

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
FIRST SPECIAL SESSION
SENATE TRANSCRIPT

1st Legislative Day

September 2, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will come to order. And will the Members be at their desks, and will our guests in the gallery please rise. The prayer this afternoon by the Reverend David Schauer, St. Frances Cabrini Church of Springfield. Pastor Schauer.

THE REVEREND DAVID SCHAUER:

(Prayer by the Reverend David Schauer)

PRESIDING OFFICER: (SENATOR WEAVER)

The Illinois Information Service asks leave for permission to videotape. Is there leave? Leave is granted. Mr. Secretary, Communications from the Secretary of State.

SECRETARY HARRY:

Communication to Jim Harry, Secretary of the Senate, Room 401, State House, Springfield.

Dear Mr. Secretary - Enclosed is a copy of an Executive Proclamation filed in my office on Friday, August 27, 1993, issued by The Honorable Jim Edgar, Governor, calling a Special Session of the Eighty-eighth General Assembly to begin at the hour of 12 noon on Thursday, September 2, 1993.

The original Proclamation, No. 93-373, is on file in my office.

Sincerely, George H. Ryan, Secretary of State.

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate is convened in the First Special Session of the Eighty-eighth General Assembly.

SECRETARY HARRY:

A Proclamation from the Governor.

(Secretary reads Proclamation No. 93-373)

Signed by Jim Edgar, Governor.

PRESIDING OFFICER: (SENATOR WEAVER)

As this is the First Special Session of the Eighty-eighth General Assembly, the rules adopted by the Eighty-eighth General

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Assembly and its officers and committees are in effect for the continuous period of the Eighty-eighth General Assembly. These organizational resolutions will be adopted today. These resolutions inform the House that the Senate is ready to conduct business, creates a Senate committee of five to wait upon the Governor, and creates a Senate committee of three to approve the Journals. Resolutions.

SECRETARY HARRY:

Senate Resolution 1, offered by Senator DeAngelis.

(Secretary reads SR No. 1)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 1 informs the House of Representatives that the Senate is assembled and is ready to transact business. Therefore, I move to suspend the rules for the immediate consideration and adoption of Senate Resolution 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I'd like to ask a question, if I might, of Senator DeAngelis. Senator, you are now moving to the -- adopt Senate Resolution 1, and the President of the Senate is -- or the -- Presiding Officer has indicated that since we are in a continuation of the regular Session and that we don't have to adopt temporary rules, I'd like to know under what authority do we not have to adopt temporary rules. And if, in fact, this is a legitimate resolution - Senate Joint -- Senate Resolution 1 - and we are, in fact, here for the purpose of -- of doing business in the regular Session, why is it Senate Resolution 1, and why it is -- why a new number? Why isn't it a continuation of the old number in the old Session?

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio, the Chair recognizes that under the administration of former Senate President Rock, the Senate would typically reorganize itself at the commencement of each Special Session by readopting the then existing rules, and reelecting and reappointing and then -- the then existing committees. During this administration, the Chair intends to utilize the procedures outlined in the 1972 Attorney General's opinion, No. S548, which procedure was followed during the administration of Senate President Harris. For the benefit of the Members, I would -- could quote that Attorney General's opinion, if you'd like. The Constitution encourages an orderly and efficient legislative process by permitting the distribution of legislative work over the entire two-year existence of the General Assembly. Within this framework, it would appear illogical to require complete reorganization of the General Assembly for any Special Session called during its existence. Subsection (b) and (d), Section 6, Article IV of the Illinois Constitution of 1970 prescribes the basic rule for the organization and internal government of the General Assembly. It would be contrary to the provisions to require the General Assembly to require for a Special Session -- to reorganize for a Special Session. A requirement of Special Session reorganization, election and rules adoption would impede the General Assembly's ability to resolve problems under the conditions of crisis of emergency which normally compel such Sessions, imposes on the General Assembly burdens not imposed on it upon reconvening in Regular Session during the second year of its existence. I didn't know you had a copy. Any further questions? Senator Demuzio.

SENATOR DEMUZIO:

I am not quarreling with the -- the '72 opinion by the Attorney General. I have a copy of it in my hand. If -- if, in

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fact, we are -- are not obligated to adopt new rules for the Special Session, that we, in fact -- according to their -- his opinion, we, in fact, can proceed with the orderly business as was conducted in the general -- general Session -- regular Session, by what virtue now are -- are we illogically going to Senate Resolution No. 1, and No. 2, and No. 3 in succession, when we have already done that in the regular Session? As a consequence, I don't know why we don't go with a Senate resolution that is the next number and why we are having to go through this dilatory process, apparently, as you have indicated, to adopt these three housekeeping resolutions, when they've already been adopted in the regular Session?

PRESIDING OFFICER: (SENATOR WEAVER)

Well, the -- for the record to show in Special Session. Senator DeAngelis moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 1. Those in favor, say Aye. Those -- opposed, Nay. The Ayes have it. The rules are suspended. Senator DeAngelis now moves the adoption of Senate Resolution 1. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Senate Resolution 1 is adopted. Further resolutions?

SECRETARY HARRY:

Senate -- Senate Resolution No. 2, offered by Senator DeAngelis.

(Secretary reads SR No. 2)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

...(microphone cutoff)...Mr. President. Senate Resolution 2, as indicated by the Secretary, directs the President to appoint that committee, and I move to suspend the rules for the immediate consideration of Senate Resolution No. 2.

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PRESIDING OFFICER: (SENATOR WEAVER)

Those in favor, say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator DeAngelis now moves the adoption of Senate Resolution No. 2. Those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Senate Resolution No. 2 is adopted. Further resolutions?

SECRETARY HARRY:

Senate Resolution 3, offered by Senator DeAngelis.

(Secretary reads SR No. 3)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. You've heard the purpose of Senate Resolution No. 3, and that is to establish a committee of three Members - two by the President, one by the Minority Leader - to approve the Senate Journals. I move to suspend the rules for the immediate consideration of Senate Resolution No. 3.

PRESIDING OFFICER: (SENATOR WEAVER)

Those in favor will signify by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. The -- Resolution No. 3 is adopted. Senator DeAngelis now moves the adoption of Senate Resolution No. 3. Those in favor, say Aye. Opposed, Nay. The Ayes have it. Senate Resolution No. 3 is adopted. Any further resolutions?

SECRETARY HARRY:

No further resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will stand at ease until the call of the Chair.

(SENATE STANDS AT EASE)

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(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will come to order. Mr. Secretary, any Messages from the House?

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following House resolution, to wit:

House Resolution 3

(Secretary reads HR No. 3)

Adopted by the House, September 2nd, 1993.

PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measure, House Bill 242, re-referred from the Education Committee to the Rules Committee and then Approved for Consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

On the Senate Calendar, we'll go to the Order of House Bills 2nd Reading. House Bill 242, Mr. Secretary.

SECRETARY HARRY:

House Bill 242.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments that have been approved for consideration?

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SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Well, thank you, Mr. President. I would like to request a Republican Caucus in President Philip's Office immediately.

PRESIDING OFFICER: (SENATOR WEAVER)

Republican Caucus in Senator Philip's Office immediately.
Senator Demuzio. Senator Cullerton, excuse me.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I would request a Democratic Caucus to meet immediately in Senator Jones' Office.

PRESIDING OFFICER: (SENATOR WEAVER)

All right. The Senate will stand adjourned, until 10 a.m. in the morning.

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