

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

113th Legislative Day

November 17, 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 gallery please rise? Our prayer today will be given by Father Tony Longhi, St. Paul Episcopal Church, McHenry, Illinois. Father Longhi.

FATHER TONY LONGHI:

(Prayer by Father Tony Longhi)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR DONAHUE)

Reading of the Journal, Mr. Secretary.

SECRETARY HARRY:

Senate Journal of Thursday, November 5th, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler moves to approve the Journal just read. There being no objection, it is so ordered. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Motions have been filed on the following Senate bills by the following Members: Senate Bill 1510, Senator Philip; Senate Bill 1279, Senator Thomas Walsh; Senate Bill 1386, Senator Trotter; and Senate Bill 1755, by

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Senator Clayborne.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SECRETARY HARRY:

Message from Senator Fitzgerald. To the Honorable James "Pate" Philip, President of the Senate, dated November 13th, 1998:

Dear Senator Philip - Please accept my formal resignation from the office of State Senator, 27th Legislative District of Illinois, effective Monday, November 16th, 1998. It has been a privilege to represent the people of my district for the last six years. During that time, I have developed great respect, and affection, for (my) many constituents. I thank them for the opportunity to serve. I look forward to representing them - and all the people of Illinois - in the United States Senate. It is a tremendous responsibility. To that end, I will continue the work of advancing the interests of our great State and Nation.

Very truly yours, Peter G. Fitzgerald.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 256, offered by Senator Shadid and all Members, as is Senate Resolution 257.

Senate Resolution 258, Senator Clayborne and all Members.

And Senate Resolution 259, by Senator Dillard and all Members. They're all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1951, offered by Senator Maitland.

(Secretary reads title of bill)

And Senate Bill 1952, also by Senator Maitland.

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(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2478.

(Secretary reads title of bill)

The bill offered by Senator Myers. 1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Myers, for what purpose do you seek recognition?

SENATOR MYERS:

Madam President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR MYERS:

I'm happy to introduce to the Senators and to the crowd the Wright family, in the President's Gallery. If they'd please rise.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate?
Welcome to Springfield.

SENATOR MYERS:

It's -- it's Phil Wright, Mary Liz - the parents - Madden, Agnes and Nora. And they're involved in 4-H in part of my district. Happy to have 'em here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome. ...could have the Members' attention: We will be going to page 5 on today's Calendar, Motions in Writing to Accept Specific Recommendations for Change. First up will be Senator Viverito. So be in your places, please. Senator Viverito. On page 5 is - on the Calendar - the Order of Motions in Writing to Accept Specific Recommendations for Change. Senator Viverito, on Senate Bill 1203? Read the motion, Madam Secretary.

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ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1203, in manner and form as follows:

Amendment to Senate Bill 1203

in Acceptance of Governor's Recommendations

Filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR DONAHUE)

If we could have your attention, please. Will all the Members please be at your desks? Will the staff please take your conversations off the Floor and the Members please be in your seats. ...the Members please be at your seats? Please take your conversations off the Floor. Senator Viverito.

SENATOR VIVERITO:

I thank you, Madam Chairman. This Senate Bill 1203 permits townships in Cook County to establish special service area. This is just some special considerations that went -- some technical changes and your cooperation would be appreciated. And I'm sure the people in the unincorporated areas would appreciate it as well. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito has moved to accept the specific recommendations of the Governor as to Senate Bill 1203. Are there -- any discussion? Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to -- Senate Bill 1203, in the manner and form just stated by Senator Viverito. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, no Nays, and none voting Present. The specific recommendations of the Governor as to Senate Bill 1203, having received the required constitutional majority, is declared passed. Senator Dudycz, on Senate Bill

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1335? Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1335, in manner and form as follows:

Amendment to Senate Bill 1335

in Acceptance of Governor's Recommendations

Filed by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Thank you -- thank you, Madam President. The Governor's recommendation was -- or, his objection was solely technical in nature and he has made the technical corrections. And I motion that we do accept the Governor's recommended changes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz has moved to accept the specific recommendations of the Governor as to Senate Bill 1335. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1335, in the manner and form just stated by Senator Dudycz. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1335, having received the required constitutional majority, is declared passed. Senator Butler, on Senate Bill 1599? Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1599, in manner and form as follows:

Amendment to Senate Bill 1599

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in Acceptance of Governor's Recommendations

Filed by Senator Butler.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. Ladies and Gentlemen, Senate Bill 1599 basically pertained to school districts who were in some financial problems. And this -- these are corrections that have tightened up the requirements. I know of no opposition to them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. Senator Butler has moved to accept the specific recommendations of the Governor as to Senate Bill 1599. Any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR HAWKINSON:

Senator, on -- on the bottom of the Governor's Veto Message, it talks about replacing line 3 with the language: The district had an enrollment of no fewer than four thousand pupils during the 1997-1998 school year... Is -- is that a limiting change that will knock out any school district that is smaller than four thousand from the benefits of this Act? And if so, why?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Yes, it's a limiting factor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

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Why do you intend to limit this to larger school districts - the benefits of this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

I think it was an effort to limit the exposure on this, in order to tighten up the window.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

But why deprive smaller school districts of the benefits instead of, say, doing it in the reverse fashion? You could limit it by limiting it to smaller school districts, as opposed to larger school districts. What's the purpose of not allowing smaller districts the benefit of -- of this legislation? And could you explain -- remind us of what the benefits of this legislation are that we're now going to be not letting the smaller districts access?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

I think -- I think it could've gone either way, Senator. But this was the result of some negotiations to -- again, to limit the exposure to those districts which would need it the most. You could broaden it; there's no question that you could've come at it the other direction. But I think, as a result of the negotiation, this was deemed to be probably the most effective and the least costly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Could you tell us what the benefits of this legislation are?

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I mean, what kind of funding will this be? Is this -- is this for school districts needing alternative schools? Is this for those in financial distress? I see both mentioned in the Veto Message.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

No. This strictly deals with financial-distressed schools. It has nothing to do with any other.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Just -- so just to be clear: If a smaller school district -- and this is fairly large; anything under four thousand pupils would be deprived. I think most of our downstate districts would be smaller than -- than this. If any of those districts are in financial distress, they will not be able to access this -- this funding. Only those school districts with four thousand or more pupils as of the last school year will be able to access. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

The best way to answer that is say it not only limited size, but it's also limiting in terms of the -- of the -- of the program, the length of the program. So it's -- it's a one-year program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, are you completed? Is there further discussion? Is there further discussion? Senator Butler, to close.

SENATOR BUTLER:

I ask for your favorable vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1599, in the manner and form just stated by Senator Butler. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 10 Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1599, having received the required constitutional majority, is declared passed. WCIA-3 requests permission to videotape, as well as IIS. Is there any discussion? Any concern? Leave is granted. Senator Klemm, on Senate Bill 1838? Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1838, in manner and form as follows:

Amendment to Senate Bill 1838

in Acceptance of Governor's Recommendations

Filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President - excuse me - and Ladies and Gentlemen of the Senate. Senate Bill 1838...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Klemm. I know we're all glad to be back, but let's keep our conversations down or off the Floor. And I'm not going to continue till you're in your seats and the staff conversations are off the Floor. Senator Klemm.

SENATOR KLEMM:

Thank -- thank you. Senate Bill 1838 has a technical change by the Governor. It changed -- in the bill we had inadvertently

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corrected a reference paragraph 4 and it should have been 4.1. The underlying bill was to allow the Department of Human Services to establish a family voucher program, a pilot program that has been very successful in its pilot attempt so far. We've had increases of two hundred and twenty percent of helping people in respite care for their disabilities that we've shown throughout the State. And I think it's an excellent program. It has to report to the General Assembly by March 1st, year 2000. So I would ask that this technical change be approved. So I move to accept the specific recommendations of the Governor to Senate Bill 1838.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm has moved to accept the specific recommendations of the Governor as to Senate Bill 1838. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to -- Senate Bill 1838, in the manner and form just stated by Senator Klemm. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1838, having received the required constitutional majority, is declared passed. Resolutions.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 77, offered by Senator Cronin.

And Senate Joint Resolution 78, offered by Senator Berman.

They are both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Madam President. I would like to announce - if

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everyone could hear me - I would like to announce a Republican Caucus for tomorrow morning at 10 o'clock in Pate Philip's -- Senator Philip's Office - 10 o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

A point of inquiry, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR DEMUZIO:

Are -- are we still -- is it -- are we still going to be here on Thursday? Is it necessary for us to be here on Thursday? We're still going to be here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Our schedule does call for that at this point, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Well, it's like I ask my students, is that a yes or a no? Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

I believe that's a yes, Senator. ...could have your attention for just a minute. We're going to stand at ease until after the Rules Committee meets. So we'll -- Senate stands at ease. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. I filed a -- an emergency resolution that I would like the opportunity to have it heard, but it can wait after -- after they come back from Rules.

PRESIDING OFFICER: (SENATOR DONAHUE)

It -- there has -- few things have to happen, Senator, but it will happen.

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(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

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 Bill 448 and Senate Joint Resolution 77; refer to Insurance and Pensions Committee - Senate Bill 1921 and a Motion to Concur with House Amendment No. 1 to Senate Bill 1901; refers to Licensed Activities Committee - House Bill 2688; and Be Approved for Consideration - Senate Bills 1 and 2, Senate Bill 1901, House Bills 871 and 877.

Filed by Senator Weaver, Chairman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary, have there been any motions filed?

ACTING SECRETARY HAWKER:

I have a motion filed by Senator Dudycz with respect to Senate Bill 1210.

PRESIDING OFFICER: (SENATOR DONAHUE)

Madam Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Resolutions.

ACTING SECRETARY HAWKER:

Senate Bill -- pardon me, Senate Resolution 260, offered by Senator Hendon.

And it is substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further business to come before the Senate? If not, Senator Watson moves that the Senate stand adjourned until

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the hour of 11 a.m., Wednesday, November 18th. The Senate is adjourned.

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