

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

58th Legislative Day

May 29, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise. Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Adeline Jay Geo-Karis)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance? Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Friday, May 16th; Monday, May 19th; Tuesday, May 20th, and Wednesday, May 21st, 1997.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Butler moves to approve the Journals just read. There being no objection, so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, May 22nd; Friday, May 23rd; Tuesday, May 27th; and Wednesday, May 28th, in the year 1997, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

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Senator Butler moves to postpone the reading and the approval of the Journals, pending the arrival of the printed transcripts. There being no objection, so ordered. Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1129.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

We have like Messages on Senate Bill 1131 and Senate Bill 1132.

All action taken by the House, May 27th, 1997.

PRESIDENT PHILIP:

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...Burzynski, for what purpose do you rise, sir? I'd like to ask all the Members of the Senate to come to the Floor and resume their seats, 'cause we're going to get started. We will now go to the Executive Session for the purpose of advise and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 5th, 1997, reported the same back with a 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. 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 May 5th and May 21st.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? You've heard the motion. All those in favor, say Aye. All opposed, say Nay. The motion's carried and we are in Executive Session. Senator Petka.

SENATOR PETKA:

Madam President, with respect to the Governor's Message of May 5th, I will read the salaried appointments of the State Board of Elections to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the State Board of Elections for terms ending June 30, 2001: Charles Durham, of Chicago; David E. Murray, of Rock Falls; Wanda Rednour, of DuQuoin; Elaine Roupas, of Palos Park.

Madam President, having read the salaried appointments of the State Board of Elections from the Governor's Message of May 5th, I now seek leave to consider these appointments on a roll call. And, Mr. -- Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...question is, Ladies and Gentlemen of the Senate, 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 58 voting Aye, none voting No, none voting Present. And the -- two-thirds majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

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Thank you, Madam President. With respect to the Governor's Message of May 5th, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the State Sanitary District Observer for a term ending January 18th, 1999: Connie Peters, of Arlington Heights.

To be a member of the Illinois State Toll Highway Authority for a term ending May 1st, 1999: Paula S. Fasseas, of Chicago.

Madam President, having read the salaried appointments of May 5th, 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)

Any discussion? 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 57 voting Aye, none voting Nay, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. With respect to the Governor's Message of May 5th, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the Board of Aeronautical Advisors for terms ending January 18th, 1999: Bernard Armbruster, of Springfield; Paul Beitler, of Winnetka; John Goldrick, of Bloomington; Ralph Hurwitz, of Springfield; David NewMyer, of DeSoto; Charles Priester, of Lake in the Hills; Gerald Stephens, of Peoria; Joseph

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Warner, of Normal.

To be members of the Board of Agricultural Advisors for terms ending January 18th, 1999: Donald Ahrens, of Shawneetown; James Hanks, of Galesburg; Russell Koster, of Sterling; Patricia Lawfer, of Stockton; George Smith, of Keenes; Edward Whitaker, of Springfield; Betty Wiese, of Versailles; Robert Wood, of Bowen.

To be members of the Agricultural Export Advisory Committee for terms ending January 18th, 1999: Jim Chingas, of St. Anne; Richard Lighthart, of Lemont; Lynn Myers, of Roscoe; Thomas Percy, of Clare; Katherine Reading, of Skokie; Darrell Rich, of Chandlerville; Linda Sahagian, of Oak Park; Paul Van Halteren, of Chicago; George Willaredt, of Edwardsville; Heidi Wright, of Malta.

To be members of the State Banking Board of Illinois for a term ending December 31st, 1998: Cary Capparelli, of Chicago; John Eck, of Wheaton; Sondra Healy, of Winnetka.

To be members of the State Banking Board of Illinois for terms ending December 31st, 2000: Joy French Becker, of Jacksonville; Dean Decker, of Geneseo; Mark Field, of Liberty.

To be members of the Children and Family Services Advisory Council for terms ending January 15, 2001: Barbara Cempura, of Belleville; Micki Chulick, of DeKalb; Susan Cook, of Carterville; Herbert Holzman, of Highland Park; Charlotte Mushow, of Elmhurst; Ellen Yearwood, of Des Plaines; Harold Ziebell, of Petersburg.

To be a member of the East St. Louis Financial Advisory Authority for a term ending August 30th, 1998: James Miles, of Chicago.

To be a member of the East St. Louis Financial Advisory Authority for a term ending August 30th, 1999: Jerome Jackson, of East St. Louis.

To be members of the Illinois Economic Development Board for terms ending November 1st, 1998: Michael Birck, of Hinsdale;

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Kevin Kelly, of Elgin; Earl Lazerson, of Edwardsville; Marilyn Miglin, of Chicago; Paul Oddo, of Mount Prospect; Sergio Pecori, of Springfield; Roger Roberson, of Champaign; Sam Skinner, of Winnetka; Bernard Spatz, of Chicago; Vicki Stewart, of Danville; Donald Tolva, of Oak Brook; Donald Turner, of Chicago; David Williams, of Chicago.

To be members of the Illinois Electronic Data Processing Advisory Committee for a term ending December 31st, 1998: John Yedinak, of Hinsdale.

To be a member of the Illinois Electronic Fund Transfer Advisory Committee for a term ending December 31st, 2000: Melody Filarski, of Morton.

To be members of the Employment Security Advisory Board for terms ending January 18th, 1999: Sandra Bullar, of -- of Murphysboro; James Helfrich, of Belleville; Donald Johnson, of Springfield; Alois Kaczmarek, of Elmhurst; Dennis Whetstone, of Springfield.

To be members of the Illinois Health Care Cost Containment Council for terms ending September 5th, 1999: James Chao, of Naperville; Frank Gramm, of Libertyville; Lenore Janecek, of Chicago; Larry Lawler, of Decatur.

To be a member of the State Board of Health for a term ending November 1st, 1999: Sharon Mumford, of Metropolis.

To be members of the Kaskaskia Regional Port District Board for terms ending June 30th, 1999: Robert Gottschammer, of Fayetteville; Richard Guebert, of Modoc.

To be members of the Advisory Board to the Department of Labor for terms ending January 18th, 1999: James Bruner, of Jacksonville; Bruce Carlson, of Chicago; Terry Fairclough, of Springfield; Brian Hickey, of Chicago; Delphine Lytell, of Palos Hills; Leonard Morris, of Chicago; William Nolan, of Chicago; Steve Spano, of Westchester; Dave Vite, of Woodstock; Ante Vulich,

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of Palos Hills; Dennis Whetstone, of Springfield.

To be members of the Labor-Management Cooperation Committee for a term ending July 1st, 1998: Donald Johnson, of Springfield.

To be members of the Labor-Management Cooperation Committee for terms ending July 1st, 1999: Thomas Howard, of Countryside; William Schrader, of Riverton; Michael Wood, of Marquette Heights.

To be members of the Advisory Board of Livestock Commissioners for a -- terms ending January 18th, 1999: Dave Bateman, of Elburn; Eldon Gould, of Maple Park; Robert Griffin, of Mason City; James Niewold, of Loda.

To be a member of the State Mandates Board of Review for a term ending June 30th, 1999: Barbara LaPiana, of Lincolnshire.

To be a member of the Medical Licensing Board for a term ending January 8th, 1998: Dean Bordeaux, of Peoria.

To be a member of the Advisory Board on Necropsy Services to Coroners for a term ending January 18, 1999: Julie M. Gummersheimer, of -- of Columbia.

To be members of the Advisory Board on Necropsy Services to Coroners for terms ending January 17, 2000: Richard Ballinger, of Glendale Heights; James Walker, of Carbondale.

To be Public Administrator and Public Guardian of Calhoun County for a term ending December 1st, 1997: Rose Stumpf, of Batchtown.

To be the Public Administrator and Public Guardian of Fayette County for a term ending December 1st, 1997: Beulah Brown, of Vandalia.

To be the Public Administrator and Public Guardian of Adams County for a term ending December 6, 1999: William Mays, Jr., of Quincy.

To be the Public Administrator and Public Guardian of Grundy County for a term ending December 6, 1999: Diane Jorstad, of Morris.

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To be the Public Administrator and Public Guardian of Rock Island County for a term ending December 6, 1999: Moss Meersman, of Moline.

To be the Public Administrator and Public Guardian of Union County for a term ending December 6, 1999: George Warren, of Anna.

To be members of the Quad Cities Regional Economic Development Authority for a term ending January 18, 1999: Thomas Getz, of Moline; Jennifer Rowe, of Rock Island.

To be members of the State Soil and Water Conservation Advisory Board for terms ending January 15, 2001: Donald Condit, of Putnam; Leon Kohlmeier, of Waterloo.

To be a member of the Advisory Council on Spinal Cord and Head Injuries for a term ending June 30th, 1999: Mary Kay Griffin, of Springfield.

To be members of the Workers Compensation Advisory Board for terms ending January 19, 1998: Gregory Baise, of Lemont; Donald Johnson, of Springfield; Terrence Lynch, of Lansing; Dennis Whetstone, of Springfield.

Now, Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a single roll call. And, Madam President, will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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, vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive

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Appointments, to which was referred the Governor's Message of May 21st, 1997, reported the same back with a recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President. With respect to the Governor's Message of May 21st, I will read the salaried appointments to which the Senate Committee on Executive Appointment recommends that the Senate do advise and consent:

To be Inspector General of the Department of Children and Family Services for a term ending June 1st, 2001: Denise Kane, of Chicago.

To be a member of the Illinois Human Rights Commission for a term ending January 15, 2001: James Maloof, of Peoria.

Madam President, having read the salaried appointments of May 21st, I now seek 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)

Any discussion? Senator Hendon.

SENATOR HENDON:

Madam President, as...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator Hendon. May we please have your undivided attention? Thank you.

SENATOR HENDON:

As allowed by our rules, as the Minority Spokesman on Executive Appointments, I move that we divide the question between these two nominees and take them on a separate roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hendon, there must be five Members making this

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request. Do you have four Members joining you? If so, please identify those Members. Senator, who?

SENATOR HENDON:

Senators Carroll, Berman, Halvorson and Senator Severns.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Carroll, Senator Berman, Senator Halvorson and Senator Severns. Is that correct?

SENATOR HENDON:

Do I need more? And myself, of course.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And yourself, Senator Hendon. ...this time -- Senator Hendon, your request is granted.

SENATOR HENDON:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

At this time, we will proceed to the Order of the Inspector General of the Department of Children and Family Services, Denise Kane. The question is, does the Senate advise and consent to the nomination of Denise Kane 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 57 voting Aye, none voting No, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. We will now consider the membership to the Illinois Human Rights Commission, James A. Maloof, of Peoria. Any discussion? Any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I would like for the Body to just consider for a moment what we are about to do with Mr. Maloof. And let me say from the outset that I found him to be a very nice

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gentleman, a nice person. But a lot of controversy has arisen to question his appointment to this particular position. Yesterday, Senator Carroll and I voted Present in the committee, and I promised that I would not vote No against this nominee until I did further research. So I got on the phone and I made some calls to Peoria, where Mr. Maloof is the former Mayor, for twelve years. Very well liked, highly respected. And I also began to get phone calls from a number of people in Peoria. And I came up with a particular picture of Mr. Maloof that was rather mixed and disturbing. While everyone agreed that he was an excellent ambassador, a fine person, loves people, they also said maybe he loved a little bit too much, hugged and kissed a little bit too much. And perhaps, sometimes in his zest to show his love, he may have placed his hands in some areas where women - most women - just did not want them to be. Now, if he was being nominated for Mines and Minerals or Nuclear Regulation or Gaming or Economic Development, fine, no problem, but this is the Commission on Human Rights. Mr. Maloof was charged with sexual harassment as Mayor of Peoria. He was also charged, along with the government of Peoria, with a number of discrimination abuses. Now, in my phone calls, I -- it became clear to me that he's not a racist. This is not the allegations about race were -- I just didn't buy into those. I said, "No, I -- doesn't come over like that to me." So I just discarded those charges. I said, "No, it's not a racist -- I don't that he's a racist." But everybody, even his supporters, kept saying that he's from another era, that he's a nice guy, but he's from another era. And I'm trying to figure out, is that the horse-and-buggy era? Is that before women had the right to vote? What era is he from? And they say, "Well, he's from another culture." And in their culture, women are not seen as women are seen in America. Well, this is America. Mr. Maloof also indicated in committee that his former secretary, who filed

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charges against him, was now in support of his nomination. That carried a lot of weight in the committee. People said: Well, if his secretary files sexual discrimination against him and then dropped it, or -- I mean -- well, she didn't drop it, it was settled, but now she is supporting his nomination, well, maybe he's okay. He misled the committee. His former secretary is not supporting his nomination to this Commission. Now, it's very important to understand what she was willing to do. He had a retirement party. She supported the retirement party. She organized it. Because -- I guess she figured, well, he's going to be gone, he can't harm anybody. But when she looked at this sensitive position of a person who's going to be hearing cases of sex discrimination and age discrimination and civil rights discrimination and violations, she said, "Not that spot." I called -- spoke with the Governor's people. I said, "Not this position". Another position, yes, but not a position where you're dealing with issues of which you just don't understand. He just doesn't get it. As of this moment, he still does not believe he did anything wrong. Now how can you honestly -- and adjudicate cases like this that are going to come before him, if he was involved in a case like this and still believes he did absolutely nothing wrong? Let me close by saying, the one thing that really put me over the top, saying that we had to stop this particular appointment by our Honorable Governor if we could -- and, Madam President, if I could. I -- I know it's late, but I can hardly hear myself.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I can hear you.

SENATOR HENDON:

That's because you have such excellent hearing...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You're right.

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SENATOR HENDON:

But, please, Ladies and Gentlemen, I think it -- it should be important to every Senator in this Chamber, what happens to women and how women are treated. If it's not, continue with your conversations, and I'll just talk a little louder. But I made a commitment I wasn't going to scream and holler, by your advice, Madam President, three years ago, and I haven't. I don't want to do it now. But this is important. We're talking about a woman's right to be treated like a man, to be -- earn what a man makes. It makes no sense at all to put this gentleman in this very sensitive position. Something else, Mr. Governor, yes, but not this. In conclusion, a young lady called me in support of Mr. Maloof. She spoke eloquently about him. But I asked her one question. I said, "What about the sexual discrimination charges?" This is what made me clear that we had to stop him. She said, and I quote, "Because of the fact that he was sued and came under these charges, he is better qualified, because he's had the experience in handling these issues." I think that is absolutely outrageous. In other words, if a convicted Ku Klux Klansman is up for the Civil Rights Commission, give it to him, because he knows all about hanging people.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. You know I -- I respect you, Senator Hendon, but I really took it personally when you wanted to compare Mr. Maloof to someone with the Ku Klux Klan. Now I find that absolutely ridiculous and I resent it. I've known Mr. Maloof for fifty-five years, and let me say to you that he is probably one of the most compassionate people that I've ever met, and I've had disagreements with Mr. Maloof on a lot issues, but not on the issue of does he care for people. He's one of the most caring

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people in our community, and his record reflects that. For instance, all of his life he's always went around hugging and kissing ladies, when the occasion arised, to congratulate them on whatever. And I have not known of any people, especially children, who will say to you that they've been hugged too much. You know, in today's society, it's very difficult for us to show any compassion, to hug a little child, 'cause you're fearful what's going to happen to you, especially if you're a male. I can tell you that Mr. Maloof was very instrumental in getting the first black, African-American, appointed to the -- be City Manager in the City of Peoria, of which that person still is the City Manager. And this was about six or eight months ago. When Mr. Maloof, who ran for office three different times, was running for the third time, this lawsuit was in the height of its emotions in the City of Peoria. It was a major issue in the mayoral campaign. There were so many women walking around with a button that says, "Hug me, Mayor. I want you to hug me, 'cause I love it." Well, this tells me something. He's also the person who originated, many years ago, along with Danny Thomas, the St. Jude midwest affiliate, which I'm sure you're familiar with that it helped, treated and cured many, many children with leukemia. He originated that in Peoria, and it's probably the largest affiliate in this country. And I want to correct something: Neither myself or Mayor Maloof said that his former secretary supported his nomination. Now, if -- and I talked to Mr. Hendon. We've talked to some people. Now if we -- if this was implied in any of our statements, that was not the intent. What was said was she volunteered to chair his retirement party about five or six weeks ago. I did not say she supported it. And by the way, in the morning paper, she was interviewed, and if you want to believe what the papers say - I think sometimes you want to believe what they say when it's to your thinking - she said that she had no

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comment whatsoever on this appointment. And I'm not saying that she supports it, in no way. In Peoria, I think there's seventeen black ministers that are called the Ministerial Association. Every one of his elections, they have supported him fully and aggressively, because they believe in him. So I think this has something to say. You know, sometimes when you're in public life, and I'm sure you're all aware of it, that the longer you stay, the more baggage you pick up, and people will always remember when you stumble, but never the hundreds of times that you do right. Mr. Maloof is not proud of the fact that he was charged in this discrimination suit, but the details were never let out. It was settled a year and a half, or a year ago, and a lot of it -- and I, personally, would have liked to see it go to trial so that everybody would have the details. But the City decided to settle it because the attorney fees were becoming too great for 'em and they thought that they ought to cut their losses. And so no one was either found guilty or not guilty and no one knew who did what, and I think it was inappropriate. He is also -- he is also supported very strongly by the active Jewish community in our -- in our City. They support him extremely well. He's a well-liked person, and I'm not saying that everybody likes him. I don't think everybody likes us, but we hope fifty-one percent of 'em do when go vote. But let me say to you, I would appreciate your support for him, because I feel that he is a very compassionate person and I have faith in him that he will do what's right. Whatever the decision is, he'll do what he firmly believes in. He's a God-fearing person, and I am going to support him. I would appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I rise to

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object to this appointment, not because Mayor Maloof has been a bad Mayor. As a former city council member in Decatur, I remember hearing good reports on the Mayor. We're not challenging how good of a public servant he was; what we're challenging is what I think was best written in the Peoria Journal Star this morning. I don't know how many of you have had a chance to read the Peoria Journal Star, but I would like to quote just part of one paragraph. It says, "The problem is that Maloof's nomination comes less than a year after the City of Peoria settled a sexual discrimination lawsuit that involved fifty city hall female employees. Maloof, as Mayor, was sued by his secretary, who accused him of subjecting her to unwanted hugs, kisses and comments about her anatomy." She was not alone. There were fifty female employees in the City of Peoria that brought forward that suit, a suit that that City settled for two million dollars. While I would not question, certainly, the words of my friend and colleague, Senator Shadid, it would seem to me, as a former city council member, that no city casually settles unless they think there's reason to settle. This City settled, for two million dollars, a suit brought forward by fifty female employees, settled less than a year ago. I think we have to ask ourselves what kind of message, what kind of signal are we sending, to put the very individual who has been subjected to a suit and that suit has been settled, on a small commission that judges a large issue - a thirteen-member commission that judges critical issues facing countless human beings across this State. I would not stand here and quarrel, if we appointed Mr. Maloof to a commission that overlooked machinery, land, mines, minerals, whatever other commission appropriate that he might be considered for. But let's not appoint him to a commission that will judge the very kind of suit that the City of Peoria has just settled, for two million dollars, with fifty female city employees. It's a wrong message to send to our constituents.

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It's a wrong message to send to the individuals who feel they have no other choice but to bring a charge before that commission.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Members of the Senate. I, too, happen to have served on the committee and listened to the brief discussion - brief discussion - in committee. And had -- and I have great respect for my colleagues from Peoria, both of whom are supportive of Mayor Maloof, and had a nice chance to meet with the Mayor and have some very good discussions with him. Also, I've heard from leadership of the Peoria Jewish community, who are truly, as Senator Shadid said, very supportive. Having said all that, now comes the however. And the however is, unfortunately, and I don't blame anybody for this, the apparent rules in the committee did not allow a real hearing on the issue. And it was not rules just for this particular nominee, and maybe it's something we ought to, very seriously, do something about; it's a rule that also affected a nominee in the past, who, in that particular instance, the chairman happened to have been personally against, and also did not allow people who were against the opportunity to testify. And that, I think, bothered me the most. Because maybe if we had a full hearing, we'd have a better understanding of the charges of that litigation. As Senator Severns pointed out, of fifty employees in Peoria settled for two million dollars just a year or so ago. There were people in the room. Nobody made an issue out of it, because in that committee people have not been allowed to file witness slips and give testimony. And I do believe if that's what the rules provide, and I don't really think they do, there should be a clarity of that, that that's the purpose of a committee meeting. Mayor Maloof, I believe, is a very wonderful person, but these are the type of

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charges that one has to give second and pause. And as has been said, say to those who are the judges of cases of discrimination, a two-million-dollar settlement, by one of those judges, of charges of discrimination by that judge, should give anyone pause if they were going to appear before that commission. To those of us who have to approve those who will be the judges, I am not pleased that we have the knowledge with which to approve a person who, though only charged - I admit it was not a conviction - a two-million-dollar settlement for fifty people is a lot of money. And maybe, had we had a full hearing, these questions could have been fully answered. I think we have to ask the President of the Senate to make sure that that rule is changed forever. Committee hearings are for the public to come in and give testimony. It didn't happen, and again, no fault of the Chair; it didn't happen in past hearings, either. Then, maybe we could decide more intelligently. With the limited information, I cannot be supportive of a person who was charged with not only sexual discrimination, but glass ceiling, and for whom his City paid two million dollars. It's unfortunate for him, because I think he has proven himself to be a good mayor and would be a good appointee to many State boards, just not this one, with the information we have.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much, Madam President. You know, sometimes I think we -- we get a little too hung up on being politically correct around here. I do not know this gentleman, but I know a lot of -- of men like him, because that's pretty much what my generation is like. There was no looking down upon a man who -- who liked to hug and liked to kiss. In fact, frankly, a lot of us kind of liked it. It's gotten to the point now where fathers are

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afraid to hug their daughters; -they're afraid their going to be charged with sexually molesting them. Fathers, for the first generation now, are allowed to hug their sons, but not their daughters. Men are no longer allowed to come up and hug us. I kind of miss that, and there's a lot of us that do. This gentleman had a secretary for thirty-five years. For thirty-five years this woman put up with this behavior. For thirty-five years she worked for this gentleman and then was in charge of a retirement party that two thousand people came to honor him. And she was in charge of it, and sent out the invitations, and then turned around and said, but he's a bad guy. I'd like to know who in the world told him -- told her, somewhere along the line, that -- that for the last thirty-five years, she's been working for somebody who's been sexually harassing her. Maybe they should have told her thirty-five years ago, and she could have found another job. You know, if somebody actually is sexually harassing somebody, I agree that person is despicable. But for somebody to go up and hug somebody or -- or say they -- they appreciate what she's doing through touching her in appropriate ways, there's nothing wrong with that. Maybe if more people hugged each other, we wouldn't have the kind of world, unfortunately, we do have. I personally would like to see more parents hug their children and more employers hug their employees, as long as it's confined to certain areas. And frankly, a seventy-seven-year-old man who's hugging his secretary that he's had for thirty-five years doesn't seem to me is really inappropriate. Seventy-seven years, you know, don't you guys wish that you could do that in seventy-seven -- when you're seventy-seven? I think we ought to vote for the guy, let him have his last bit of glory, and forget this nonsense.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator -- Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Madam President. With all due respect, Senator Fawell, I'm not sure that this is about a hug or two. I think we all enjoy a hug or two. I think this is about discrimination. This is about the other people who possibly were not able to get jobs that they deserved. This is about equality, and I really think that we need to take a second look at the fact that this is a nice man, he could do a good job, but there was any other number of places for him to be. I think the problem is the fact that it is this appointment to a human rights issue that he'll have to be dealing with. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel. ...Karpel.

SENATOR KARPIEL:

I move the previous question.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel moves the previous question. There are four people left to be speaking. Thank you. Senator Hendon, for a second time.

SENATOR HENDON:

I apologize for rising a second time. I'll be very brief. Ms. Brown was his secretary for five years, not thirty-five years. And I agree we should hug and kiss our children a lot more, Senator Fawell, but comments about women's breasts, that's inappropriate. I didn't want to bring that part of it up, but now I must, because there's more touchy-feely, it's comments, that women found inappropriate. In addition, in the discrimination suit, it was wage discrimination. And in this Chamber, there's not one of you beautiful lady Senators who should make less money than me because I'm a man or Senator O'Malley because he's man. It -- it's just not right. And none of you would want that to happen to you, so why would you subject the women who will go before this commission to the same thing? It's just not fair.

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None of you would want to -- make less than a male Senator just because you're female, and you should consider that in your vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Many of our arguments are redundant, but -- and I had told Senator Shadid I wasn't going to speak on this issue, but I'm hearing some of these things and it's bothering me, not so much because of Maloof, but from our own comments about our own feelings. And, you know, we keep talking about hugs. This isn't about hugs. A hug that is warranted, a hug that is wanted, a hug that is received is fine. I have fourteen grandchildren, I hug -- I hug them all. But whenever that grandchild or that other person that I'm hugging says, "No", they say, "I don't want to be hugged, I don't want you touchy-feely with me", that's whenever you make the decision to stop. It appears in this case, to have, as -- as Senator Severns said, fifty women join on to a suit, that logically -- and -- and in our own mind, we have to think that there's a little smoke there and if there's smoke, there's got to be a little fire. And it just doesn't make a lot of sense to me to talk about hugs and kisses, because I think everyone enjoys to be hugged, loved, but this isn't about hugs and love. This is about unsolicited, unwarranted advancements that, unfortunately, as Senator Carroll said, did not go through the court process to be heard. I think we should look at this in a logical sense. Forget the emotion of the issue and -- and look at it from the standpoint: Is this person fitted for the position which he is going to be nominated to? And I think that's really the issue.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Last speaker, Senator Shadid...

SENATOR SHADID:

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Yes, I...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...for a second time.

SENATOR SHADID:

...stand up the second time, but I just wanted to make sure that everybody's aware that I was going to clarify that thirty-five years of secretarial work. I believe Mayor Maloof hired her in his second term. So, he -- she was with him for five or six years as his secretary, and she's been now elevated to a different position, a much better paying job. But, I'd like to clear up something that -- before everybody thinks that all fifty women were suing Mayor Maloof. He was not being sued by all fifty women. And it's too bad, and I'm not a lawyer, but it's too bad that this didn't go to trial, so everybody would have seen who exactly did what. But in many cases, in response to Senator Severns, a city -- and when I was the sheriff, we would settle things out, because the cost got too high and the insurance company says, "Well, this is as far as we're going. You're on you're own." And so that's when they settle these cases out, and I'm sure she's well aware of that. This is what's important. I'm not a lawyer, but the lawyer's fees became too big and the City took the easy way out, I feel, because most of the citizens, me included, wanted to hear exactly what took place and who did what. So thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, does the Senate advise and consent to the nomination just made. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On the -- a majority of Senators... On that question, the Ayes are 29, the Nays are 23, the Presents are 3, 4 not voting. And a majority

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of Senators elected did not concur by record vote for the nomination, and the -- the Senate rejects the nomination of Mr. Maloof for the Office of the Human Rights. Senator Petka.

SENATOR PETKA:

May I ask for postponed consideration of that vote?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

It's in order. Postponed Consideration. Senator Petka. What is your point of order, Senator Carroll?

SENATOR CARROLL:

Thank you -- thank you, Madam President. Just a point of order. I'm not aware that you can ask postponed consideration on a motion to -- to confirm an appointment or any other motion. I think you can only ask for -- yes, I think you can only postpone a record vote on a piece of legislation, but on a motion I don't think that can ever be postponed. You can just make another motion at another time. I think that...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Let's look into it and we'll advise you in a minute.

SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Carroll, we'll go on to the other message and then we'll come back to you. Senator Carroll. Senator Petka, do you have another nomination?

SENATOR PETKA:

Thank you, Madam President. With respect to the Governor's Message of May 21st, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Board of Aeronautical Advisors for a term ending January 18, 1999: James Loomis, of Rockford.

To be a member of the Agricultural Export Advisory Committee

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for a term ending January 18, 1999: William R. Yakey, of Stewardson.

To be a member of the Bi-State Development Agency for a term ending January 15, 2001: Michael Fausz, of Waterloo.

To be a member of the Central Midwest Interstate Low-Level Radioactive Waste Commission for a term ending January 18, 1999: Thomas Ortciger, of Leland Grove.

To be a member of the Children and Family Services Advisory Council for terms ending January 15, 2001: Frances Barnes, of Chicago; Linda Goforth, of Carbondale.

To be members of the Illinois Community College Board for terms ending June 30th, 2003: Gwendolyn Laroche, of Chicago; Joseph Neely, of Metropolis; Molly Norwood, of Carbondale; Martha Olsson, of Peoria; Delores Ray, of East St. Louis.

To be members of the Illinois Economic Development Board for terms ending November 1st, 1998: Nancy J. Foster, of St. Charles; Karen A. Ramos, of Tinley Park.

To be a member of the Illinois Electronic Data Processing Advisory Committee for a term ending December 31st, 1998: Steven Schweizer, of Glen Carbon.

To be a member of the Illinois Electronic Fund Transfer Advisory Committee for a term ending December 31st, 2000: John Fiore, of Wheaton.

To be a member of the Illinois Fiduciary Advisory Committee for a term ending January 1st, 2001: Judy Macior, of Chicago.

To be a member of the Illinois Gaming Board for a term ending July 1st, 2000: Gayl Pyatt, of Pinckneyville.

To be a member of the Illinois Health Care Cost Containment Council for a term ending September 5th, 1999: Nancy Mynard, of Chicago.

To be a member of the Illinois Human Resource Investment Council for a term ending July 1st, 1999: Dino Pigoni, of

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Norridge.

To be a member of the Advisory Board on Necropsy Services to Coroners for a term ending January 17, 2000: Kenneth Toftoy, of Yorkville.

To be a member of the State Board of Pharmacy for a term ending April 1st 1999: John Dik, of Western Springs.

To be the Public Administrator and Public Guardian of Johnson County for a term ending December 6, 1999: William Elliott, of Vienna.

To be a Public Administrator and Public Guardian of Henry County for a term ending December 6, 1999: Curtis Ford, of Geneseo.

To be the Public Administrator and Public Guardian of Jefferson County for a term ending December 3rd, 2001: Helen Thackrey, of Mt. Vernon.

To be a member of the Southern Illinois University Board of Trustees for a term ending January 20, 2003: John Brewster, of Herrin; George Wilkins, of Charleston.

To be a member of the Southwestern Illinois Development Authority for a term ending January 19, 1998: John Fruit, of Edwardsville.

To be members of the Southwestern Illinois Development Authority for terms ending January 17, 2000: Joseph Behnken, of O'Fallon; Mark Deschaine, of Belleville; Theodore Prehn, of Bethalto.

To be a member of the Advisory Council on Spinal Cord and Head Injuries for a term ending June 30th, 1998: Susan Scherl, of Chicago.

To be members of the Illinois Student Assistance Commission for a term ending June 30, 2003: J. Robert Barr, of Evanston; Kay Tokunaga, of North Barrington.

To be a member of the Waukegan Port District Board for a term

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ending May 31st, 2003: Robert L. Collins, of Mettawa.

To be a member of the Board of Trustees of Western Illinois University for a term ending January 15, 2001: J. Michael Houston, of Springfield.

To be a member of the Will County Metropolitan Exposition and Auditorium Authority Board for a term ending December 1st, 2001: Scott Ward, of Wilmington.

Madam President, having read the unsalaried appointments of May 21st, 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)

Any further discussion? Any discussion? Hearing none, the question, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the -- the -- the record. On that question, there are 56 voting Aye, none voting No, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Carroll, the Chair would like to respond to -- to your query. Although the Senate Rules do permit a motion for postponed consideration, the Chair prefers that a motion pursuant to Senate Rule 10-1(d) be made. This Rule provides for a motion to reconsider. ...for what purpose do you rise, sir?

SENATOR CARROLL:

Thank you. Just for clarification. As I understand what you're saying is you cannot postpone consideration. I believe, by the way, for purposes of the record that that would be violative of the Illinois Constitution in the Executive Article, Article V, dealing with the appointing powers, Section 9, by the Governor, in

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that it says that if we do not act within sixty days - basically says - that it is deemed an appointment. The Senate has taken record vote action. If you allowed postponed consideration, you would be, in effect, allowing a defeating of the Constitution and its sixty-day requirement. Your ruling seemed to be that -- not on postponed consideration, but a separate type of motion and -- and that was not the motion that was made.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I didn't make -- I did not make a ruling, Senator Carroll, on postponed consideration. All I said, if you recall correctly, Senator Carroll, I said, that the Rules do permit a motion for postponed consideration, but the Chair prefers that a motion pursuant to Senate Rule 10-1(d) be made. This Rule provides for a motion to reconsider. Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President. I'm glad to hear the Chair's preference. That was not the motion that was made.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Madam President. And I do recall our Rules saying that a motion to reconsider has to be made by someone voting on the prevailing side. So, Senator Petka, I do believe, voted in favor, though it's not on the board, so he would not have been the prevailing side, so that motion would not be in order under Senate Rules. It would have to have been someone who would -- had voted on the prevailing side.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Madam President, the Gentleman's point is well-taken. I withdraw that motion.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Motion's withdrawn. Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka moves to arise from the Executive Session. You've heard the motion. Those in favor, say Aye. Those opposed, Nay. The motion carries. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DEMUZIO:

Madam President, Fred Snodgrass, who is one of our doorkeepers, has his seventy-second birthday today, and there's a cake in the -- in the -- in front of me, down there, on -- on the Democratic side. So I'd like to recognize Fred Snodgrass on his seventy-second birthday, and invite you all to have a piece of his cake. So, happy birthday to Fred, wherever you are.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Happy birthday to Fred Snodgrass, and many more. ...Donahue, for what purpose do you rise, ma'am?

SENATOR DONAHUE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, ma'am.

SENATOR DONAHUE:

In the Republican side of the aisle gallery is a group from Baldwin Intermediate School in Quincy, and I'd just like them to welcome them -- to Quincy -- or, to Springfield and have them rise

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and be recognized.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will you all rise? Thank you for coming to Springfield and -- and enjoy your stay. We welcome you. ...O'Malley, for what purpose do you rise, sir?

SENATOR O'MALLEY:

A -- a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, Senator.

SENATOR O'MALLEY:

I would like to have us all welcome here today the eighth-grade class from the South Side Baptist School from Oak Lawn. They're immediately above the President in the gallery. I wish you'd stand and...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will our guests please rise? And welcome to the Senate. ...be at ease for a moment or two. Resolutions.

SECRETARY HARRY:

Senate Resolution 87, offered by Senator Carroll.

It's substantive, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Are there -- have -- there any motions been filed, Mr. Secretary?

SECRETARY HARRY:

Yes, Madam President. Senator Butler has filed a motion with respect to the advise and consent of a gubernatorial appointment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The -- Mr. Secretary, the Chair requests that this motion be printed on a Calendar. So ordered. Ladies and Gentlemen of the Senate, the Senate will stand in recess until the call of the Chair.

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(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDENT PHILIP:

The Senate will please come to order. We've had some requests for people to film and tape today: Fox 32, WTHI-TV, WSIL-TV, Illinois Thoroughbred Report. Is there leave? Leave is granted. If I could have your attention, please. If we could have the Members come out of their offices and get up on the Floor, we will proceed with business. The Senate will once again come to order. We have another request to tape this proceedings, WICS. Is leave granted? Leave is granted. We will now go into Executive Session for the purpose of advise and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message of May 21st, 1997, reported the same back.

PRESIDENT PHILIP:

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's Appointment set forth in his Message of May 21st.

PRESIDENT PHILIP:

You've heard the motion. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The motion has carried; we are in Executive Session. Supplemental Calendar No. 1 has been distributed. Motions in Writing. Mr. Secretary, read the motion.

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SECRETARY HARRY:

Pursuant to Senate Rule 7-15, and having voted on the prevailing side, I move to reconsider the vote by which the nomination of James A. Maloof, to be a member of the Illinois Human Rights Commission, failed.

The motion filed by Senator Butler.

PRESIDENT PHILIP:

Senator Butler -- having voted on the prevailing side, Senator Butler moves to reconsider the vote by which the nomination has failed. All those in favor, signify by saying Aye. Those -- all those in favor -- Senator Butler wants to say something. Senator Butler, go right ahead.

SENATOR BUTLER:

Mr. President, pursuant to Senate Rule 7-15, and having voted on the prevailing side, I move to reconsider the vote by which the nomination of James A. Maloof, to be member of the Illinois Human Rights Commission, failed.

PRESIDENT PHILIP:

All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 32 votes -- voting Aye, there are 20 votes Nay, 1 voting Present. The motion carries. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. With respect to the Governor's Message of May 21st, I would like to read the salaried appointment to which the Senate Committee on Executive Appointment recommends the Senate do advise and consent:

To be a member of the Illinois Human Rights Commission for a term ending January 15, 2001: James A. Maloof, of Peoria, Illinois.

PRESIDENT PHILIP:

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Any discussion? Senator Jacobs.

SENATOR JACOBS:

Mr. President, Ladies and Gentlemen of the Senate, we've been through this before. Not going to take a lot of time, but I just want to make sure our Members are aware of what is happening here, that we are reconsidering the vote on Mr. Maloof and whether or not he should be on the Human Relations {sic} (Rights) Commission, with the charges that have been filed against him. I think we've went through the debate sufficiently before and I just want to remind our Members of what we're voting on here.

PRESIDENT PHILIP:

Any further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 32 Ayes, 21 Nays, none voting Present. The majority of the Senators elected concurring by the record vote, the Senate does advise and consent to the nomination just made. Senator Petka. Senator Petka.

SENATOR PETKA:

Thank -- thank you, Mr. President. I would move now that we arise from Executive Session.

PRESIDENT PHILIP:

You've heard the motion. Those in favor, signify by saying Aye. Those opposed, Nay. The motion carries. Senator del Valle, for what purpose do you rise?

SENATOR DEL VALLE:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR DEL VALLE:

We have visiting today the Funston School from Chicago. Like

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to welcome them to Springfield.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate?

PRESIDING OFFICER: (SENATOR MAITLAND)

...Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Environment and Energy - Conference Committee Reports to Senate Bill 939 and House Bill 2164; to the Committee on Executive - House Joint Resolutions 20 and 24; to the Committee on Insurance and Pensions - Conference Committee Report to Senate Bill 423; to the Committee on Judiciary - Conference Committee Report to Senate Bill 408; to the Committee on Public Health and Welfare - Senate Amendments 1 and 2 to House Bill 204 and Amendment 1 to House Bill 1707; and Be Approved for Consideration - Conference Committee Reports to House Bills 460 and 1121 {sic}.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolution 88, offered by Senator Demuzio.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. ...Reports.

SECRETARY HARRY:

Mr. President, a correction to the Rules Report just read. Under the Order of Be Approved for Consideration, should have read Conference Committee Reports to Senate Bill 460 and House Bill 1121.

PRESIDING OFFICER: (SENATOR MAITLAND)

...Molaro, for what purpose do you arise, sir?

SENATOR MOLARO:

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A point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR MOLARO:

Point of information. I mean, is -- is there a subcommittee meeting going on on the Republican side of the aisle or is this an open meeting or a committee meeting? Because if it is, we'd like to take part in this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

I -- I'm going to walk over there now, as a matter of fact.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. I think that would be...

SENATOR MOLARO:

Find out what's going on.

PRESIDING OFFICER: (SENATOR MAITLAND)

...well-advised. Thank you. Ladies and Gentlemen, you have distributed on your desk Supplemental Calendar No. 2. If you will be -- if you would return to your seats and come back to order, we will be going to that Order of Business momentarily. All right. On page 2 of Supplemental Calendar No. 2, on the Order of Concurrence, Committee Reports. Mr. Secretary, do you have on file a conference committee report on House Bill 1121?

SECRETARY HARRY:

Yes, Mr. President. The First Conference Committee Report on House Bill 1121.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Conference Committee 1 on House Bill 1121 contains two bills that we previously passed out but

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needed some technical changes. The first part of the bill, the original bill, had to do with unsold mineral rights. There were some problems that the title companies expressed after the bill passed from the Senate, and they were addressed in the Conference Committee Report. And the other part is the Auto Leasing, Occupation and Use Tax, which the Department of Revenue had some more concerns about and wanted clarification. This is the language agreed to by the municipalities so there's no shortfall in their revenues, and I ask for a positive vote on the concurrence motion.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there -- is there discussion? Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1121. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on House Bill 1121. And the bill, having received the required constitutional majority, is declared passed. Okay. On Supplemental Calendar No. 2 on the Order of Conference Committee Reports. Mr. Secretary, do you have on file a conference committee report with respect to House -- Senate Bill 460?

SECRETARY HARRY:

Yes, Mr. President. The First Conference Committee Report on Senate Bill 460.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an issue which we have debated in the past. I think that most people

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know what -- what it does. It -- the bill has two provisions. One is to amend the Section of the Criminal Code that deals with providing for a trial in absentia and extends that to include misdemeanors. Right now it only covers felonies. The second issue deals with the issue of eligibility to run for office. A person who's been convicted of a felony, right now, can run for offices like State Representative, State Senator and statewide offices, but they can't run for municipal. What this bill says is that convicted felons cannot run for any office in the State of Illinois. And it does make an exception, however, if you have been elected. If you have been a conviction -- have a felony conviction and you've been elected, you can run for reelection, but reelection only. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I stand in support of Senate Bill 460, as amended. Senator Cullerton had acceded to the wishes of the Members of this Body and has made a -- a bill which we had some concerns about, regarding felons running for public office, he has made -- he has addressed those concerns. So that anyone who is, from this point forward, interested in running for public office anywhere in the State of Illinois cannot be a felon, let alone anyone who is currently serving in office would not be disenfranchised, having been already elected by their voters. I -- I commend Senator Cullerton. I would urge everyone to vote for this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the -- Senator Berman.

SENATOR BERMAN:

Question of the sponsor?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Berman.

SENATOR BERMAN:

Senator Cullerton, if I give you this hypothetical, would you explain to me the rationale behind this bill? When I was a young man - very, very young man - I was picked up with some drugs, and I was convicted of a felony and put on five years' probation. Thirty years pass, and I have been an outstanding citizen in those thirty years, and I want to run for Senator for the State Senate from the near north side of Chicago. Why shouldn't the voters of my district decide whether that felony should or should not, by voting no, disqualify me, rather than this bill disqualifying me?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, Senator, in response, first of all, for minor drug possession, we have on the books what's called 1410 probation, where -- or 1310 probation. You don't get a conviction. You -- you're, in effect, put on a period of like supervision and once your -- that period is over, you wouldn't get a conviction. However, if you did get a felony conviction, the -- my advice to you, in order to be able to run for office, would be to get a pardon from the Governor. Because if there is a pardon granted from the Governor, that conviction then would be wiped out and you'd be eligible to run.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 460. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 48 Ayes, no -- 6 Nays, no Members voting Present. The Senate

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does adopt the Conference Committee Report on Senate Bill 460. And the bill, having received the required constitutional majority, is declared passed. Senator Watson, for what purpose do you arise sir?

SENATOR WATSON:

Yes. Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR WATSON:

Yes. We have a group here from the St. Peter Lutheran School in my district, with their teacher, Mike Urban, and they're in the President's Gallery. And I'd appreciate it if we would welcome them and have them stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Would our guests in the gallery please rise and be recognized by the Senate? Welcome to Springfield. Senator Syverson, for what purpose do you arise, sir?

SENATOR SYVERSON:

Thank you, Mr. President. We will be holding a Public Health Committee meeting in Room 400, at 4:45. 4:45 tonight. We'll be discussing amendments to House Bill 204 and House Bill 1708 -- 1707, excuse me, which is the welfare and child support bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you. Senator Lauzen, for what purpose do you arise, sir?

SENATOR LAUZEN:

Thank you, Mr. President. Inadvertently, I pressed the wrong switch on Senate Bill 460, Conference Committee. I'd like the record to record a Yes vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen, the record will -- will accurately reflect what your intent would have been. Senator Klemm, for what purpose

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do you arise, sir?

SENATOR KLEMM:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR KLEMM:

The Senate Executive Committee has been recessed until after we adjourn today. So, Members of the Senate Executive Committee, as soon as we adjourn, please come to Room 212, and we'll complete our business. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm, just let me make one correction. Our intent is to -- to recess at this point, instead of adjourn officially. So the Executive Committee will be meeting after we recess, is that correct? Thank you. Ladies and Gentlemen, momentarily we are going to recess, and the purpose of recessing rather than to adjourn will be to receive any paper that might be coming over from -- from the House. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I'd like to ask Senator Klemm a question, if I might, with respect to the Executive Committee reconvening. The Rules Committee just approved, and was read into the record, two additional resolutions to be referred to the Executive Committee. I'm wondering if we could waive the posting requirements and ask that they be heard this afternoon and get those out of the way, if it's -- if it's with the Senator's -- meets with the Senator's approval?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Well, they do require a six-day posting notice and it has not

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been our policy to waive the posting notices. So, as -- all I know, that we do have resolutions that had been properly posted that we did not dispose of during our meeting earlier.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Klemm, you know as well as I do the adjournment date is Saturday, and anyone would know that by posting that would mean next week. I mean, it seems to me that these are noncontroversial and as a result, by simply waiving the rules, that -- it just seems to me it would be fitting and proper that we do it. I think one is for the blind and another deals with regional superintendents, I think, in the education area. So, it just seems to me that maybe we ought to just do that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

For purpose of a motion.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your motion.

SENATOR KLEMM:

Well I'd like to re-refer, from the Executive Committee, House Joint Resolution 20 and 24 back to the Senate Rules Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

We found another procedure, so I'll withdraw my motion.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Inquiry of the Chair, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

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State your inquiry.

SENATOR WELCH:

The previous person sitting in your Chair said that we would recess until we got some paperwork. Do you expect that we will be voting on anything after the -- we come back in? Will there be any recorded votes, or is that it for the day?

PRESIDING OFFICER: (SENATOR DONAHUE)

Actually, Senator, we've done this frequently, to where we leave the Chair open in order to receive paper from the House. It is not our intention to have any votes. On the Order of Secretary's Desk, Concurrence, at the bottom of page 8, is Senate Bill 797. Senator Philip. Mr. Secretary. Oh. Senator Philip.

SENATOR PHILIP:

Thank you, Madam President. I move the Senate nonconcur on Senate Bill -- excuse me, 797.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Philip moves that the Senate nonconcur in House Amendments 1 and 2 to Senate Bill 797. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. If I could have your attention. As the Chair indicated, we are awaiting paper from the House and we will -- it is our intent to recess till the call of the Chair. We have committee meetings to meet, and we will reconvene -- or, come back in the morning at 10 a.m. That's the time that we'll be back in -- in the Senate Chambers - 10 a.m. in the morning. The Senate stands in recess.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpriel, for what purpose do you rise?

SENATOR KARPIEL:

Before all the Members get out -- out of my -- out of hearing, and can't hear me, I want to let you know that there is a Republican Caucus immediately in Senator Philip's Office. A Republican Caucus immediately. All Members be there, please.

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PRESIDING OFFICER: (SENATOR MAITLAND)

...Klemm, for what purpose do you arise, sir?

SENATOR KLEMM:

Yes. Thank you, Mr. President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement, Senator Klemm.

SENATOR KLEMM:

We have had a change, again, in the Executive Committee meeting, because of the Caucus that the Republicans are going to be holding. We will now meet at 9 a.m., tomorrow, Friday. So that would be - what? - May 30th. So, 9 a.m., in Room 212, we will complete our business, and that will allow everybody to finish over in the -- in the House. Okay.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate Executive Committee will meet tomorrow at 9 a.m. in Room 212. Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...further business to come before the Senate? If not, Senator Peterson moves the -- the Senate stand adjourned until 10 a.m., Friday, May 30th.

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