

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

70th Legislative Day

January 15, 1998

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois. Rabbi Datz.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDENT PHILIP:

Will you please remain standing for the Pledges -- Pledge of Allegiance? Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Wednesday, January 14th, in the year 1998, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 1185 and 2359.

Passed the House, November 14th, 1997.

Message from the House by Mr. Rossi, Clerk.

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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 515, with House Amendment No. 1.

Passed the House, as amended, January 14th, 1998.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1248, offered by Senators Berman, Welch and Cullerton.

(Secretary reads title of bill)

Senate Bill 1249, by Senator Garcia.

(Secretary reads title of bill)

Senate Bill 1250 is offered by Senator Butler.

(Secretary reads title of bill)

And House -- or, Senate Bill 1251, by Senator Luechtefeld.

(Secretary reads title of bill)

Also, Senate Bill 1252, by Senator Watson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. President. On a -- a point of personal privilege. I would like the record to reflect that Senator Clayborne is absent today due to illness in the family.

PRESIDENT PHILIP:

The record will so indicate. Senator Petka, for what purpose do you rise? House Bills 1st Reading.

SECRETARY HARRY:

House Bill 1185.

(Secretary reads title of bill)

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1st Reading of the bill.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 144, offered by Senator Geo-Karis.
It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Mr. President. Senator O'Malley has filed a motion with respect to Senate Bill 515.

PRESIDENT PHILIP:

Mr. Secretary, the Chair requests these motions be printed on the Calendar. So ordered. Senator Geo-Karis, for what purpose you rise?

SENATOR GEO-KARIS:

Mr. President, I would like to announce that Senator Kirk Dillard is away because he's on official business.

PRESIDENT PHILIP:

The record will so indicate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We will -- we will now go to Executive Session for the purpose of advise and consent. Mr. -- Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of October 30th, 1997, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

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Thank you, Madam President, Members of the Senate. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 30th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You've heard the motion. All in favor, say Aye. All opposed, Nay. The motion for Aye carries, and we are in Executive Session. Senator Petka.

SENATOR PETKA:

Madam President, with respect to the Governor's Message of October 30th, I will read the following non-salaried appointments of which the Senate Committee on Executive Appointments recommends the Senate do advise and consent...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator Petka. Senator Petka is trying to read the appointments recommended. May I please have the Senate give him some courtesy of listening. Thank you, Ladies and Gentlemen. Senator Petka.

SENATOR PETKA:

Thank you, Madam President.

To be a member of the Board of Natural Resources and Conservation for a term ending January 18th, 1999, Allan Mickelson of Golconda.

To be a member of the Board of Natural Resources and Conservation for a term ending January 17, 2000, May Roberta Berenbaum of Urbana, Jene L. Robinson of Decatur, Vernon Snoeyink of Champaign.

Madam President, having read these non-salaried appointments of October 30th, I now seek leave to consider these appointments on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You've heard the motion. Those in favor, say Aye. Those opposed, say Nay. The motion carries. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Madam President. You handled that pretty fast. I -- I was going to ask Senator Petka a question, if I might, about a list that I have in front of me with respect to executive appointments, if he would yield.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Well, it -- I -- we -- we've finished it. And God knows, you had the opportunity to push your button on. You know, I look at those lights. Senator -- Senator Demuzio.

SENATOR DEMUZIO:

God knows that there's another time. Now we're on another business. And since the gentleman was not considered, I was wondering as to why the State -- the appointment to the State Board of Elections, Mr. Guffage {sic} (McGuffage), wasn't called this morning. And as a matter of personal privilege, I would ask your indulgence and ask the gentleman if he would explain.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

I might suggest that you talk to Senator Petka by yourself because we've -- we're past that order of business. Senator Demuzio.

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point.

SENATOR DEMUZIO:

I'd like to ask Senator Petka a question as to why Mr. McGuffage wasn't called this morning for his appointment to the State Board of Elections. I think I'm within my right.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I might suggest it would be much easier for you to just walk over and talk to him. Thank you. Wendell Dozier of Dozier and Dozier Radio -- Radio/Cable Show would like to ask permission to videotape. Any objections? Hearing none, permission's granted. We'll have the Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Education Committee - House Bills 1640 and 1685; refer to Executive Committee - House Bills 1481 and 2364, Senate Resolution 141 and Senate Joint Resolution 44; refer to Insurance and Pensions Committee - House Bill 347; refer to Judiciary Committee - Conference Committee Report No. 1 to Senate Bill 120 and House Bill 1670; refer to Licensed Activities Committee - Senate Bill 1240; and Be Approved for Consideration - Conference Committee Report No. 1 to Senate Bill 569; Motion to Concur with House Amendment No. 1 to Senate Bill 515; House Bills 455, 871, 877, 881 and 2333.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there... Supplemental Calendar No. 1 has been distributed. Can we have your attention, please? Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 515.

The motion filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Members of the Senate. I do move to concur with Amendment No. 1 to Senate Bill 515. So everybody in the Chamber knows what this is: Senate Bill 51 was one of the first pieces of legislation that we approved in 1997. We sent it to the House. It was reviewed there and subsequently approved. It went to the Governor's desk. The Governor had an amendatory veto with some technical language. I moved to concur -- or, accept the Governor's amendatory veto language in November during the Veto Session. And unfortunately, Senate Bill 51, when it went over to the House, got hung up when they abruptly adjourned in -- I believe it was November 14th. So the -- the provisions of Senate Bill 51 were added by the House as an amendment to Senate Bill 515, and -- including the -- the Governor's amendatory veto language. So I would ask everybody in the Chamber to support me in -- in this motion. If there are any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Is -- is this the bill -- because we just got this and I'm not that aware of what we're talking about, Senator. Last

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year we -- we passed some legislation that -- that increased the amount of -- of value that you could build into a home without paying the taxes for a period of five years. Is that included in here, or is that the legislation we're talking about?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Jacobs, that particular language ended up in another bill. It was in this -- it was in 51 at one point in time. It's my understanding that that survived on other legislation that Senator Farley and I worked on.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator O'Malley, to close.

SENATOR O'MALLEY:

I just request the support of the Members of the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question shall -- is, shall the Senate concur in House Amendment 1 to Senate Bill 515. Those in favor, vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 53 voting Aye, none voting No, none voting Present. And the Senate does concur to House Amendment 1 to Senate Bill 515. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 569, Conference Committee Reports. Mr. Secretary, do you have on file a Conference Committee Report on Senate Bill 569?

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on Senate Bill 569.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. This particular Conference Committee Report does not contain the original language. It only contains language that affects one school district in this State, Triad School District, located in Madison County in my district. We originally had made some technical changes in House Bill 207 that was -- enabled them to raise their debt limit by referendum. Chapman & Cutler came in and objected to some of the demographic information that was used. They made some suggestions as to cleaning this up, and that's what this does. This cleans up the language so the Triad District can go ahead with their building program.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 569. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Excuse me. Have all voted who wished? Have all voted who wished? Take the record on that, Mr. Secretary. There are 53 voting Aye, none voting No, none voting Present. And this bill, having received the... The Senate does adopt the Conference Committee Report on Senate Bill 569. The bill, having received the required constitutional majority, is declared passed. Resolutions on Consent Calendar. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all 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)

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If not, the question is, shall the -- the -- the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. All opposed, say Nay. The motion carries, and the resolutions are adopted. 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 joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 42.

(Secretary reads HJR No. 42)

Adopted by the House, January 14th, 1997 {sic} (1998).

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Donahue moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 42. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it. The rules are suspended. Senator Donahue moves for the adoption of House Joint Resolution 42. Those in favor, say Aye. Those opposed, say Nay. The Ayes have it. The resolution's adopted. Any further business to come before the Senate? Senator Philip. Senator Philip has the Floor, Ladies and Gentlemen.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just would like to point out, when we come back on the 28th of January, we're coming in at 11:30 because it's the Governor's State of the State. So I hope everybody will remember that. Secondly, the last day to introduce House or Senate bills is the 20th of February. So I wish that you would remember that. If anybody wants to introduce anything, you got to start doing it and thinking about it. Thank you.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further business to come before the Senate? If not, pursuant to the -- the adjournment resolution, Senator Philip moves the Senate stands adjourned until 11:30 a.m., Wednesday, January 28. House is adjourned. Senate is now adjourned.

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