

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

2nd Legislative Day

January 12, 1995

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by the Reverend Doctor Gary Rhodes, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend Rhodes.

THE REVEREND DOCTOR GARY RHODES:

(Prayer by the Reverend Doctor Gary Rhodes)

PRESIDING OFFICER: (SENATOR WEAVER)

All rise for the Pledge of Allegiance, led by Senator Petka.

(Senate recites the Pledge of Allegiance)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Wednesday, January 11th, in the year 1995, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler moves the postponement of the reading and approval of the Journal, pending arrival of the printed transcript. There being no objection, it is so ordered. Message from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint <sic> resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Resolution No. 2.

Adopted by the House, January 11th, 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Berman arise? Senator Berman.

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SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As our Members come to the Floor, I thought I would share with the Members of the Senate conversations that I've had with Assistant Majority Leader Weaver and others regarding the question of notice to the public, and I use that rather than a formal amendment to the rules. Yesterday, as we all recall, there was amendments suggested to the rules regarding posting, which were defeated. Could I have a little attention, Mr. President, please? If I could just have your attention for a moment, because this is relevant to all of us. In reviewing the bills that were introduced yesterday, Ladies and Gentlemen, there were a number of bills that touch on very important subjects that affect all of the people of State of Illinois, but they were introduced yesterday as shell bills. And as I indicated to the President yesterday, I think that the system that we've adopted for the last two years has worked very well, and that is that the substantive nature of bills and amendments are discussed in the standing committees that have to address these issues. Now technically, with the introduction of these shell bills -- and these shell bills deal with the following subjects: caps on taxes, crime, welfare, Structural Work Act, medical malpractice, product liability, punitive damages, workers' compensation, school reform, learning zones, charter schools, and the General Assembly. These bills that I've just mentioned have been introduced -- bills addressing these subjects have been introduced yesterday as shell bills. Technically - and that's why I want to address this -- my comments - technically these bills will go to Rules and will be referred to the substantive committees. Technically we could come back the week after next, convene on Tuesday at noon, and at 1 o'clock be told that the bill dealing with caps, for example - Senate Bill 1 - will be heard at 2 p.m. on Tuesday, and we've been told that and

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the public will be told that at 1 p.m. And then we come into that committee - let us say it might be the Revenue Committee - at 2 p.m. and the substantive amendment that amends the shell bill will be offered, discussed, voted upon, and no one outside of a couple of us, literally, on this Floor will have had the opportunity to see what the substantive amendment really says. That process, which technically could be done, does a disservice to every Member of this Body, because the public wants to know what we're going to do, what we're proposing to do, on every one of the subjects that I've just read through. So it is my respectful suggestion, and I will put this in a letter form to the President of the Senate, to the Chairs of all of the committees, and to the sponsors of these shell bills that I've just read off, respectfully suggesting that when the substantive amendments are offered, if the public hasn't had a reasonable opportunity to see them - now I don't know what reasonable opportunity means; that may be one day or two days, hopefully six days - that any vote on the substantive amendments to the shell bills be postponed for at least a week, six days, so that the intention of our rules that require substantive bills to be posted with a six-day notice will in fact be complied with, and the public will have the opportunity to review the substantive amendments to the shell bills with at least six days' notice. That's my respectful suggestion for a proper public participation in our procedures. I will put this into a letter form, as I've indicated. I'd be glad to accept any suggestions or comments that any of my colleagues have today. And, Mr. President, I appreciate your input and your indulgence in my comments. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Senator Berman. I spoke briefly with President Philip, and it is our intention, as soon as these amendments on the shell bills are drafted, we will get them to the Minority

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staff or to the Minority Spokesman just as soon as possible. It's not our attention to delay, but they were introduced as shell bills because there was not total agreement and we're still working on them. So we will make every effort to get to the Minority the substance of the shell bill amendments. For what purpose does Senator Dillard arise?

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR DILLARD:

So that we can all stay awake and be alert through the Governor's State of the State speech in a little while, on your way over to the House of Representatives, in my office is coffee and birthday cake for Rich Frankenfeld from the Illinois Education Association. Dave Barkhausen's and my office is right off the Floor of the House. And whether you're an IEA supporter or not, come by and have a piece of birthday cake and Rich wish <sic> well.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Senator. If I might have your attention for just a minute: We are awaiting for the Joint Session Proclamation to come from the House. So if anyone has something they need to do, why we will read that resolution, adopt it, and then proceed to the House for the Joint Session. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, 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:

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House Joint Resolution 1.

(Secretary reads HJR No. 1)

Adopted by the House, January 12th, 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch -- Walsh moves the suspension of the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 1. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Walsh now moves for the adoption of House Joint Resolution 1. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. The following Senators have been appointed as the Committee of Five from the Senate to wait upon his Excellency, Governor James Edgar, and invite him to address the Joint Assembly, those being: Senator Hasara, Senator Madigan, Senator Parker, Senator Bowles and Senator Garcia. The State will -- the Senate will stand at ease until after the Joint Session.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We are in Session, and, Mr. Secretary, will -- would you go into Resolutions for us.

SECRETARY HARRY:

Senate Joint Resolution 3, Constitutional Amendment, offered by Senator Fitzgerald.

Senate Joint Resolution 4, by Senator Severns.

Senate Resolution 9, by Senator Raica.

And Senate Resolution 10, offered by Senator Geo-Karis.

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Senate Joint Resolution 5, offered by Senator Karpziel.

(Secretary reads SJR No. 5)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel moves to suspend the rules for the purpose of the immediate -- immediate consideration and adoption of Senate Joint Resolution 5. Those in favor will say Aye. Those opposed, Nay. The Ayes have it, in the opinion of the Chair. Senator Karpziel has moved for the adoption of Senate Joint Resolution 5. Those in favor please say Aye. Those opposed, Nay. In the opinion of the Chair, the Ayes have it, and the resolution's adopted. We will now proceed to the Order of Resolutions Consent Calendar. Will -- with leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. All opposed, Nay. The motion carries, and the resolutions are adopted. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, the Senate stands adjourned.

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