 590, offered by Senator LaPaille.

Senate Resolution 591, offered by Senator Palmer.

Senate Resolution 592, offered by Senator -- pardon me, Senator Donahue.

Senate Resolution 593, offered by Senator Trotter and all Members.

Senate Resolution 594, Senate Resolution 595, Senate Resolution 596, Senate Resolution 597 <sic> (Burzynski), '98, all offered by Senator Trotter.

Senate Resolution 599, offered by Senator Karpiel.

Senate Resolution 600, offered by Senator Karpiel.

Senate Resolution 601, offered by Senator Farley.

Senate Resolution 602, offered by Senator Garcia.

Senate Resolution 603, offered by Senator Hendon.

Senate Resolution 604, offered by Senator Karpiel.

Senate Resolution 605, offered by Senator Karpiel.

Senate Resolution 606, offered by Senator Hasara and all Members.

Senate Resolution 607, offered by Senator Vadalabene.

Senate Resolution 608, offered by Senator Topinka.

Senate Resolution 609 and Senate Resolution 610, offered by Senator Topinka and all Members.

Senate Resolution 611, Senate Resolutions 612, 613, 614, all

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offered by Senator Topinka.

Senate Resolution 615, offered by Senator Berman.

Senate Resolution 616, offered by Senator Collins.

Senate Resolution 617, offered by Senator Karpziel -- Senators Karpziel and Fawell.

Senate Resolution 618, offered by Senator Molaro.

Senate Resolution 619, offered by Senator Shaw.

Senate Resolution 620, offered by Senator Rea.

Senate Resolution 621, offered by Senator Rea.

Senate Resolution 622 and 623 and Senate Resolution 624, offered by Senator Shadid.

Senate Resolution 625 and Senate Resolution 626, offered by Senator Demuzio.

Senate Resolution 627, offered by Senator Peterson.

Senate Resolution 628, offered by Senator Dudycz.

Senate Resolution 629, offered by Senators Mahar and DeAngelis.

Senate Resolution 630, offered by Senators Mahar and Shaw.

Senate Resolution 631, offered by Senator O'Malley.

Senate Resolution 632, offered by Senator O'Malley.

Senate Resolution 634 -- pardon me, 33, offered by Senator Woodyard.

And Senate Resolution 634, offered by Senator Ralph Dunn.

Senate Joint Resolution 76, offered by Senator Jones and all Democratic Members, plus Senators Hasara, Ralph Dunn and Madigan.

And Senate Joint Resolution 77, offered by Senator Jones.

Senate Joint Resolution 78, offered by Senator Peterson.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. Senator Rea moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 620. Is there leave? Leave is granted. Senator Rea?

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SENATOR REA:

Thank you very much. At -- at this time -- first of all, I would ask for Chad Bates to come forward and join us here and -- and, Madam Secretary, I would ask you to read Senate Resolution 620.

ACTING SECRETARY HAWKER:

Senate Resolution 620, offered by Senator Rea.

(Secretary reads SR No. 620)

SENATOR REA:

Thank you. I think that in case that some of you are wondering, we do have a very distinguished young man here with us. He just returned back from winning the -- national division, and in October, he will be going to France for the powerlifting meet. And I think if you listened carefully to the resolution of the -- the lifts that he made, including five hundred and thirty pounds, that each and every one of you will be wanting him as a bodyguard. I think that we should hear a word or two from him at this time. Chad.

CHAD BATES:

(Remarks by Chad Bates)

SENATOR REA:

Again, congratulations, and here is a copy of the resolution, and I would ask for leave at this time that all Members be added as sponsors to this resolution. Is there leave? Leave granted. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 633. Senator Woodyard?

SENATOR WOODYARD:

Thank you very much, Mr. President. Due to the fact that we have just suspended the rules to read a resolution, Mr. Secretary,

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could you read that resolution? Then I have a -- a few comments to make, because this is unique, I think, on this Senate Floor, due to the fact, I have never had the privilege of having a person in my district that has broken a record and is now going into a Guinness Book of Records. Wait till you hear what this young lady has done.

SECRETARY HARRY:

Senate Resolution 633, offered by Senator Woodyard.

(Secretary reads SR No. 633)

SENATOR WOODYARD:

Thank you very much, Mr. President and Mr. Secretary. First, before a comment from Tina here, and you may have lost what Tina has done. And if you have, I'll send her out here and she can break a board over your head. Not only that - we have two people up here, husband and wife, who are both black belt. So I'll send them out there if I need to. But first of all, Mr. Secretary, I think you've probably left me, but at this time I would move for unanimous adoption of Senate Resolution 633. And then I would like to present Tina to you. All in favor, signify by saying Aye on the resolution. Opposed, Nay. I didn't hear a Nay out there. With that, here again, we have a young lady here who has -- who has certainly applied for - and we think will be accepted - in the Guinness Book of Records. For, of all things, she broke, like, a hundred and sixty-seven pieces of one inch pine board -- oh, two hundred and twenty-four -- Tina, you're going to have -- two hundred and twenty-four boards in one minute. And so this young lady -- it's been my honor to -- to at least present her to our Body that -- we may have a first here as a Guinness Book of Record person. Tina, with that, why don't you say a word or two? By the way, Representative -- Representative Mike Weaver is also from her home county. So certainly we're glad to have him over here also. Tina, what have you got to say, and -- and what about that black

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belt? How do you -- how do you win that? Go ahead.

TINA NEWBERRY:

(Remarks by Tina Newberry)

SENATOR WOODYARD:

Thank you very much for your patience in -- in our presentation. And if you want to see a board broken, why -- you got a desk out there you want to do away with or whatever, we can do it. Thanks, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Chair yields to Senator Cronin. Senator Cronin?

SENATOR CRONIN:

Good afternoon, Ladies and Gentlemen of the Senate. Thank you, Mr. President, for yielding the -- the microphone to me. I am really, really very pleased and proud to introduce to you today some champions. The State of Illinois 1993 State High School Baseball Class AA Champions from the mighty, mighty high school of York High School - the Dukes of Elmhurst. Let's give them a big round of applause, please. If -- if any of you followed this in the slightest, you would know that this was perhaps one of the most exciting baseball games - even more exciting than the Cubs or the Sox could ever be. This was an outstanding game that really came down to the very end. I'd like to introduce the Coach of the State Championship Team. I might add that York High School is in my hometown. I live across the street from York. I've watched these guys practice, whether they knew it or not; I've been watching them play there. I know that many of them have played together for -- for years and years. And this is a group that really hung together. They worked throughout the year. They worked in the summer league; they worked through the school year, for -- some of them have been playing together for ten years, is what I understand. So I'd like to introduce the Coach, who in turn will introduce the players, and Coach Doug Mullaney, the head



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coach of the State Championship York High School Baseball Team.

COACH DOUG MULLANEY:

(Remarks by Coach Doug Mullaney)

SENATOR CRONIN:

Just for the record, I wanted to let you know that we had a request from the press to take pictures and -- and with leave of the Body, that request has been granted. Thank you very much.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Hendon arise?

SENATOR HENDON:

Thank -- thank you, Mr. President. I rise and ask for the immediate -- for the -- suspension of the rules for the immediate consideration of Senate Resolution 603, which -- which is a congratulatory resolution honoring our world champion Chicago Bulls, who are from my district, for winning the NBA Championship for the third time. And I ask that we suspend the reading of the resolution.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon moves to suspend the rules for the purpose of immediate consideration of Senate Resolution 603. Is there leave? Leave is granted. Senator Hendon.

SENATOR HENDON:

Mr. President -- Mr. President, Members of the Senate, as you know, the Chicago Bulls have just added another page in history by three-peating - winning the Championship three times in a row. They've done our City well, and our State well - honored us with this great victory over Phoenix and New York and all comers, and I rise to just commend them, and I ask that all Members of the Senate's name be added to Senate Resolution 603, which congratulates the Chicago Bulls and their owners for their great victory and the pride that they've brought to our City.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Hendon moves the adoption of Senate Resolution 603. All in favor, signify by saying Aye. Opposed, Nay. The resolution's adopted. Senator Berman, for what purpose do you arise? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. -- thank you, Mr. President. I move for the suspension of the appropriate rules for immediate consideration of Senate Resolution 615. It is congratulatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman moves the suspension of the rules for the purpose of the immediate consideration and adoption of Senate Resolution 605. Is there leave? Leave is granted. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move for the adoption of Senate Resolution 615. It's a congratulatory resolution honoring Mary Staniec upon her retirement from public service.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman has moved the adoption of Senate Resolution 615. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The resolution's adopted. On your desk is Supplemental Calendar -- Supplemental Senate Calendar, Conference Committee Report. Senator McCracken, do you wish to act on Senate Bill 940? Mr. Secretary, do you have on file a Conference Committee Report on Senate Bill 940?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 940.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken.

SENATOR MCCRACKEN:

The First Conference Committee -- Report failed in the House; therefore, we are requesting a second one. Apparently we are

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required to go through the formality of a vote. For this only time in my tenure in the Senate, I hope, I'm asking you all to vote No on my bill.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 940. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 3, and the Nays are 35. Conference Committee Report on Senate Bill 940 is not adopted, and the Secretary shall so inform the House. On Supplemental Calendar, there is a motion in writing to accept the specific recommendations for change. Senator Topinka, on House Bill 1886? Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to accept the specific recommendations of the Governor as to House Bill 1886, in the manner and form as follows:

Amendment to House Bill 1886

in Acceptance of the Governor's Recommendation

Signed by Senator Topinka.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka.

SENATOR TOPINKA:

If my staff person would be kind enough to come to me at this point. I'm just not quite sure where I'm at on my schedule here. Why don't I just take this out of the record for the moment?

PRESIDING OFFICER: (SENATOR WEAVER)

Out of the record. ...(pause)... For what purpose does Senator Topinka arise?

SENATOR TOPINKA:

Mr. -- Mr. President, if I could, indeed, come back to 1886, I think I've got it organized now. And all this does is add an immediate effective date.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka has moved the acceptance -- moved to accept the specific recommendations of the Governor as to House Bill 1886. Is there any discussion? If there's no discussion, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1886, in the manner and form just stated by Senator Topinka. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none. The -- the specific recommendations of the Governor as to House Bill 1886, having received the constitutional majority, is declared accepted. Messages from the House.

SECRETARY HARRY:

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

Mr. President - I'm directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on Senate Bill 940, and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments numbered 1 and 3. Action taken by the House, June 4, 1993.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator McCracken requests we accede to the request of the House for a second report on Senate Bill 940. All in favor, signify by saying Aye. Opposed, Nay. The Senate accedes to the request of the House. For what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR DEMUZIO:

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I'd like to recognize in the gallery a group from Christian County. Jim Montgomery is here with his mother and his sister. He's not paying any attention. But if our guests in the gallery from Taylorville would please rise and be welcomed by the Senate. Jim?

PRESIDING OFFICER: (SENATOR WEAVER)

Welcome to Springfield, Jim. For what purpose does Senator Sieben arise?

SENATOR SIEBEN:

Thank you, Mr. President and Members of the Senate. Rise for the purpose of an announcement. Like to announce that the Senate Financial Institutions Committee will meet tomorrow morning at 8:30 in Room A-1. So, Members of the Financial Institutions Committee, be advised that we will meet at 8:30 in Room A-1 tomorrow.

PRESIDING OFFICER: (SENATOR WEAVER)

Is Senator Tom Dunn on the Floor? Thomas Dunn on the Floor? On page 9 of your Calendar, on Secretary's Desk, Concurrence. Senator Dunn, do you wish to act on Senate Bill 301?

SENATOR T. DUNN:

Yes. Thank you, Mr. President. I'd like to non-concur on 301, if I may - if you're doing that at this time.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dunn moves to non-concur on House Amendments No. 1 to Senate Bill 301. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. On the same Order of Business, Senator DeAngelis, on Senate Bill 402. Mr. Secretary.

SECRETARY HARRY:

House Amendment 3 to Senate Bill 402.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

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SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 402 created the Jobs Recovery Law, which created a new category of tax increment financing. The House thought that the definition was a little too broad, so they amended it in a manner in which it is a little more restrictive. Does not really compromise the integrity of the bill. Still maintains the initial concept intact. So I would move for the concurrence by the Senate with Amendment No. 3, on Senate Bill 402.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would.

SENATOR CULLERTON:

Senator, I'm sorry, I couldn't hear too well, and I don't have a -- for some reason now, we do not have, in our file, a copy of the House amendment. So if you could just briefly explain what the House amendment did. I assume that that's what we're doing. We're just concurring with one amendment that the House put on -- that makes a minor change, or...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the first thing that it does -- and I'll go through this quickly, and if you need further definition, I'll explain it to you. You got it? Okay.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 402. This is final action. Those in favor, vote Aye. Those opposed, vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does -- concur in House Amendment No. 1 to -- House Amendment 3 - excuse me - to Senate Bill 402. And the bill, having received the required constitutional majority, is declared passed. Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR HAWKINSON:

I apparently hit my green switch too early, but if the record would reflect, I intended to vote Yes on that bill.

PRESIDING OFFICER: (SENATOR WEAVER)

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

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would request a Republican Caucus immediately in Senator Pate Philip's office. It will last probably close to an hour.

PRESIDING OFFICER: (SENATOR WEAVER)

That request is in order. So the Senate will stand at ease until approximately 5:30. For what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. Could I inquire of the Chair as to the schedule then for the remaining part of the afternoon? Is it the intention to come back in at 5:30 for the purpose of moving paper, or is there any other purpose in coming back at 5:30?

PRESIDING OFFICER: (SENATOR WEAVER)

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I think we'll go back to the Calendar. There -- there may be some special orders, or maybe a Supplemental Calendar. So be -- be back around 5:30, prepared to do business. Senator Cullerton, for what purpose do you arise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I would request the Democratic Caucus to meet immediately in Senator Jones' office.

PRESIDING OFFICER: (SENATOR WEAVER)

There'll be a Democratic Caucus in Senator Jones' office. Republican Caucus in Senator Philip's office. So we'll stand in recess until approximately 5:30.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will come to order. For what purpose does Senator Mahar arise?

SENATOR MAHAR:

Thank you, Mr. President. I -- I rise for the purpose of an announcement.

PRESIDING OFFICER: (SENATOR WEAVER)

State your announcement.

SENATOR MAHAR:

The Senate Environment and Energy Committee, which -- which was scheduled to meet at 8:30 tomorrow, will meet at 9 o'clock in Room 400, and I would ask that tomorrow's schedule would so reflect that change.



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PRESIDING OFFICER: (SENATOR WEAVER)

9 o'clock, Energy and Environment. Senator Rea, for what purpose do you arise?

SENATOR REA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR REA:

Thank you, Mr. President. We have a very special guest here with us this evening from the Supreme Court: Justice Moses Harrison. Like for you to welcome him.

PRESIDING OFFICER: (SENATOR WEAVER)

Welcome, sir. Nice to have you with us. WAND-TV requests permission to videotape today's proceedings. Is there leave? Leave is granted. Mr. Secretary, have there been any motions in writing filed?

SECRETARY HARRY:

Mr. President, there are motions in writing filed with respect to House Bills 5, 282 and 1038.

PRESIDING OFFICER: (SENATOR WEAVER)

Please read the motion on House Bill 5.

SECRETARY HARRY:

Motion in writing: Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that the -- that Senate Rule 2-10 be suspended so that House Bill 1038 may be considered by Senate on 3rd Reading on or before June 30th, 1993.

Filed by Senator Philip, President of the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

I think you read a different bill number, Mr. Secretary.

SECRETARY HARRY:

Motion in writing: Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that Senate Rule 2-10 be suspended

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so that House Bill 5 may be considered by the Senate on 3rd Reading on or before June 30th, 1993.

Filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. I move the adoption of this motion, which is self-explanatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland has moved the adoption of this motion in writing. Pursuant to Senate Rule 7-17, this motion would require thirty affirmative votes. Is there any discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. A question of the sponsor of the motion. I notice we have on the Calendar on page 14, several motions in writing that have been on the Calendar for some time, and as it relate to the extending of the deadline for such bills - same identical motion that is filed. Could you tell me why we have skipped over those motions that currently appear on the Calendar?

PRESIDING OFFICER: (SENATOR WEAVER)

We will get to that Order of Business in due course, Senator Jones. Senator Demuzio. Senator Jones.

SENATOR JONES:

Maybe I can have a -- a -- question the sponsor of the motion as it relate to his intent.

PRESIDING OFFICER: (SENATOR WEAVER)

You're asking Senator Maitland? Senator Maitland?

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator Jones, we're putting the -- the bill in -- in this posture

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for possible action tomorrow.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- on a matter of parliamentary inquiry. We are moving to suspend the rules with respect to House Bill 5, 282 and 1038, of which the deadline for those bills technically, according to your rules, expired May the 21st, which was the last day that those bills could be considered by the Senate. I would like to know, since we are -- are beyond that deadline, how we could move to suspend the -- the deadline on the deadline that has already passed. It would seem to me that you would have to suspend the rules prior to the deadline, and as a consequence, it seems to me that -- that this motion is technically out of -- out of order. And as a matter of fact, if you're going to do this, it seems to me that you would want to have a Rules Committee hearing and file to change the appropriate rule so that the schedule, in fact, could be changed. And I would like to have a ruling from the Chair as to the legality as to what we are doing here with respect to a filing of a motion to extend the deadline when the deadline has already expired.

PRESIDING OFFICER: (SENATOR WEAVER)

Your comments will be duly noted, Senator Demuzio. But the motion is in order. Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, if you could give me a -- a reason as to -- or the rationale as to why, in fact, it is in -- in order, and respond directly, if I -- if you -- if I might ask the -- the Chair with respect to my inquiry.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, the motion states the rationale and the

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motion is in compliance with our rules. Senator Demuzio.

SENATOR DEMUZIO:

I guess since your Parliamentarian is there -- the deadline expired on these bills on May the 21st. If you're going to extend the deadline with respect to any of these House bills that are on the Calendar, you would have had to have done it, under our rules, prior to May the 21st. Today is June 23rd. And it seems to me that this motion is out of order. It seems to me that we cannot do this, and I would suggest that perhaps there would be some legality - some challenge - to -- to what we are about to do, by anybody who wishes to bring such a challenge. And so again, I would again ask for a parliamentary inquiry and a ruling as to why and how we can do this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, your comments have been duly noted. The motion is in order. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I -- I guess it would a question to the sponsor of the motion and then, I assume, to the Chair. The understandings when we had left this Order of Business last, was that the -- each side of the aisle would equally hold three vehicle bills or move the bills together. And that's as we had done in the past. And there was a specific reference of that by Senator Maitland - when he held these, that we would held ours, and if he moved his, he would move ours. So I would assume it would be in order to amend the motion on its face to include House Bill 1861 in that motion, since this is their vehicle bill and they said that there would be parity - that if they moved one, we would be permitted to move one equally. So, either a question to the sponsor or to the Chair: Can we amend it on its face? 'Cause that was the agreements that were reached - that we would then have -- and it wouldn't matter to me whether it was 1861, 69, or

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77; I'm just picking the first one because that's what Senator Maitland chose. And that -- they -- that also be -- that the rules be suspended for that purpose. I assume that would have been his motion if he had recalled the commitment that had been made.

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Senator Carroll, we're on House Bill No. 5. You may file a motion on any bill you so choose. Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President. That's why I directed the Chair also to Senator Maitland, because the understanding was that he, as Chair of the Committee, would be filing any such motions for both bills or an equal number of bills, if he so chose to move. And that was the commitment that had been made. So my question was to him, and if he would allow the amendment on the face, we could just handle it that way, I would assume. And so the question was really to, I assume, Senator Maitland, as the maker of the motion.

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Senator Carroll, I would suggest that you privately bring that matter up with Senator Maitland. Any further discussions? Senator Cullerton. Senator Carroll.

SENATOR CARROLL:

Then let me ask the sponsor of the motion a question, rather than privately. And I -- since I've asked the question, will -- will he yield to the question?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland? He indicates he will yield. Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President. If necessary, I'll repeat the question. At the time when we were discussing these bills, the

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agreement had been that if there were going to be any bills moved, that they would be equally moved, but the offer would be made on both sides of the aisle for equal number of bills. Senator Maitland is now moving one of those vehicle bills that we had agreed to hold, as we had agreed to hold ours. So I assume, Senator Maitland, that you will -- that this was in error and you would amend the motion to include one of the Democratic bills so that it also is exempt from the rules and could be moved likewise.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, my recollection is that we both agreed that -- that the bills would -- would -- would -- would move together, and they did. We filed a motion -- have filed a motion on -- on this series of bills. I would suggest that -- that if you want to file a motion on your series of bills, you could do likewise.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I think, Senator Maitland, you -- you are in error in your recollection. You asked us to hold ours, as you were holding yours, and had indicated if there was going to be any movement - and I believe we can check the transcript - that we likewise would be given the equal opportunity to move it - not the equal opportunity to make the motion, but that you, as the Majority Party, would give us the equal opportunity to move the bill, just as you are moving your own. So I would suggest again that it would be more appropriate then to amend your motion to include one of the appropriation bills. I'm not talking about the other substantive ones, 'cause that was not part of any agreement that I recall. There may have been, but not to my recall. It was just as to the budgetary bill.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will.

SENATOR CULLERTON:

Senator Maitland, since normally this time of the Session we are dealing with conference committees and -- and you're attempting to move a -- a House bill, maybe I could ask you, specifically, what your intent is. You did indicate that you wanted to put these in the posture so that perhaps they can be voted on tomorrow. Now, do you have amendments for these bills that you're going to offer?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Cullerton, I don't think it comes as a shock to anyone - this is an appropriation bill - that it well could be used to consider the State budget.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Well, you said, act on tomorrow. So if you have amendments, I'm just wondering if you're going to make those available to us so that we could read them tonight -- and the members of the press could read them tonight. Otherwise, if you're going to introduce them tomorrow - tomorrow's the day you want to vote on them - that's not exactly bringing in the sunshine to this process that we -- that we thought we were going to have at this time of year. So my question to you is, if you have amendments to the bill, are they available right now, and would you make them available to --

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to us right now?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President. Senator Cullerton, we -- we don't have the amendments ready tonight. There will be due hearing tomorrow, pursuant to the rules that -- that guide and direct this Senate, and has been the posture all -- all spring long. There will be plenty of time to -- to debate and -- and hear those bills in committee.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Okay. Then, tomorrow morning -- I just got a notice that the Rules Committee has been moved up to 8 a.m. So presumably, you're going to offer amendments before 8 a.m., or at 8 a.m. It's going to go to the Rules Committee. They're going to be assigned to a substantive committee. Maybe at 9 o'clock - an hour later - you're going to have a hearing. And then, if they're successful - if your amendments that you referred to are successful - they will come out on the Senate Floor and then we're supposed to vote on them, perhaps at 1 o'clock. I'm just wondering if that is your plan. The rules that we passed do call for -- and the Constitution requires reasonable public notice. I suspect if we're talking about tax increases, it's something which the public might have a right and some people might have an interest in testifying to. So I wonder if you could just tell us what your plan is the night before, so at least we have a little bit more notice than we otherwise would have.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:



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Senator Cullerton, I've been here for now my -- I'm in my fifteenth year. This is the first time that -- that amendments to appropriation bills in the final days of the Session will be -- will be introduced, will go to a committee where we can have all the debate on all the components of those amendments that we need - something this Chamber has never - never had.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the speaker yield? I just got here, so I don't know what has happened in the past. But the first thing that we did when I arrived was pass some new rules. And part of those rules -- the first thing that I voted on against -- this side of the aisle was not supporting was the -- I believe it was presented by Senator Weaver, that simply stated that we would get ample notice of information before we're asked to vote on it; that we would have time to -- to read this information over. Now are you saying - I just want to be clear on it, Senator Maitland - that we're -- we will get some documents tomorrow - some amendments tomorrow - and be expected to -- to -- to read and get a full understanding of that and vote on it the same day? How can we get something in the same day and vote on it a few hours later that we -- that we just got? I mean, that goes against the rules that we passed when we first got here.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, one more time. You're going to have all the time in the world tomorrow, with your staff and your colleagues, to digest the -- the -- the adjustments to the budget that you've already had a chance to debate. In the past, you've never had this opportunity. These amendments have arrived upon your desk at

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11:30 at night, and you've been asked to vote on them. This is something quite different than the past.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones. Senator Hendon.

SENATOR HENDON:

You know, as I say, I wasn't here in the past. If -- if this side of the aisle did business like that in the past, I would have spoke up against that, because I think it's wrong. And I'm going to speak up against it now because it's wrong, Mr. Chairman, to -- to present something to us and call it all the time in the world, if you're considering all the time in the world a couple of hours to read through a lot of stuff. That's just unfair. It's just not good business, and when -- when President Philip became President of the Senate, we said we were going to do business in -- in a new way. And I believed that, and I voted for that, to the consternation of some of my allies on this side of the aisle. So I just think this is a bad way to do business. We need ample time to read over this legislation -- any amendments, and so does the public.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio?

SENATOR DEMUZIO:

If I might, on the same order. Senator Carroll had posed a question to the maker of the motion with respect to Senate Bill 5, which is in fact, the appropriation bill -- House bill. Could you then, if you -- identify the purpose for 282 and 1038? Is this the extension of the surcharge and the cigarette tax? Are those the two vehicles that are being used for those two items?

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Senator Demuzio, we're on the motion on Senate Bill 5. House Bill 5. Excuse me. Senator Jones? Senator -- Senator Jones.

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SENATOR JONES:

Well, Mr. President, and perhaps the maker of the motion and his -- and my counterpart on the other side, Senator Philip, can ask the question. And I don't -- I don't want to be wasting my time sitting over in the Governor's Office with -- with -- with the President, the Speaker and the Minority Leader of the House. Am I to interpret this -- that this is the will of the Governor -- to break off all negotiations, and therefore, the scheduled meeting for tomorrow morning is called off? I need to know this, because the Members on my side of the aisle were sitting down figuring that we were negotiating in good faith. And, Senator Philip, you have been in those negotiations for over the past ten years. Now by this action here, am I to interpret this as the Governor's program? And all the while we've been sitting down there and meeting, that this was the intent all along? So I need to know, because I don't want to waste my Membership time. I don't want to waste my time. If -- if -- if the Governor and you, Mr. President, already have your backroom deal cut, then you have betrayed me; you have betrayed the Members on this side of the aisle; you have even betrayed your own Members for delaying it this long. So, Senator Philip, I need to know from you right now -- when I met with the Governor this -- this afternoon -- you met with him yesterday -- he did not indicate to me that this was a procedure -- this was the direction he was going. So if you and -- and the Governor have gotten together since that time and you came together with your own backroom deal, I need to know at this particular point. And, Senator Philip, I wish you would respond to that, because I think my Members want to know. Otherwise, why should I waste my time sitting down there trying to resolve the problems of the people of the State of Illinois, if you already have the deal that you're going to raise the taxes on the poor to help the rich, you want to raise the other taxes? And so if

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you're not negotiating in good faith, let me know this time.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

I -- I -- I -- I will echo the sentiment of my Leader and I, too, appeal to Senator Pate Philip to answer his question. It makes no sense at all, Senator Philip, for you to be -- we expected our Leader to be negotiating with you, the Governor and the other Leaders. If you're going to decide and -- and make all the deals, unilaterally, without him participating -- us participating. I think you ought to answer the question. So would you please answer the question, Senator Philip?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I also echo Senator Jones' comments. But in addition thereto, I believe it is important to correct the record. Amendments were never handled this way in the twenty-one years I have been in the Senate. Amendments were handled when bills were on 2nd Reading and 3rd Reading, dealing with the budget. The budget was never amended at this stage of the proceedings. That was done in conference committee reports. Amendments were done on the Floor in a timely fashion. There was always a one-week notice posting for committee action. And then amendments were handled on the Floor, sometimes without the one-week notice, but handled during the normal, regular, without waiver time frame, so that every Member had ample opportunity to go through each and every amendment. And on conference committee, I might add, under the Senate rules, there was a full committee meeting. There was a several-hour notice required before a conference committee could be considered. It had to go to a full Appropriations Committee, where it was fully debated, and then

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come back to the Floor, where again there was a time lag so that people could know. So -- that would be to correct the record. I would also ask the Chair if at 8 p.m. this evening it is the Chair's opinion that this is ample notice to the public. If, in fact, what Senator Maitland just said is correct, that at some point tomorrow an amendment will be offered, sent to Rules, apparently sent to the Appropriations Committee, and -- and -- if I understood Senator Maitland's comments correctly, would contain, basically, the budget for the State of Illinois and -- and apparently, with the one-hour's notice, all of the people of the State who have any interest in the budget are supposed to get down here so that they can testify before that committee, is that considered ample notice, Mr. President?

PRESIDING OFFICER: (SENATOR WEAVER)

We will follow the rules, Senator Carroll. Senator LaPaille?

SENATOR LaPAILLE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR LaPAILLE:

For the Members' information, live right now on CNN, is U.S. Senator Robert Dole. And he is making an announcement that he is now accepting the Clinton budget plan and he's turning his sights on the Illinois Senate Republican budget and tax plan, and he feels that the Clinton tax and spending-cut ratio is far better than the upcoming Illinois Senate Republican tax plan. So Channel twenty-six, you may want to turn on U.S. Senator Robert Dole.

PRESIDING OFFICER: (SENATOR WEAVER)

There being no -- no further discussion, the question is, shall the motion be adopted. Those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32,

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the Nays are 26, none voting Present. The motion's adopted. Mr. Secretary, would you read the motion on House Bill 282?

SECRETARY HARRY:

Motion in writing: Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that Senate Rule 2-10 be suspended so that House Bill 282 may be considered by the Senate on 3rd Reading on or before June 30, 1993.

Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, Members of the Senate. I move the adoption of this moment -- motion and -- which has been self-explanatory by the Secretary.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson has moved the adoption of the motion in writing. Pursuant to Senate Rule 7-17, this motion will require thirty affirmative votes. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank -- thank you, Mr. President. I -- I'd like to ask the sponsor of the motion a question, if I might. Could you identify, Senator Watson, for what purpose this bill is going to be used tomorrow? Is this the surtax, the cigarette tax, or what purpose? Some idea?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Well, this piece of legislation has to do with the Department of Public Aid, and I would say that to be germane, well, certainly this legislation will follow that direction.

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Again, Mr. -- Mr. President, I wish to raise the issue that I raised a minute ago on the other motion, and that is, I would like for the Chair to give me a -- a ruling as to the legality of this motion with respect to waiving or suspending the rules on bills that have already been declared dead under -- under our rules. The last day for House bills to be considered was May 21st; this is June 23rd. If you were going to -- suspend the rules to have these bills considered, you would have had to have done it prior to the deadline. So if -- again, I would like to pose the question to the Chair: Under what basis do you make the ruling that this motion is, in fact, in order? What basis?

PRESIDING OFFICER: (SENATOR WEAVER)

The same ruling as on the preceding bill, and the motion is in order. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Could you cite what rule and what basis that the motion is in order, rather than you arbitrarily making a statement that the -- the motion is in order? Cite what rule that you are -- are ruling under.

PRESIDING OFFICER: (SENATOR WEAVER)

The motion states the rule. It's Rule 7-17, Senator Jones. Senate Rule 7-17, Senator Jones. Senator Smith? Senator Jones.

SENATOR JONES:

Well, could you cite for the Body, the reading of that rule and how that impacts on your ruling that the motion is in order?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, we've quoted the rule. The Chair has met its obligation. The motion is in order. Senator Hendon.

SENATOR HENDON:

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Mr. Chairman, I have 7-17 in front of me, and I just want to know: What Section of 7-17 is the Chair basing -- your ruling on?

PRESIDING OFFICER: (SENATOR WEAVER)

Section (d).

SENATOR HENDON:

Section (d)? Is that Section (d)? Section (d) reads that "No Senate Rule or any Joint Senate-House Rule may be suspended except by unanimous consent of the Senators present or upon the motion supported by affirmative vote of a majority of those elected unless a higher number is required in the rule sought to be suspended..." Now...

PRESIDING OFFICER: (SENATOR WEAVER)

The Chair stated, Senator Hendon, that it took thirty affirmative votes.

SENATOR HENDON:

But...(machine cutoff)...if this bill is an appropriations bill, and I don't know what -- what Senator Watson intends to do with Public Aid tomorrow - we don't know if he's going to cut it, if he's going to raise it - then I would think that that has -- that has an effect on -- on revenues and would take a three-fifths vote, Mr. Chairman.

PRESIDING OFFICER: (SENATOR WEAVER)

That bill will be referred to the appropriate committee, if amendments are filed. Senator Rea.

SENATOR REA:

Thank you, Mr. President. House Bill 282 started out as a good bill, and I was the -- one of the chief cosponsors. But I've got a feeling that -- the direction it's going at this point. I'd like to have my name removed as one of the chief cosponsors.

PRESIDING OFFICER: (SENATOR WEAVER)

The record will so reflect. Senator Demuzio, for the second time, third time.



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SENATOR DEMUZIO:

Well, on -- let me -- let me cite this to the -- to the Chair: On Page 8 -- on Page 8, (b) -- I'm sorry - (c), it says, the foregoing deadlines shall become final upon being filed by the President with the Secretary, and the Secretary shall so journalize such deadlines. May I inquire to the Chair as to what, in fact, the word "final" means in this regard? "Final" means -- does it mean forever? And under what basis are we taking the action that we are taking?

PRESIDING OFFICER: (SENATOR WEAVER)

Unless the rule is suspended, it would be final, but -- Senator Jones.

SENATOR JONES:

Well, by -- Mr. President, and this is a very important matter and -- and you're treading on very, very shaky grounds legally, and that's the reason why I want it in the record. If our Rule 7-17 just applies to the mere suspension of the rule, that's prior to the date that it becomes final. It doesn't say anything in regard to once it is final - final - final. Now I'd like to have a ruling from you as where you're getting your interpretation from your legal counsel there, because it does not address that issue. Final means final. And all 7-17 do is provide the vehicle for you to do this prior to it becoming final. So where in the rules does -- you have -- that you are alluding to, do you have the power to suspend?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, the Chair has ruled three or four times that according to the Rule 7-17, the motion is in order. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to direct my question to the sponsor, Senator

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Watson, please.

PRESIDING OFFICER: (SENATOR WEAVER)

State your question.

SENATOR SMITH:

Senator Watson, if you remember, in committee, when this legislation was brought before Health Welfare <sic>, you stated that you would not move this piece of legislation until you had made agreements with the Department of Public Aid. And here I see it on House Bill 3rd Reading. Did you -- and my question to you: Did you have a -- conference with Department of Public Aid? And did you get it cleared up?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. And that commitment was made - you're quite correct. We worked out the agreement with the Department of Public Aid and the matter in which this bill was directed was resolved. We have other plans for this legislation now.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, for a third time.

SENATOR DEMUZIO:

Then I appeal the ruling of the Chair, because I think under the rules here, final is final. It doesn't say unless something else. And it seems to me that not to challenge your ruling indicates that somehow or other that your rulings are fair and impartial. And in fact, I do not believe that they are. I would challenge the ruling of the Chair -- and -- and appeal.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the ruling of the Chair be sustained? All those in favor of sustaining the ruling, vote Aye. All those opposed to sustaining the ruling, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 32 Ayes, 26 Nays. Having failed to -- having received the necessary -- having failed to receive the necessary three-fifths negative votes, the appeal fails, and the ruling of the Chair is sustained. There being no further discussion, the question is, shall the motion be adopted. All those in favor, vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26. The motion, having received the constitutional majority, is declared passed. Mr. Secretary, would you read the motion on House Bill 1038?

SECRETARY HARRY:

Motion in Writing: Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that Senate Rule 2-10 be suspended so that House Bill 1038 may be considered by the Senate on 3rd Reading on or before June 30, 1993.

Filed by President Philip.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move the adoption of this motion, which is self-explanatory.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR JONES:

Senator Philip, you didn't respond to my previous question as relate to the motion on these series of bills. And my question to

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you is: What is your intent with this piece of legislation? And can I judge from your action here that all negotiations are off and that this is your and the Governor's program to raise the taxes all by yourself? I need to know.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

SENATOR PHILIP:

As you're probably aware, Senator, we have a meeting with the -- with the other Leaders and the Governor tomorrow. We're still negotiating. As far as I know, we're still negotiating.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Well, if you plan to take action on this tomorrow and prior to our coming to an agreement -- now there is no need for you to prove to this Body or the public that you have thirty-two votes. We recognize that, but what I'm saying to you, Senator Philip, is that if you are sincerely sitting at the table negotiating, then this same issue that you're attempting to pass is going to come back again in a different form. So why are we going through this unduly exercise? My Members on this side of the aisle waited an extra two hours for 5:30 to arrive, and they didn't have any dinner, and I thought we were -- I thought the negotiation were between the four Leaders and the Governor. Now -- could you tell me, is this a one-way train that we're going to see again? Or is it a package that you and the Governor on the Second Floor have placed together and you intend to do this? Or you wanted to show the public that you have a few muscles on -- on your side of the aisle? Could you just let me know what sort of game that we are playing?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Philip.

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SENATOR PHILIP:

Yeah. Senator Jones, this is the first time in eighteen years it isn't a one-way train. The train goes one way in the Senate, the other way in the House. We're still negotiating. I'm not sure what the end result's going to be. This is going to go to Rules Committee. It's going to have a public hearing. It's going to have a discussion. Hopefully it'll get out of Rules Committee and come on the Floor. Nothing unusual about that. Let me refresh your memory, and boy, have you guys got lousy memories on the other side of the aisle. Remember the surcharge passed in the Illinois House of Representatives? Never a public hearing - never a public notice. I've been here for eighteen years, and I want to tell you something -- and I can remember on many occasions, suspending the rules without a notice, doing it on a voice vote, doing it for the rules, doing it for committees, doing it for deadline. Where were you for those eighteen years? I remember the school reform. You know when we got the school reform? Five minutes before we voted on it, when it was promised to us - promised to us. You're going to have a hearing. You're going to see what we're going to try to do. We're a hell of a lot more reasonable than you ever thought of being. Believe me.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro. Senator Molaro?

SENATOR MOLARO:

Mr. President, I have the same problem Senator Hendon does. Not being here for those horrible days, I can't be -- you know, I just have no idea -- I have no response to that. I -- I don't know what to say, but I do have to ask the Chair -- I do have to ask the Chair a question. On this motion, so I know what we're voting on - and I didn't step up earlier because I thought maybe it would be explained in debate - we're -- we're voting to suspend Rule 2-10. Now Rule 2-10 states, as far as I can read, that it allows

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the President to establish deadlines. So apparently the Senate established a deadline which is long past. So, are we suspending the rule that allows him - the President that is - to establish deadlines, or are we voting to extend an already established deadline, or are we voting to say that the deadline never existed? If we just -- if we just come out and say that we are suspending Rule 2-10, then it says that the President shall not have the power to establish deadlines. But I still can't figure out, if we get rid of Rule 2-10, I don't understand how it takes care of a deadline that's long been past.

PRESIDING OFFICER: (SENATOR WEAVER)

Well, Senator, we're voting to extend the deadline. The motion is in order. Senator Palmer?

SENATOR PALMER:

Thank you, Mr. President. Just an observation: Unlike my two colleagues who just arrived, I was here for the tail end of the last Session and I, therefore, can speak as a bridge person. And it seems to me that the -- while we are using very polite parliamentary language, the power to suspend rules under these parliamentary procedures does not give, in my estimation, the majority the power to suspend the ways by which the public can know about how its money is being spent. We are talking about appropriations bills. And in that way - and I was sitting here with my calculator - by not involving the twenty-six Members on this side of the aisle, we have effectively cut off five million two hundred and ninety-two thousand people in the State of Illinois, assuming that each of us represents about a hundred and ninety-six thousand people. Now I was here also, Senator Philip, and I do not remember at all, during the short time that I was here, that we did not have means by which we debated issues through committee. I have objected from the first day when these rules were voted on and agreed to. We have not had the means the

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entire Session by which the public could be completely involved in this process and by which we could at least bring to the Floor, even, the debate on issues. And I want to say I object.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please. Senator Philip. Senator Philip?

PRESIDING OFFICER: (SENATOR WEAVER)

State your question.

SENATOR COLLINS:

You -- Senator Philip, you indicated that these bills -- there would be amendments to these bills that will come before the committees tomorrow morning, where we can discuss what you present to us. You -- so, you also indicated to Senator Jones that the negotiations will also take place tomorrow morning, wherein there will be some discussion around -- coming -- you know, finding some common ground and unanimity, as to how you would proceed with the State's budget. But my question is, if these amendments will be drafted tonight and heard in committee tomorrow, voted out of committee and come to the Senate Floor, at what time will the suggestions be -- that will be discussed in this meeting with the Leaders be incorporated into this -- the amendments? At what time would that take place?

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Philip?

SENATOR PHILIP:

Quite frankly, Senator, I -- I'm not sure. I'm not sure that the -- the -- the amended bill will get out of committee. Who knows? How do I know it's going to get out of Rules? I'm assuming it'll be sometime in the afternoon, is what I'm guessing. But I'm not sure. I can't give you a specific time. They're working on it. I hope it will be done. They may find a mistake on it, have to do it again. I don't know. It may be amended in committee. So I -- I can't tell you. It'll be sometime in the afternoon.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll?

SENATOR COLLINS:

No. Senator. Senator.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

The -- the -- no. I -- I -- I think, Senator, you -- based on what you indicated that -- that your premise over there has been, that there is ample time for our input through this hearing process, so that if we have and want to amend what you have -- you may come up with, you know, some -- some reason you may come up with a marvelous plan, that all of us can support. But on the other hand, you may come up with a plan that we would like to amend. I'm trying to figure out -- it was -- hopefully, if you and the Governor and the other Leaders sit down tomorrow morning and decide a way that you've come up with -- find the wisdom to come up with some effective ways of dealing with the budget, that you won't have time, based on your rules, to incorporate those suggestions into this process, if you move and -- and develop amendments tonight that will be heard in the Rules Committee and



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heard in the -- other committee tomorrow morning at 9 o'clock. I'm saying time will not permit that input to be incorporated into these amendments. And for that reason, you just -- you've kind of taken the -- the cart before the horse, I think.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. I would ask, I guess it would -- yeah, let me do it as a parliamentary inquiry of the Chair. And it follows up on something that Senator Collins has also touched upon, and that is whether or not there is, in fact, adequate public notice. If the process is to be that which the President of the Senate has indicated, and that is, if the bills - if ready and no mistakes - are going to be offered tomorrow and go to a Rules Committee, and come out of the Rules Committee and go to substantive committee, and then be voted on, on the Floor: one, is that adequate public notice to the public, not only -- not to us; secondly, is there going to be adequate opportunity to review, so that anyone who may have a different or better idea will at least have the opportunity to proffer an amendment before the bills are -- are called for final passage? And that's the problem with these rules, as you know, so that they are giving absolutely no time for anyone who listens to testimony to react to any testimony that may be given. Is this, in the opinion of the Chair, adequate public notice?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll, the Chair notes that this motion does not seek to suspend the public notice provision of any Senate rule. The motion only relates to legislative deadlines. Senator DeAngelis.

SENATOR DeANGELIS:

Yes. Thank you, Mr. President. And hopefully, this might

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expedite the discussion. But it is very shocking to me to hear the dialogue that's going on. All we're doing is voting on suspending the rules. Is that a freakish thing for this Body? Not at all. In fact, I can recall, in every Session I've been down here, countless motions to do so. So what's so strange about that? The next argument is, "Well, what are you going to do after you suspend?" We're going to offer an amendment; everybody said that. You know what? It's going to be heard in committee, which you know what? And maybe that's why there is so much shock on the other side: That's the first time that's ever happened. And maybe that's why there's so much awe about what we're trying to do. And when that amendment is heard, it's either going to be passed, or it's not going to be passed. And when that happens, it's going to come to the Floor, and then you're going to vote. And I got to tell you, sweetheart: It's a hell of a lot better than what happened in the past. And frankly, I get a little tired of hearing, "Well, why are you suspending the rules?" Well, I'll tell you why we're suspending the rules: Because we couldn't do it any other way. But at least we're up front about what we're going to do, and there'll be a hearing on what we're trying to do. And that, my friends, is far better than whatever happened in the past. Now, the only other thing I can think might be promoting some of this dialogue is that there's a real lack of sense of humor on the other side of the aisle.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. And I -- I'll pose this question to the maker of the motion: To what date are we suspending the deadline date to, if this is the motion to extend the deadline date? To what date are we extending it to? I -- I need to know.

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PRESIDING OFFICER: (SENATOR WEAVER)

As the motion states, June 30th, 1993. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Out of respect, I'll yield to the Minority Leader.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, if you would keep your light on, I would recognize you -- I'd continue to recognize you -- but when your light goes off, I recognize the next light. Senator Jones.

SENATOR JONES:

Well, just let me conclude with a -- with a question. It is not as simple as the Assistant Majority Leader indicated, that what we are objecting to. We are objecting to the procedure. I attempted to get an answer from the President of the Senate, Senator Philip, as it relate to the negotiations. I -- I know Members on your side of the aisle, under these current rules, are probably gritting their teeth, because they didn't get that big package of rules until an hour before they voted on them, and they didn't realize what they were voting on. I also recognize that anything of this magnitude would be a bill of approximately a thousand pages or more, that they are not really going to understand all that's entailed in the bill. So what I'm saying to my colleague and my counterpart, Senator Philip, I need to know, Senator Philip, the maker of the motion, is this the Governor's program that you have agreed to, as relate to this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll, for a second time. He didn't choose to answer. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. A prior speaker had identified this being a wonderful process - better than had been in the past. Very honestly, some of the things are. One of the things that

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isn't, is this: and that's the absence of public input, Senator DeAngelis. Senator DeAngelis? Senator DeAngelis, I'll try again. In response to your comments, the difference is very simple. Once any amendment goes to committee and comes back to the Floor, that idea is not subject to amendment on the Floor, which was always the rule before. So that before, if you heard something in committee and it gave you an idea - good or bad - you had the opportunity on the Floor to try to amend that idea. These rules preclude any discussion. It's a take-it-or-leave-it - forget it. So no matter what you do in a twenty-nine-billion-dollar budget, no one who hears it will have any opportunity to adjust it, because the rules specifically refuse to give the public the right to input.

PRESIDING OFFICER: (SENATOR WEAVER)

There being -- being further -- no further discussion, the question is, shall the motion be adopted. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26. The motion carries. Are there any further motions?

SECRETARY HARRY:

Motion in writing: Pursuant to Senate Rule 7-17(d), I hereby move to suspend Senate Rule 2-10 to extend the deadline for final day for 3rd Reading of House Bill 1861 until June 30, 1993.

Filed by Senator Carroll.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. In line with the suggestion of the President and Senator Maitland, when we had reached the agreements that bills would pass in pari passu, or equally on both sides, since Senator Maitland, apparently in error, forgot to include

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this in his motion, I have moved, therefore, that a likewise Democratic vehicle be allowed to be heard between now and June 30th and would move to suspend the appropriate rules. I assume Senator Maitland will join in that request.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll, your motion is in order. Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. There -- there obviously is some confusion over -- over the agreement made and -- and not made with respect to -- to -- to the appropriation bills -- vehicle bills that were sponsored by both sides of the aisle. We made the commitment that -- that indeed we would allow both of these bills out on the Floor, and -- and -- and we did that. If you would conclude that there was an agreement also that one wouldn't move beyond that point in -- unless the other one did -- the deadline has since passed. So I think even at that point, Senator Carroll, it is a new agenda - absolutely is. We have appropriation bills that stay around here for the biennium; you and I both know that. And so, I guess I would suggest, at this point, that you have filed your motion, it's here for a vote, and would suggest that Members on my side of the aisle vote No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll, to close.

SENATOR CARROLL:

Thank you, Mr. President. I'm -- I'm shocked and appalled by those statements. Can't even say it with a straight face. The understanding was quite clear, however, that if -- and that's what you said to us then: If vehicles moved, equally they would move. We have suspended the rule for your vehicle. I thought we would be given the equal courtesy. If that's not the case, that'll be

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the vote of the Body, and I accept the will of the Body and would ask for a roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the motion be adopted. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 32. The motion fails. Message 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 amendment to a bill of the following title, to wit:

House Bill 936, with Senate Amendment No. 1.

Non-concurred in by the House, June 3, 1993.

PRESIDING OFFICER: (SENATOR WEAVER)

Resolutions.

SECRETARY HARRY:

Senate Resolution 635, offered by Senator Cullerton.

It's congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. Senator Geo-Karis moves that the Senate stand adjourned till 8:30 tomorrow, June the 24th. Senate stands adjourned. 8:30. 8:30 tomorrow.

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