

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

116th Legislative Day

June 10, 1992

PRESIDENT ROCK:

The hour of twelve-thirty having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Prayer this afternoon by Pastor John Kellogg, Sullivan Pentecostal Church, Sullivan, Illinois. Reverend.

THE REVEREND JOHN KELLOGG:

(Prayer by the Reverend John Kellogg)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals of Tuesday, June the 9th, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Messages from the House.

SECRETARY HAWKER:

A Message from the House, by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 142.

It is congratulatory.

I have a like Message on House Joint Resolution 145. They were both adopted by the House, June 9, 1992.

PRESIDENT ROCK:

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Consent Calendar. Committee Reports.

SECRETARY HAWKER:

Senator del Valle, Chairman of the Committee on Consumer Affairs, reports House Bills numbered 3410 and 4163 Do Pass.

Senator Berman, Chairman of the Committee on Elementary and Secondary Education, reports House Bills numbered 600, 1890, 2726, 2755, 3513, 3695, 3735, 3882, and 4022 Do Pass; and House Bills numbered 1132, 2940, 3070, 3115 and 3385 Do Pass, as Amended.

Senator Welch, Chairman of the Committee on Energy and Environment, reports House Bills numbered 3029, 3039, 3095, 3168, 3251, 3380 3605, 3666, 3843, 4025, 4027, 4037, 4040, 4041 Do Pass; and House Bills numbered 3329, 3435, 4039 and 4112 Do Pass, as Amended.

Senator Jones, Chairman of the Committee on Insurance, Pensions and Licensed Activities, reports House Bills numbered 2824, 2825, 2928, 3050, 3092, 3166, 3188, 3228, 3281, 3282, 3323, 3326, 3356, 3361, pardon me, that was 3561, 3573, 3673, 3787, 3815 and 4024 Do Pass; and House Bills numbered 2645, 2730 and 3519 Do Pass, as Amended.

Senator Severns, Chairman of the Committee on State Government Organization and Administration, reports House Bills numbered 1680, 2697, 2714, 3101, 3587, 3592, 3599, 3650, 3811, 4160 and 4170 Do Pass; and House Bills numbered 3479 and 4079 <sic> (4070) Do Pass, as Amended.

PRESIDENT ROCK:

Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 911, together with House Amendment No. 3.

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Passed the House, as amended, June 9, 1992.

PRESIDENT ROCK:

Secretary's Desk. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1368 offered by Senator Hawkinson.

Senate Resolution 1369 offered by Senator DeAngelis.

Senate Resolution 1370 offered by Senator Watson.

Senate Resolution 1371 offered by Senator Carroll.

Senate Resolution 1372 offered by Senator Dudycz.

Senate Resolution 1373 offered by Senator Davidson.

Senate Resolution 1374 offered by Senator Topinka.

And Senate Resolution 1375 offered by Senator Demuzio and all Members.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar. Senator Raica, for what purpose do you arise?

SENATOR RAICA:

Thank you, Mr. President. With the permission of the Chair, Mr. President, I would like to move to refer House Bill 4168 from Judiciary I to the Executive Committee, and waive the posting notice so the bill may be heard in committee.

PRESIDENT ROCK:

All right. The Gentleman seeks leave to re-refer House Bill 4168 to the Committee on Executive, and waive the posting so it can be heard today. Without objection, leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a very important matter. Last night the Illinois Senate, for the first time in forty years, beat the House in the baseball game, with a score of 13 to 11. We want you -- we want you to know, Mr.

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President, that this game was in memory of Peter Miller, and also to recognize Members of the House that are leaving us, such as you; Dick Kelly, who pitched a terrific game; Billy Marovitz and others. But I'd like to mention that two of the women played with the team - and it's a good thing they were there or we wouldn't have had a team - Jan Joyce and Pam Munizzi. Probably for the first time bets weren't made, because they thought the Senate was a -- a gone goose. And consequently, our boys played -- and girls - played their hearts out. We were behind in the first inning, 8 to 0. We made it up and we won, we didn't even have to use our wraps, and we won by the score of 13 to 11. I'd like to commend co-captains Frank Watson, who hasn't been able to sit still since winning last night, and Dick Kelly, the same; Pam Munizzi and Mr. Dart, the new man on the fields; Billy Marovitz, and that's his hurrah -- last hurrah last night; Jan Joyce, who did better than her husband ever did, because he never played baseball for us; John Cullerton, you surprised me - you were better in the field than you're in legislation sometimes, but you were terrific last night, John - just terrific; and Miguel del Valle, who came in when we needed him and he hit the ball and got some runs and -- in; and of course, Carl Hawkinson caught -- caught the last out of the boys playing from the Senate. They finally let one woman play on the House team, by the way, and she did get a hit, more than some of the others did. And Carl Hawkinson, who caught the last ball and made them all out; and Bobby Raica, who finally got his hit and caught some good ones; and David Barkhausen moved for a change, and did well. And he made a good hit and caught some, and let me tell you, these -- we -- we give this tribute to all of our colleagues in the Senate. And Pam Munizzi has a baseball that was donated by Stan Musial, and she would like everyone to autograph it. And we have a very beautiful big trophy, and I'm going to suggest that one year it sits in Senator Pate Philip's Office and

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the following year it sits in the President of the Senate's Office, and if it's Pate Philip again, fine - it will stay there for two years. But anyway, I want to tell you - it was great. I was an announcer for the Republicans and Jimmy DeLeo was the announcer for the Democrats, and I wasn't biased; I was simply prejudiced. But anyway, they did a great job, and in honor of our colleagues who are leaving the Senate, that's also why the boys and girls on our side played so well. But it is great to win. I saw Gary LaPaille in the elevator today, and he said, "Well, I'm glad you won, because I'm coming over." I says, "Fine - you play baseball?" He says, "Yes." "Well, if you bring your troops over, then maybe we will win constantly in the Senate." So I want to say, congratulations to Dick Kelly and to Frank Watson and all the fellows and girls I mentioned, and Dick, maybe your leaving us, but we will never forget you, and I mean that sincerely. And Billy, that goes for you, too. And the girls - Jan Joyce, you should run again for heaven's sakes, 'cause we need people like you on the baseball team. And Pam, you do the same; talk to your political hammers for heaven's sakes - I don't know why they didn't send you back. But I want to say congratulations. We're very happy. We're delighted. We love all of you, and we girls have decided we want to give a little party for you, but we have to figure out whether to get the money out Phil or out of Pate. I think we will get it out of both, to throw a party for the winning baseball team in the history of forty years. Congratulations to all of you. Let's give them all a big hand and sign the ball.

PRESIDENT ROCK:

Senator Geo-Karis, that recap was longer than the game was. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President. For a point of personal privilege.

PRESIDENT ROCK:

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State your point, please.

SENATOR JONES:

I'd like for the Senate to welcome the eighth grade elementary school from the City of Chicago along with their teacher, Ms. Nealy, and their LSC person, Ms. Robertson, and parents that are escorting them to Springfield. Let's give them a warm Senate welcome.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. Will Senators Kelly and Watson join me on the Podium? The traveling trophy is about to be bestowed on the winning team.

MR. EDWARD B. WALLACE:

(Remarks and presentation by Mr. Edward B. Wallace)

SENATOR KELLY:

I would like to ask the rest of our team to come on up here so we can get some pictures. Everybody that played last night - come on up here.

PRESIDENT ROCK:

Ladies and Gentlemen, if I can have your attention. We have, in the next twenty or thirty minutes, a number of special guests that are with us today, and I would hope we would afford them the courtesy of a proper introduction. It is my pleasure today, along with Senator Sam, to introduce to you the Illinois Mother of the Year, who happens to be from Senator Sam's district. Many of us have heard her speak or read her column or her many books and are familiar with her work on behalf of the organization she founded - the Eagle Forum. In her spare time she has raised six children with her husband of forty-three years. She graduated from Washington University, Phi Beta Kappa, received her master's degree in political science from Harvard, and obtained her law degree from Washington University Law School. Her biography says that her lifetime hobby has been politics, and actually she has

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served as an elected delegate to six Republican National Nominating Conventions and as an elected alternate delegate to two others. She was a member of the commission on the bicentennial of the United States Constitution; has served five terms as a member of the Illinois Commission on the Status of Women; and has served as a member of the Administrative Conference of the United States. That is quite a hobby. Please join me in welcoming a good friend of Senator Sam's, and of all of ours, the 1992 Illinois Mother of the Year, Phyllis Schlafly.

PHYLLIS SCHLAFLY:

(Remarks by Phyllis Schlafly)

PRESIDENT ROCK:

All right. Ladies and Gentlemen, we have another very special guest, and for the introduction the Chair will yield to Senator Jack Schaffer.

SENATOR SCHAFFER:

Thank you -- thank you, President Rock. This is a momentous year. After twenty years down here we -- we finally win a baseball game, and I finally have a - I can't say a Miss; in this case, it's a Mrs. - contestant in my district. Been somewhat frustrating - they all seem to come from Senator Watson and Senator Rea's districts. So it's kind of nice knowing all these years though that we have so many lovely and talented ladies in my district. I never could quite figure out how those two guys had a monopoly on all the contestants, but finally things have prevailed in the northern part of the State, and we have with us today Genelle Wire Spencer, who is from Island Lake in my district and Representative Klemm's district, and she will be -- is Miss U.S.A. for Illinois and will be competing in that pageant, I believe this fall. I would like to ask her to say a few words to the Senate.

GENELLE WIRE SPENCER:

(Remarks by Genelle Wire Spencer)

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SENATOR SCHAFFER:

Now President Rock, if only the Cubs can win the series, it will be a complete year.

PRESIDENT ROCK:

If I can have your attention - and I would ask the staff to please take the conferences off the Floor for the moment. We have again a very special guest. Mr. Harry Schwarz is the South African Ambassador to the United States. He is the first serving politician from opposition ranks to be appointed to a senior ambassadorial post in South African history. He is a veteran member of the anti-apartheid opposition in the South African Parliament and he was, at the time of his appointment, a member of Parliament for the Yeoville-Johannesburg constituency. He is the Democratic Party spokesman on finance, and the Deputy Chairman of the Parliamentary Standing Committee on Finance. Mr. Schwarz has been recognized as a longtime advocate of human rights in negotiation to formulate a new Democratic constitution. Ladies and Gentlemen, please let's welcome Ambassador Harry Schwarz.

AMBASSADOR HARRY SCHWARZ:

(Remarks by Ambassador Harry Schwarz)

PRESIDENT ROCK:

Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Sitting next to me on my right is an old, old friend, the retired Senator from Lake County - used to be the county treasurer - Carl Berning. He's now down in Florida, and I would like the Senate to acknowledge him. He's a great guy.

PRESIDENT ROCK:

Senator Berning, welcome back. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

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A point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

Ladies and Gentlemen of the Senate, I would like you to meet Mrs. Laura Newell - N-E-W-E-L-L - who is one of our fine teachers of twenty-five years standing. Teaches in North Chicago and lives in my City of Zion. I'd like you to welcome her. Laura, will you stand.

PRESIDENT ROCK:

Welcome to Springfield. Senator Karpriel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would also like to rise on a point of personal privilege, and I would like to introduce to you Mr. Jim Patylek, who is a trustee in the Village of Bartlett, which is in my district. He's visiting the Senate today.

PRESIDENT ROCK:

Jim, welcome to Springfield. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, also on a point of personal privilege. In the gallery - and Senator Philip, I think, forgot to mention this - we have Senator Berning's wife, Mickey Berning, a very gracious lady who I remember very fondly from my early days, who was always a good friend, and we're delighted to have her with us too, and there's always a good woman behind a good man, I've found.

PRESIDENT ROCK:

Mrs. Berning, welcome back. Nice to see you again. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like the record to reflect that

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Senator Rea is still absent, due to illness.

PRESIDENT ROCK:

The record will so reflect. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1376 offered by Senator Macdonald.

It is congratulatory.

PRESIDENT ROCK:

Consent Calendar. Any further business? Senator Luft, for what purpose do you seek recognition?

SENATOR LUFT:

Thank you, Mr. President. I would like to do, if possible, Revenue at 1:30.

PRESIDENT ROCK:

All right. Revenue Committee will meet at 1:30 in the scheduled arena. Senator Marovitz.

SENATOR MAROVITZ:

For the purpose of discharging Committee and re-referring House Bill 3260 to the Senate Executive Committee, to be heard today.

PRESIDENT ROCK:

All right. The Gentleman seeks leave of the Body to discharge the Committee on Judiciary from further consideration of House Bill 3260, and asks that it be re-referred to the Committee on Executive, to be heard today. Discussion on that motion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would rise to object to this. It's -- is 3260 not a bill that deals with child support? I would think that -- Senate Executive has never dealt with child support issues; it should be in Jud I, which is where I understand it is right now. It should remain there.

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PRESIDENT ROCK:

Further discussion? Senator Smith, on this matter?

SENATOR SMITH:

No, no. I have another.

PRESIDENT ROCK:

Okay. Senator Hall, on this subject? No. Okay. Senator Marovitz.

SENATOR MAROVITZ:

To answer the Lady's inquiry, the bill was not posted for a hearing in the Judiciary Committee, so it never got an opportunity for hearing, despite about seventy-five or eighty hours of work of all parties involved in State Government, agencies, departments, child groups, bar associations and everyone else who were -- many of whom were down here and would like a hearing on the bill. It never did get posted, and for that reason, we'd like to have a hearing on the legislation and have the full Executive Committee hear the merits, or demerits, of the bill.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

The bill did not get a hearing because -- in the manner in which the bill was presented to me, and that was that Senator Marovitz originally had a bill in the Senate, and I was presented with the bill without an opportunity to present adequate witnesses. I was also called by several organizations who were in opposition to the bill. As a result, I put that in a working subcommittee, and planned to conduct hearings that will take place, not just merely in Springfield, but will take place in other cities around the State, to afford all people to testify on the bill. This second bill that has come over from the House is essentially identical, and I have told the people that have asked, that it would get the same hearing that the other bill would get,

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and that would be a full and complete hearing, but I did not think that in this particular year that a bill that would have such a large impact on the citizens, ought to be a bill that was rushed. And that is the reason why the bill did not receive a hearing, but will receive a full hearing.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. In response, I would just simply say that if that's the case, then there's no reason that we should move this bill and put it before Executive, which are people that are not experts in the area of Judicial law. So I think it should stay in Jud I. It should have the type of hearing that Senator Dunn was talking about, and it should stay there.

PRESIDENT ROCK:

All right. Further discussion? Senator Marovitz, you wish to close on the motion?

SENATOR MAROVITZ:

I -- I do, Mr. -- Mr. President. This bill got a hearing in the House, went through Floor debate, many amendments were added - by both parties. Like any other piece of very important legislation - this one dealing with child support, which affects every child in the State of Illinois, and every family in the State of Illinois - it should go through a committee hearing. It should then go through the -- the full Senate. I don't know of very many cases where a bill that comes out of the Rules Committee in an emergency year and has been designated by the leadership of the Senate as emergency legislation and assigned to a committee, doesn't get posted for a hearing on an issue that the leadership feels is important in an emergency year. This is a rare case, where a bill did not even receive posting or a hearing. We have a lot of important issues dealing with airports and other things

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that are -- are going to get hearings and are going to be dealt with. This is an issue that deals with child care, and is one of the most important issues to be before the Legislature. The leadership and the Rules Committee designated it an emergency. All we're asking for is a hearing on the legislation. Everyone's going to have to vote on it. So whether you're an expert or not, you'll be able to hear the testimony from the judges and the bar associations, and the women's groups and the child care advocates. You'll have to vote on it one way or the other, and we think that -- we're trying, at least, to go through the committee process. That is all this bill -- this motion is for, is to get a hearing, because the bill wasn't posted, and we'd like to get a hearing on the legislation.

PRESIDENT ROCK:

All right. The Gentleman has moved to discharge the Committee on Judiciary from further consideration of House Bill 3260, and asks that it be re-referred to the Committee on Executive. That motion will require 30 votes. Those in favor of the motion, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 25 Ayes, 28 Nays. And the motion fails. Further business to come before the Senate? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. As Vice Chairman of Labor, I'd like to announce that Labor will be meeting directly after this meeting here, in Room 1A, Stratton Building, and we're asking that all who are involved with the Labor Committee will please be present. Thank you.

PRESIDENT ROCK:

All right. Senator Hall.

SENATOR HALL:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd just like to remind everyone, at one o'clock tomorrow, Appropriation II will be meeting in Room 212.

PRESIDENT ROCK:

All right. Further business? Further announcements? Senator -- Senator Smith.

SENATOR SMITH:

I'd like to also announce, Mr. President, that on tomorrow at one o'clock, Health, Welfare and Corrections will be meeting in Room 400. Your presence is desired. Thank you.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The Senate Executive Committee will meet at 1:45 in Room 212.

PRESIDENT ROCK:

1:45 in 212. Revenue meets at 1:30, as does Labor. Any further business? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. To the Members of the Election Committee: we have one bill, but we do have the County Clerk from Cook County who will be giving us testimony. Please plan to be there for just about a half an hour tomorrow. Thank you.

PRESIDENT ROCK:

All right. Any further business? If not, Senator Vadalabene moves that the Senate stand adjourned till Thursday, June 11. Tomorrow, Ladies and Gentlemen, at the hour of noon. High noon, tomorrow, we'll attempt to accommodate the committee schedule. Senate stands adjourned.

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