

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be -- be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by the Reverend Jane Ferguson, Laurel United Methodist Church, Springfield, Illinois. Reverend Ferguson.

THE REVEREND JANE FERGUSON:

(Prayer by the Reverend Jane Ferguson)

PRESIDENT PHILIP:

...you please remain standing for the Pledge -- 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 Tuesday, February 24th, 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 objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Philip, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Conservation - Senate Bills 1302 and 1707; to the Committee on Appropriations - Senate Bills 1493, 1718, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1839, 1888 and 1933; referred to the Committee on Education - Senate Bills 1598, 1599, and Senate Resolution 129; to the Committee on Environment and Energy - Senate Bills 1261, 1622, 1705, and 1853; to the Committee on Executive - Senate Bills 1288, 1498, 1507, 1508, 1510, 1511, 1674, 1675, 1701, 1703, 1704, 1706, 1709, 1712 and 1878; to the Committee on Financial Institutions - Senate Bills 1380 and 1694; to the Committee on Judiciary - Senate Bills 1328, 1426, 1428, 1628, 1713 and 1756; to the Committee on Licensed Activities - Senate Bills 1491 and 1657; to the Committee on Local Government and Elections - Senate Bills 1286, 1290, 1365, 1366, 1500, 1522, 1578 and 1702; to the Committee on Public Health and Welfare - Senate Bills 1473, 1492, 1700, 1711, 1830, 1833 and 1834; to the Committee on Revenue - Senate Bills 1308, 1324 and 1873; to the Committee on Transportation - Senate Bills 1446 and 1695; and Be Approved for Consideration - Conference Committee Report 1 to Senate Bill 3.

Senator Fawell, Chair of the Committee on Transportation, reports Senate Bills 1222 and 1293 Do Pass.

And Senator Hawkinson, Chair of the Committee on Judiciary, reports House Bill 1217 Do Pass; Senate Bills 1207, 1215 and 1217 Do Pass; and Senate Bill 1224 Do Pass, as Amended.

PRESIDENT PHILIP:

Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you, Mr. President. To simply let the record reflect that Senator Weaver is absent today, due to the death of his wife.

PRESIDENT PHILIP:

The record will so indicate. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution, Constitutional Amendment, 52, offered by Senators Cronin and Philip.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Senate Resolution 160, offered by Senator Jones and all Members.

Senate Resolution 161, by Senator Shadid and all Members.

Senate Resolution 162, by Senator O'Malley.

Senate Resolution 163, by Senator Dillard and all Members.

Senate Resolution 164, by Senator Link.

And Senate Resolutions 165 and 166, both by Senator Dudycz and all Members.

Resolutions 160 through 166 are all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Thank you, Mr. President. I'd like to move for immediate consideration for adoption of Senate Resolution 161.

PRESIDENT PHILIP:

Senator Shadid moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 161. Those in favor will signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Shadid, to explain the resolution.

SENATOR SHADID:

This resolution is a death resolution for Harry Caray. On behalf of the Members of the Senate, I have put together this resolution that honors Harry Caray for all the things he did in his lifetime, and we have to get it up to Chicago so it can be presented tomorrow. Thank you.

PRESIDENT PHILIP:

Senator Shadid has moved for the adoption of -- Senate Resolution 161. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The resolution is adopted.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Senator Shadid.

SENATOR SHADID:

Mr. President, for a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR SHADID:

Senator Hawkinson and myself are very pleased to have joining us in the Senate gallery today the Peoria Area Chamber of Commerce 1998 Community Leadership School. The committee members are Molly Wilson, Calvin Butler, Linda Miller, Michael Wiesehan, Brad McMillan, Kathy Schaeffer, Barbara Hartnett, and Sue Fulton. So, would you please help me in welcoming them to Springfield?

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate?
Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. Matter of announcement. Senator Bowles is absent today, due to illness.

PRESIDENT PHILIP:

The record will so indicate. Messages.

SECRETARY HARRY:

A Communication addressed to the Secretary:

Please be advised that the Democratic Legislative Committee for the 51st Legislative District met on February 24th, 1998, and declared that a vacancy exists in the Office of Senator in the General Assembly for the 51st Legislative District of the State of Illinois as a result of the death of Penny Severns. You are hereby notified of the vacancy in the office of Senator in the General Assembly for the 51st Legislative District of the State of Illinois as a result of the death of Penny Severns.

The Communication is dated, February 24th, 1988 {sic} (1998), and signed by Committeemen Randy Hutton, Gerrie Parr, Joe McGlaughlin,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Horace Romine, Gordon Mazzotti, and Ronald Koehler.

PRESIDENT PHILIP:

Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, sir.

PRESIDENT PHILIP:

State your point.

SENATOR TROTTER:

Thank you very much, Mr. President. Just want to announce to the Body, at 12:30 this afternoon, in celebration of African-American History Month, the Illinois Legislative Black Caucus is having a little ceremony down in the Rotunda. We have a fourteen-year-old gentleman, who's an internationally known speaker, who will be speaking to us, and I think you should be really entertained and you will learn something, as well. And I ask all Members, if they could, please be in attendance and enjoy this celebration with us.

PRESIDENT PHILIP:

Thank you, Senator Trotter. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

For a point. To announce a Republican Caucus immediately in Senator Pate Philip's Office. That's a Republican Caucus, immediately.

PRESIDENT PHILIP:

And -- and the caucus -- we will come out here no later than 1 o'clock. The Senate stands at ease.

SENATE STANDS AT EASE

SENATE RECONVENES

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

PRESIDENT PHILIP:

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Purpose of announcement, Mr. President. The Senate Public Health Committee that was scheduled for 1 o'clock will commence fifteen minutes after the adjournment of today. If we can speed up our -- our program here, we can get -- but fifteen minutes following the adjournment, Public Health will meet in Room 400.

PRESIDENT PHILIP:

You're a wonderful optimist. Thank you, Senator. The Senate will come to order. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 53, offered by Senator Jacobs.
It's substantive, Mr. President.

PRESIDENT PHILIP:

Executive Committee -- Rules Committee. I apologize. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 276, offered by Senator Karpel.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

Supplemental Calendar, on the Order of Conference Committee Reports. Mr. Secretary do we have a file -- a conference committee report on Senate Bill 3?

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on Senate Bill 3.

PRESIDENT PHILIP:

...Chair recognizes Senator Bomke, on Senate Bill 3. Senator Bomke.

SENATOR BOMKE:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3 is a First Conference Committee Report. Amends the Teacher and Chicago Teachers' Article of the Pension Code to increase the retirement formulas to 2.2 for each year of service earned after June 30th, 1998. Be happy to answer any questions.

PRESIDENT PHILIP:

Any further discussion? Senator Berman.

SENATOR BERMAN:

Could the sponsor please explain what this does and who's for it and who's opposed to it?

PRESIDENT PHILIP:

Senator Bomke.

SENATOR BOMKE:

The -- after a number of months of talking, negotiations, we have come up with which what I believe is a reasonable way to fund the enhanced pension for the teachers, both downstate and Chicago teachers, changing from a graduated rate to a flat rate of 2.2. The funding sources are of -- as of the following: The teachers will pay .955 percent of their payroll, the school districts will pay .9 percent, and the State of Illinois will pick up .576 - that's for downstate teachers. In Chicago, the members will pay the .955 percent, and the balance will be picked up by the district.

PRESIDENT PHILIP:

Senator Berman.

SENATOR BERMAN:

When we talk about .955 percent, do we mean that if my paycheck is -- is a hundred dollars, then ninety-five cents is what's contributed, or... I want to make sure that I understand. We're talking about ninety-five hundredths of one percent. Is -- is that correct?

PRESIDENT PHILIP:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Senator Bomke.

SENATOR BOMKE:

That is correct, Senator Berman.

PRESIDENT PHILIP:

Senator Berman, do have any further questions? Thank you.
Senator Welch, for what purpose do you rise?

SENATOR WELCH:

I have a question of the sponsor.

PRESIDENT PHILIP:

Indicates he'll answer.

SENATOR WELCH:

Senator Bomke, can you tell me what the cost will be to the State of Illinois or the liability to the State of Illinois, or both?

PRESIDENT PHILIP:

Senator Bomke.

SENATOR BOMKE:

Well, the -- the annualized cost, this year's cost, would be about thirty-two million. The -- the liability to the year 2045 would be approximately two hundred and thirty-three million.

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

According to my analysis, Senator, the Governor is opposed to this. Has this been discussed with the Governor and his -- have his concerns been worked out, or are we looking at a veto of this bill?

PRESIDENT PHILIP:

Senator Bomke.

SENATOR BOMKE:

Well, far be it from me, Senator Welch, to try to second-guess what the Governor will sign or not sign.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

So -- so, basically you're saying that there hasn't been any -- any movement on the Governor's part. Did he include this in his budget, the thirty-two million dollars, for this proposal?

PRESIDENT PHILIP:

Senator Bomke.

SENATOR BOMKE:

I don't know what was in the budget. I don't know if he did or did not, Senator Welch. And -- and...

PRESIDENT PHILIP:

Senator Welch.

SENATOR WELCH:

When will this go into effect, Senator Bomke?

PRESIDENT PHILIP:

Senator Bomke.

SENATOR BOMKE:

June 1st. June 1st.

PRESIDENT PHILIP:

Any further discussion? Senator Bomke, to close.

SENATOR BOMKE:

Well, thank you, President Philip. For the record, although I've indicated, those retiring after June 1st will be allowed to use the 2.2 formula. I would just ask for a favorable roll call.

PRESIDENT PHILIP:

The question is, shall the Senate adopt Conference Committee No. 1 on Senate Bill No. 3. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are -- 51 Ayes, 2 Nays. The Senate does adopt Conference Committee No. 1 to Senate Bill 3. This bill, having received the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

required constitutional majority, is declared passed. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Well, thank you, Mr. President. On a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR DONAHUE:

Well, I'm very honored today to have with us in the -- in the gallery behind the President's chair the Western Illinois Leathernecks. They are the Gateway Conference Title -- they won this. They were number two in the regular season, and they were in the Division 1 AA National Quarterfinals. And, believe me, if you'd been to any of their games, you would know they were the comeback kids. They did some remarkable feats at the end of the -- the fourth quarter. They always came from behind. We called them the comeback kids. But the most interesting thing that I had -- the Coach, Randy Ball, the head coach, who's here - and, Randy, why don't you stand while I'm talking - said that we were twenty-one and three in the last eight years against other State schools. And of course, as you know, my friend and colleague here next to me with ISU, and Judy with Eastern, and Brad with Northern, I'd just like to have the -- the Senate recognize the Western Illinois Leathernecks. And there's one other gentleman I want to -- to recognize: Aaron Stecker. Aaron, would you stand up a minute? His credits -- and he's a runner-up for the Walter Payton Award, he was first team All-American in all teams, and he led the nation in touchdowns, scoring and rushing. And will you welcome the Illinois -- Western Illinois Leathernecks? Kirk?

PRESIDENT PHILIP:

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

79th Legislative Day

February 25, 1998

Also on a point of personal privilege. I think those of you who know me know that I am a Western Illinois graduate, along with Senator Sieben, and really am very proud of these gentlemen. But I do want to point out for the record that the WIU Leathernecks, while they didn't win the National Championship, came mighty close in Division 1 AA, but they did on the opposing field, beat the eventual national champions. And those guys are national champion, in my eyes, and I certainly welcome them, along with Senator Donahue. Great job, guys.

PRESIDENT PHILIP:

If I could have your attention, for just a minute. We intend on going in Session tomorrow at 9:30 a.m. The only business that will come before the Senate is the memorial service for Senator Severns. So if there's no further business to come before the Senate, the Senate stands adjourned until 9:30 a.m., Thursday, February 26th.

FEBRUARY 25, 1998

HB-0276 FIRST READING	PAGE	6
SB-0003 CONFERENCE	PAGE	6
SR-0160 RESOLUTION OFFERED	PAGE	3
SR-0161 ADOPTED	PAGE	3
SR-0161 RESOLUTION OFFERED	PAGE	3
SR-0162 RESOLUTION OFFERED	PAGE	3
SR-0163 RESOLUTION OFFERED	PAGE	3
SR-0164 RESOLUTION OFFERED	PAGE	3
SR-0165 RESOLUTION OFFERED	PAGE	3
SR-0166 RESOLUTION OFFERED	PAGE	3
SJR-0052 RESOLUTION OFFERED	PAGE	2
SJR-0053 RESOLUTION OFFERED	PAGE	6

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-THE REVEREND JANE FERGUSON	PAGE	1
PLEDGE OF ALLEGIANCE-LED BY SENATOR SIEBEN	PAGE	1
JOURNAL-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	1
COMMUNICATION TO THE SECRETARY	PAGE	4
SENATE STANDS AT EASE	PAGE	5
SENATE RECONVENES	PAGE	5
ADJOURNMENT	PAGE	11