

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The regular Session of the 90th 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 GEO-KARIS)

Thank you, Doctor Rhodes. Pledge of Allegiance, by Senator Sieben. Senator Hawkinson, would...

SENATOR HAWKINSON:

(Pledge of Allegiance, led by Senator Hawkinson)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Reading of the Journal. Reading of the Journal. Senator Radogno.

SENATOR RADOGNO:

...President, I move that the reading and approval of the Journal of Wednesday, January 8th, 1997, be postponed, until the arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And Senator Hawkinson moves to -- Senator -- Senator Radogno moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, is so ordered. Messages.

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 resolution, to wit:

House Resolution No. 2

(Secretary reads HR No. 2)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

Adopted by the House, January 8th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'll stand at ease for a few minutes.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Introduction of Bills, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1, offered by Senators Philip and Cronin.

(Secretary reads title of bill)

Senate Bill 2, offered by Senators Philip and Watson.

(Secretary reads title of bill)

Senate Bill 3, offered by Senators Bomke, Madigan and Luechtefeld.

(Secretary reads title of bill)

Senate Bill 4, offered by Senators Karpfel, Hawkinson and others.

(Secretary reads title of bill)

Senate Bill 5, offered by Senator -- Senators Radogno and Hawkinson.

(Secretary reads title of bill)

Senate Bill 6, offered by Senators Radogno and Hawkinson.

(Secretary reads title of bill)

Senate Bill 7, by Senators Radogno and Hawkinson.

(Secretary reads title of bill)

Senate Bill 8, by Senators Radogno, Mahar and Dudycz.

(Secretary reads title of bill)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

Senate Bill 9, offered by Senators Radogno and Hawkinson.

(Secretary reads title of bill)

Senate Bill 10, offered by Senator Shaw.

(Secretary reads title of bill)

Senate Bill 11, by Senator Garcia.

(Secretary reads title of bill)

Senate Bill 12, by Senator Garcia.

(Secretary reads title of bill)

Senate Bill 13, by Senator Luechtefeld.

(Secretary reads title of bill)

Senate Bill 14, by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 15, by Senators Hawkinson and Petka.

(Secretary reads title of bill)

Senate Bill 16, by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 17, by Senators Berman, DeLeo and others.

(Secretary reads title of bill)

Senate Bill 18, offered by Senator Sieben.

(Secretary reads title of bill)

Senate Bill 19, by Senators Farley and Cullerton.

(Secretary reads title of bill)

Senate Bill 20, presented by Senator Garcia.

(Secretary reads title of bill)

Senate Bill 21, by Senators Viverito and Peterson.

(Secretary reads title of bill)

Senate Bill 22, by Senator del Valle.

(Secretary reads title of bill)

Senator Hendon offers Senate Bill 23.

(Secretary reads title of bill)

Senate Bill 24, by Senator Hendon.

(Secretary reads title of bill)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

Senate Bill 25, by Senator Hendon.

(Secretary reads title of bill)

Senate Bill 26, Senator Hendon.

(Secretary reads title of bill)

Senator Bowles offers Senate Bill 27.

(Secretary reads title of bill)

Senate Bill 28, by Senator Bowles.

(Secretary reads title of bill)

Senator Parker offers Senate Bill 29.

(Secretary reads title of bill)

Senate Bill 30, by Senator Parker.

(Secretary reads title of bill)

Senate Bill 31, by Senator Sieben.

(Secretary reads title of bill)

And Senate Bill 32, by Senator Sieben.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 6, offered by Senator Hawkinson and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 7, offered by Senator Berman.

It's substantive.

Senate Joint Resolution 1, Constitutional Amendment, offered by Senator Carroll and Senator Bowles.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Communications.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

SECRETARY HARRY:

Communication from the State Board of Elections to the President.

Dear President Philip - Pursuant to the provisions of the Illinois Election Code, I am forwarding the following election contests to your office: Nancy Kenney versus Christine Radogno and Barb Brown versus David Luechtefeld.

Dated January 6th, 1997, and signed by Patricia Freeman, Director of Election Information.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The President refers this communication to the Senate Special Committee on Election Contests. Messages.

SECRETARY HARRY:

A Message from the President.

Dear Mr. Secretary - Pursuant to Rules of the Senate of the 90th General Assembly, attached hereto please find the Chairman and Vice-Chairman appointments to each of the standing committees, along with the number of majority and minority appointees to each standing committee.

Dated January 9th, 1997, and signed by President Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're waiting for a Message from the House, and can we have it a little more orderly? Thank you. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Senator Berman has filed a motion with respect to Senate Resolution 7.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Senator Berman.

SENATOR BERMAN:

Madam President, are we going to have a Supplemental -- are we

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

going to have a Calendar?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We were not going to have a Calendar today, to my knowledge.
Senator Berman.

SENATOR BERMAN:

All right. At the appropriate time, Madam President, I would ask that Senate Resolution 7, my motion for immediate consideration of that -- of that resolution, be considered. I don't want to move it yet. Senator Dillard, who had the rules resolution yesterday, is just looking at some information I've given him. So if we could just hold that for a few minutes, but I just want it of record that I don't -- that I would like to have it considered this morning. So I just want to call that to your attention.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Noted. A Message from the Governor.

SECRETARY HARRY:

Message for the Governor by Deno Perdiou, Director of Legislative Affairs.

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

To the Honorable Members of the Senate, 90th 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 GEO-KARIS)

Could we have it a little more orderly? Because if you want to listen to what's going on, you're going to have to hear it. Resolutions. Message from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

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 2.

(Secretary reads HJR No. 2)

Adopted by the House, January 9th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCYZ:

Yes. Thank you, Madam President. That is the adjournment resolution. It calls for us to return to the Senate on the hour of 11:30 in the morning on the morning of January 22nd, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz moves to suspend the rules for the purpose of the immediate consideration and adoption of this resolution. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it. The rules are suspended. And Senator Dudycz moves the adoption of this resolution. Those in favor, say Aye. Those opposed, Nay. The Ayes have it. The resolution's adopted. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. There will be a Republican Caucus in Senator Philip's Office immediately following adjournment today.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I -- Senator Karpiel has announced there will be a Republican Caucus immediately after we adjourn this morning in Senator Philip's Office. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

Just a moment, Senator. If we're going to proceed with the business of the Senate, we're going to have to give it a little more attention. I don't mean to be harsh on you, but the time has come. You have -- you're going to have to listen to the Members. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Madam President. I assume that after your caucus that -- according to your Leader, that the Senate will remain open for a little while in order for Introduction of Bills. But we're not going to conduct any additional business today, so our Members, if they wish, may do other things. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

As far as I know, yes. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. For a motion to suspend the rules so -- for immediate consideration of a death resolution.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson moves to suspend the rules for the purpose of the immediate consideration and adoption of a death resolution, Senate Resolution 6. Those in favor, say Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Hawkinson to -- has moved the adoption of Resolution 6. Those in favor, say Aye. Those opposed, Nay. In the opinion of the Chair, the Ayes have it. The resolution's adopted. Resolutions.

SECRETARY HARRY:

Senate Resolution 8, offered by Senator O'Daniel.

It's substantive.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Introduction of Bills, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 33, offered by Senator Collins.

(Secretary reads title of bill)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

And Senate Bill 34, by Senator Collins.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further business to come before the Senate?

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. As I previously mentioned, in relation to Senate Resolution 7, which was introduced this morning, that amendment -- that resolution amends the Senate rules, which we adopted yesterday in Senate Resolution 2. It makes amendments -- it proposes amendments only to Article XI of those rules, which deals with election contests and qualifications challenges. I have talked to Senator Dillard, who was the sponsor of Senate Resolution 2 and to Senator -- Senate President Philip and to -- and to your staff. They have not had an opportunity to review Senate Resolution 7, and I want to certainly provide them with adequate time to do so. It is indicated to me that the two contests that are involved - the election contests - will comply with the requirement in the present rules, under subsection 11-2(c), which will require, within ten days of the convening of the Senate in January following the general election, the filing of the petition. The -- the -- the challengers will do so. But I wanted the record to indicate that, by doing so, those challengers are not waiving our opportunity to amend the rules, and for the record - and if -- if staff would listen to this for just a minute; I want a clarification - the ten days for the filing, would that be, Senator Dillard - Senator Dillard, if I could just ask...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR BERMAN:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

2nd Legislative Day

January 9, 1997

...a fast opinion of yours.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard. Senator Berman.

SENATOR BERMAN:

...you -- thank you. Now that Senator Dillard is here, let me -- just for a clarification: In the rules that we adopted yesterday, under Section 11-2, paren, c, close paren, it says, "Within 10 days of the convening of the Senate in January following the general election contested, each contestant shall file with the Secretary a petition of election contest..." Does the ten days start to run yesterday, January 8th, or Monday, January 6, which was a date of convening of the Senate in January? So are we talking about a January 16th deadline or a January 18th deadline? I -- I need some guidance so we don't mislead anyone.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Senator Berman, I believe it's ten days from yesterday, the beginning of the convening of the 90th General Assembly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Berman.

SENATOR BERMAN:

Thank you very much. And I will advise the contestants of that commentary. So we're looking at January 18th. With -- with that response, Madam President, I will wait until we next convene for a debate and presentation of Senate Resolution 7. Thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you -- thank you, Senator Berman. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, the Senate stands adjourned until 11:30 a.m., January 22, 1997. Have a safe trip home. We're done.

DAILY TRANSCRIPTION OF DEBATE INDEX

JANUARY 09, 1997

SB-0001	FIRST READING	PAGE	2
SB-0002	FIRST READING	PAGE	2
SB-0003	FIRST READING	PAGE	2
SB-0004	FIRST READING	PAGE	2
SB-0005	FIRST READING	PAGE	2
SB-0006	FIRST READING	PAGE	2
SB-0007	FIRST READING	PAGE	2
SB-0008	FIRST READING	PAGE	2
SB-0009	FIRST READING	PAGE	3
SB-0010	FIRST READING	PAGE	3
SB-0011	FIRST READING	PAGE	3
SB-0012	FIRST READING	PAGE	3
SB-0013	FIRST READING	PAGE	3
SB-0014	FIRST READING	PAGE	3
SB-0015	FIRST READING	PAGE	3
SB-0016	FIRST READING	PAGE	3
SB-0017	FIRST READING	PAGE	3
SB-0018	FIRST READING	PAGE	3
SB-0019	FIRST READING	PAGE	3
SB-0020	FIRST READING	PAGE	3
SB-0021	FIRST READING	PAGE	3
SB-0022	FIRST READING	PAGE	3
SB-0023	FIRST READING	PAGE	3
SB-0024	FIRST READING	PAGE	3
SB-0025	FIRST READING	PAGE	4
SB-0026	FIRST READING	PAGE	4
SB-0027	FIRST READING	PAGE	4
SB-0028	FIRST READING	PAGE	4
SB-0029	FIRST READING	PAGE	4
SB-0030	FIRST READING	PAGE	4
SB-0031	FIRST READING	PAGE	4
SB-0032	FIRST READING	PAGE	4
SB-0033	FIRST READING	PAGE	8
SB-0034	FIRST READING	PAGE	9
SR-0006	ADOPTED	PAGE	8
SR-0006	RESOLUTION OFFERED	PAGE	4
SR-0007	MOTION FILED	PAGE	5
SR-0007	RESOLUTION OFFERED	PAGE	4
SR-0007	DISCUSSED	PAGE	6
SR-0007	DISCUSSED	PAGE	9
SR-0008	RESOLUTION OFFERED	PAGE	8
HJR-0002	ADOPTED	PAGE	7
HJR-0002	RESOLUTION OFFERED	PAGE	7
SJR-0001	RESOLUTION OFFERED	PAGE	4

SUBJECT MATTER

SENATE TO ORDER-SENATOR GEO-KARIS	PAGE	1
PRAYER-THE REVEREND DOCTOR GARY RHODES	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
JOURNAL-POSTPONED	PAGE	1
MESSAGE FROM THE HOUSE - HR NO. 2	PAGE	1
SENATE STANDS AT EASE	PAGE	2
SENATE RECONVENES	PAGE	2
COMMUNICATION FROM THE STATE BOARD OF ELECTIONS	PAGE	5
MESSAGE FROM THE PRESIDENT	PAGE	5
MESSAGE FROM THE GOVERNOR	PAGE	6
MESSAGE FROM THE HOUSE	PAGE	6
ADJOURNMENT	PAGE	10