

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

PRESIDENT: 17

The hour of one having arrived, the Senate will please come to 19
order. Will the members be at their desks, and will our guests in 20
the gallery please rise. Our prayer this afternoon by the 21
Reverend Richard B. Maye, Second Timothy Missionary Baptist 22
Church, Springfield, Illinois. Reverend.

REVEREND RICHARD B. MAYE: 24

(Prayer given by the Reverend Maye) 26

PRESIDENT: 28

Thank you, Reverend. All right, Ladies and Gentlemen, before 30
the respective Caucus Chairmen issue their request for caucuses, 31
Channel 7 and Channel 3 have requested permission to film, and 32
Julie Phillips of the Marion Daily Republican has requested leave 33
to take some photographs. As we have with us today a very special 34
couple of guests, but before we go to caucus, I wanted the Senate 35
to have an opportunity to meet. There has been a resolution 36
introduced, and with leave of the Body, we would, Madam Secretary, 37
go to that order for the purpose of that Resolution...Resolutions,
Madam Secretary. If you would read that, please. 38

SECRETARY: 40

Senate Resolution 247, offered by Senator Rea, President Rock 43
and all Members.

(Secretary reads Senate Resolution 247) 45

PRESIDENT: 47

All right. Senator Rea has moved to suspend the rules for the 49
immediate consideration of Senate Resolution 247. All in favor of 50
the Motion to Suspend indicate by saying Aye. All opposed. The 51
Ayes have it. The rules are suspended. Senator Rea now moves the 52
adoption of Senate Resolution 247, and I would ask all in favor to 53
please rise and welcome Petty Officer Kendall Truitt. The 55
Resolution is adopted, and the Chair will yield to Senator Rea.

SENATOR REA: 57

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

Thank you, Mr. President, members of the Senate. It gives me 59
great pleasure today for us to honor a person from my district, 60
who has shown so much courage and has been a person that has meant 61
so much to people throughout this nation for his work that he has 62
done, his dedication, his commitment, and today I want to not only 63
present him here today, but his wife, Carol, who has joined him 64
and at this time, it gives me great pleasure to present to you 65
Petty Officer Kendall Truitt, who certainly is one that has been 66
known throughout the area and throughout the United States, and
ask him to say a few words at this time. 67

PETTY OFFICER KENDALL TRUITT: 69

(Remarks by Petty Officer Kendall Truitt) 71

PRESIDENT: 73

Senator Berman, for what purpose do you arise? 75

SENATOR BERMAN: 77

Thank you, Mr. President. A point of personal privilege. We 79
are joined today by a gentleman who has gone through a...not as 80
many dramatic battles as our previous guest, but many hard 81
battles in the House and then in the Senate, is our colleague, 82
Senator Sam Maragos.

PRESIDENT: 84

Sam, welcome back, nice to see you. Senator Vadalabene. 87

SENATOR VADALABENE: 89

Yes, thank you, Mr. President and members of the Senate. 91
There will be a Democratic Caucus immediately in Room 212. Room 92
212.

PRESIDENT: 94

All right. A Democratic Caucus immediately in Room 212. We 96
will stand in recess till about 2:00 o'clock. 97

(SENATE IN RECESS) 99

(AFTER RECESS) 101

PRESIDENT: 103

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

...Senate will please come to order. Senator Raica, for what purpose do you arise, sir? 105

SENATOR RAICA: 107

Mr. President, a point of personal privilege, please. 109

PRESIDENT: 111

State your point. 113

SENATOR RAICA: 115

With me, or with us, today we have the nineteen sixty Summer Olympic. In Rome, Italy, this gentleman won the gold medal in the 200-meter breaststroke. He is from my district, Bill Mullikin. Bill, if you can stand up. 117 118 119

PRESIDENT: 121

Welcome to Springfield. Senator Geo-Karis, for what purpose do you arise, ma'am? 123

SENATOR GEO-KARIS: 125

Mr. President, Ladies and Gentlemen of the Senate, a point of personal privilege. 127

PRESIDENT: 129

State your point. 131

SENATOR GEO-KARIS: 133

Up in the President's Gallery is seated Mr. Donald Moore, Donald Moon, rather, who is the President of Shimer College in Waukegan, Illinois. If you recall, that's the same Shimer College that used to be in Mt. Carroll, Illinois. I would like you to help me welcome President Moon here to the Senate here today. 135 136 137 138 139

PRESIDENT: 141

Will our guest please rise and be recognized. Welcome to Springfield. Senator Welch, for what purpose do you arise, sir? 143 144

SENATOR WELCH: 146

Mr. President, I filed a Senate Resolution 244 that I would like to have a...a heard. I would like to suspend...suspend the appropriate rules, it's a congratulatory resolution, and have it 148 149 150

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

placed on the Consent Calendar or heard, one or the other. 151

PRESIDENT: 153

Can we get to resolutions? There's just a whole host of them. 155

We are not going anywhere. (machine cutoff) Resolutions. Why 156

don't we just take all the resolutions and those who wish to 157

suspend can certainly do it. All right. By the way, Channels 5 158

and 20 have addition to Channel 3 and Channel 7, who also 159

requested permission to film. With objection, leave is granted. 160

Resolutions.

SECRETARY: 162

Senate Resolution 244 offered by Senator Welch. 164

Senate Resolution 245 offered by Senator Savickas et al. 166

Senate Resolution 246 offered by Senator Thomas Dunn. 168

Senate Resolution 248 offered by Senator Zito. 170

Senate Resolution 249 offered by Senator Topinka. 172

Senate Resolution 250 offered by Senator Raica. 174

Senate Resolution 251 offered by Senator Raica. 176

Senate Resolution 252 offered by Senators Demuzio, President 178

Rock and all members.

They are all congratulatory. 180

Senate Resolution 253 offered by Senators Newhouse, Marovitz 182

et al.

Senate Resolution 254 offered by Senator Schuneman. 184

It's...Those are both death resolutions. 186

PRESIDENT: 188

All right. All those resolutions will go on the Resolutions 190

Consent Calendar. Senator Welch, what was the number of the one 191

you wish to suspend on?

SENATOR WELCH: 193

Well, if we are going to get to that Consent Calendar, are we 195

going to get to that today or tomorrow? 196

PRESIDENT: 198

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

No. 200

SENATOR WELCH: 202

...244. 204

PRESIDENT: 206

All right. Senator Welch asks leave of the Body to suspend 208
the rules for the immediate consideration and adoption of Senate 209
Resolution 244, which is a congratulatory. All in favor of the 210
Motion to Suspend indicate by saying Aye. All opposed. The rules 211
are suspended. Senator Welch, on Senate Resolution 244. Welch. 212
Welch. Welch.

SENATOR WELCH: 214

This is merely a resolution to congratulate someone back in my 216
district.

PRESIDENT: 218

All right. Senator Welch has moved the adoption of Senate 220
Resolution 244. Any discussion? If not, all in favor indicate by 221
saying Aye. All opposed. The Ayes have it. The resolution is 222
adopted. Senator Demuzio, for what purpose do you seek 223
recognition?

SENATOR DEMUZIO: 225

...Senate Resolution 252 is also congratulatory, honoring 227
Mayor Godfrey, who is retiring as Mayor, tomorrow evening, and 228
therefore I would move to suspend for the immediate consideration 229
and adoption.

PRESIDENT: 231

All right. Senator Demuzio has moved to suspend the rules for 233
the immediate consideration and adoption of Senate Resolution 252. 234
All in favor of the Motion to Suspend indicate by saying Aye. All 235
opposed. The Ayes have it. The rules are suspended. Senator 236
Demuzio now moves the adoption of Senate Resolution 252, a 238
congratulatory resolution. All in favor of that motion indicate
by saying Aye. All opposed. The Ayes have it. The resolution is 239

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

adopted. Senator Philip. 240

SENATOR PHILIP: 242

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 244

I think we have some motion filed, I move that we go to Motions 245
in Writing.

PRESIDENT: 247

All right. Senator Philip has requested that we go to the 249
Order of Motions in Writing. Madam Secretary, how many motions 250
have been filed? The Chair has informed the...the Chair has been 251
informed that 31 Motions in Writing have been filed. Senator 252
Philip, what's the nature of the motions? Now we're up to 34. 253
Senator Philip.

SENATOR PHILIP: 255

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 257

There are, I believe, 31 motions filed by respective members to 258
discharge committee and put them on 2nd Reading. We'll be very 259
happy to...each member will be very happy to discuss exactly what 260
his bill does.

PRESIDENT: 262

All right. Senator Demuzio. Senator Luft. 264

SENATOR LUFT: 266

Thank you, Mr. President. I would ask...Senator Philip to 268
please explain to the Body the nature of that motion. 269

PRESIDENT: 271

Senator Philip. 273

SENATOR PHILIP: 275

Thank you, Mr. President. It's a Motion to Discharge 277
Committee...Temporary Committees and put it on 2nd Reading. 278

PRESIDENT: 280

Senator Luft. 282

SENATOR LUFT: 284

Thank you, Mr. President. An inquiry of the Chair, please. 286

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

In light of the explanation given by the Senator in regard to the 287
nature of the motion, I would ask you to rule whether or not his 288
motion is justified at this time, and if not, is it in order. 289

PRESIDENT: 291

All right. That inquiry is in order. 34 motions are we up 294
to? All right. Senate Rule...and each would be taken 295
individually, assuming they are in order. Senate Rule 10,
however, clearly states that the number of votes needed to 296
discharge a bill from committee is a majority of the Senators 297
elected, and the Chair certainly recognizes that. However, that 298
rule and our rules do not address the question of when such a 299
motion is justified, and for that we must again revert to Robert's
Rules of Order. And under Robert's Rules of Order, Section 35, 300
action to discharge a Committee from further consideration of a 301
question or subject is generally advisable only when the committee 302
has failed to report with appropriate promptness, when for some 303
urgent reason the assembly desires to proceed on the matter 304
without further aid of the committee, or if the assembly wishes to 305
drop the matter. Therefore, the Chair is prepared to rule that
the motion is not timely, and is out of order. Senator Philip. 306

SENATOR PHILIP: 308

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 310
Here we go again. There are 30 members elected by the people of 311
the State of Illinois who want to get on with the work of the 312
Illinois Senate and the General Assembly, and once again you are 313
finding a wingding reason to get the 36 votes or maybe 40 votes, 314
or maybe 50 votes, or maybe 75 votes. Absolutely ridiculous. It 315
would seem to me that at some point we ought to have a vote, and 316
for you to go out of your way to find idiotic reasons to not to 317
let us have a vote on motions is almost unconceivable, Mr.
President.

PRESIDENT: 319

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

Well, I think the Chair...

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SENATOR PHILIP:

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It's unfair, it's disrespectful, un-American, and I'll tell
you one thing. I thought we were operating under the Senate
Rules. We adopted new rules, I believe, January 11. We're
operating under those rules. We're not operating under the
Robert's Rules of Order or Mason's Rules of Order. We're
operating under the Senate rules, and Mr. President, we should
operate under the Senate rules, not Senator Rock's rules, the
rules that this Body has adopted, I believe, January 11, and I, of
course, would respectfully move to overrule the unfair, unjust,
unconstitutional ruling of the Chair.

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PRESIDENT:

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Well...and the Chair is prepared to honor that Motion to
Appeal. ...Let me just say again that under our rules, when our
rules are silent, as they are on a matter...under Rule 10
is...this is...there are criteria that Robert's sets out very
clearly in Section 35. ...These bills...the 34 motions are
currently before...are under consideration by the temporary
committees of the Senate that are currently meeting. There is, in
the judgment of the Chair, no urgent reason, such as there was
with the explanation of the supplemental appropriation bill...nor
is there a request of the sponsor to Table. ...So for that
reason...those reasons...they are ruled out of order at this time.
Senator Philip.

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SENATOR PHILIP:

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First of all, Mr. President, we are in Regular Session.
Regular Session. Secondly, I wish you'd look at Rule 10,
Discharge of Committees, and I will read it for you. It's on page
7. A majority of the Senate elected by motion, recall a bill,
resolution, or other matters from a committee and discharge a
committee from further consideration as the same, 30 votes. We are

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STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

in Regular Session. Our...our rules pertain to this. 354

PRESIDENT: 356

All right. Senator Philip has moved to appeal the ruling of 358
the Chair. Discussion on that? Senator Geo-Karis. 359

SENATOR GEO-KARIS: 361

A point of parliamentary inquiry. Mr. President, you said 364
that...the...hello? Mr. President, you said that it isn't timely 365
for these motions. What do you consider timely, and when do you 366
consider it timely?

PRESIDENT: 368

Not while the committees are currently meeting. 370

SENATOR GEO-KARIS: 372

Well, Mr. President, my understanding of the rules, were..was 374
that the temporary rules only take place when we are not in 375
session. Well, we are in session right now, and what is wrong 376
with proceeding with the motions of Senator Philip? I mean, you 377
can't just say timely in 1979 and not timely now. We can't have 378
it both ways. I think it's only fair, if there is 30 votes...to 379
vote to discharge these bills, fine. If they're not, we don't 380
discharge them. But I think you are being very unfair. And 381
that's not like you to be so unfair. You're usually a very kind 382
and honorable man and a...and a very gentle person sometimes, and 382
I would suggest that you give us the opportunity to vote. 383

PRESIDENT: 385

Senator Schaffer. 387

SENATOR SCHAFFER: 389

Mr. President, I would respectfully submit that this is an 391
appalling precedent. ...This is my 17th year down here, and we 392
have routinely discharged bills out of committee...and we have so 393
far this year on several occasions, for various reasons. What you 394
in effect are saying is, that while committees are functioning, 395
there shall be no discharges, and that's not a precedent that you 396

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

want to set or that any member of the Body wants to set. I would 397
suggest to you that while I think our rules are very clear, which 398
simply says the majority of the Senators can discharge a bill any 399
time they want to, that quoting Robert's is ridiculous, because it
doesn't sustain you at all. Because it clearly says as one of the 400
reasons for a discharge is when for some urgent reason, the 401
Assembly desires to proceed on a matter without further aid from 402
the committee. I would submit to you that there is an urgent 403
matter. I would submit to you that the majority of this Senate 404
wants to get on with the people's business. I would suggest to 405
you that this ruling is out of order and dilatory. Very shortly, 406
the people of this State are going to realize that not much is 407
going on in the Illinois State Senate. Let's make it clear who's 408
the dilatory person here, and group. It's not the majority. The
majority of the members of this Body want to get on with the 409
people's business. Again, I would suggest to you the ruling is a 410
horrible precedent, not consistent with the Senate Rules or 411
Robert's Rules, and is, in fact, dilatory. 412

PRESIDENT: 414

Further discussion. Senator Demuzio. 416

SENATOR DEMUZIO: 418

Thank you,...Mr. President. As I read the Calendar, on pages 420
13, 14 and 15, it seems to me that every committee is meeting this 421
week, and every bill that has been introduced in this Body has 422
been posted for hearing, and therefore it seems to me that your 423
Ruling is...is certainly in order, and I would suggest that once 424
we dispatch with this appeal of Senator Philip wishes...wishes to 425
pursue it, then we can get the committee and get on with the 426
business of the people of Illinois.

PRESIDENT: 428

Further discussion? Senator Collins. 430

SENATOR COLLINS: 432

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

Thank you. And I would also like to add to what Senator 434
Demuzio has said, that if we discharge all of these bills from 435
committee, we would have denied the right of the public to 436
participate in the hearings on these bills, because they can no 437
longer participate once these bills are on 2nd Reading, and given 438
that the opportunity still exists, and also given that we are on 439
this side of the aisle in those committees carrying out the
business of the people of this State as we been...suppose to do, 440
and making all of the committee meetings, listening to witnesses, 441
and giving you that same opportunity to do the same, I think that 442
this motion is dilatory, and we should not...discharge, we should 443
sustain the ruling of the Chair.

PRESIDENT:

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Further discussion? Senator Marovitz.

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SENATOR MAROVITZ:

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Thank you very much, Mr. President and members of the Senate. 451
Well, we just heard from the distinguished Minority Leader that 453
those on that side of the aisle want to get on with the business
of the Senate. Get on with the work of the Senate. I want to 454
know what could be more in line with the business of the Senate, 455
than to go to committees, collect...for which we are getting paid 456
and collecting our per diem. Here witnesses have come from all 457
over the country and all over the State who want to testify pro 458
and con on various pieces of legislation. What could be more 459
obstructionist than for those on that side of the aisle to refuse
to boycott committees, refuse to come to committees, refuse to 460
hear from witnesses that come across the State and...and hear 461
important subject matters like...at two o'clock, for the Judiciary 462
Committee, there is...there is bills up dealing with the 463
important question of corporate takeovers, which is extremely 464
important to the economic survival of our State. The important 465
question of...penalties for drug dealers, bills on ethnic 466

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

intimidation, denial of civil rights and discrimination. What 466
could be more obstructionist than to refuse to come to committee 467
and listen to the people who have elected us? When you say you 468
want to get on with the business of the Senate, the business of 469
the Senate right now is the committee structure and listening to 470
the people. That is what the business of the Senate is, and let's 471
call it like it is. We are here to do the business of this 472
Senate. We're collecting our per diem, and I think we're earning 473
it. I think those on that side of the aisle who refuse to listen 474
to people, are the ones who do not want to get on with the 475
business of the Senate, but want to bypass the business of the 476
Senate, discharge their duties, and come here as a slap in the 477
face to the people of this State who have traveled many miles to 478
come down here and hear our bills and your bills in committee. 479
Your bills are posted today and this week. We'd like to hear 480
those bills. There are many important subject matters that you 481
have promulgated in your legislation. What do you say to your 482
witnesses that have come from two, three, four hundred miles, and 483
are waiting down in the those committee rooms for those bills to 484
be heard? Are you going to tell them that we want to get on with 485
the business of the Senate? Where are you, if you want to get on 486
with the business of the Senate?

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DEANGELIS:

Thank you, Mr. President. ...Some time ago, around twenty 492
years ago, there was a gentlemen wrote a book called 1984. His 493
name was George Orwell. ...We've survived 1984, but the essence 494
of the book was that he was creating a society that was perfect, 495
extremely Democratic, and in the course of interactions of people 496
in that society, there developed certain...differences in the 497
manner in which people were treated, and from that came the 498

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

expression that all pigs are created equal, except some pigs are 499
more equal than others. Now I would submit...Animal Farm, I'm
sorry. Same author. And... 500

PRESIDENT: 502

Trivial Pursuit will meet at seven o'clock there. 504

SENATOR DEANGELIS: 506

Now when are our Discharge Motions out of order, and when they 508
are...are they not out of order, and I guess they're out of order 509
when they're made by a Republican. They're not in order when 510
they're made by a Republican, and in order when they're made by a 511
Democrat. Senator Rock, last week, in this very Chamber, you 512
ruled, or allowed to be heard, I should say, a...there was no 513
emergency on that bill, Senator Collins, it was an Appropriations
bill, and Appropriation Committees were meeting then as they are 514
meeting now. The fact is that there is an inconsistency in the 515
manner in which the Chair decides to rule on motions that are 516
made, depending on which pig you happen to be.... Now, frankly, 517
we talked about the urgency of these committees. This Body is 518
taking this action, Mr. President, because the committees that 519
Senator Marovitz takes such great pride in, and feels so 520
conscientious about attending, and then in fact criticizing those
of us who don't go, are illegally constituted. Those committees, 521
Senator Marovitz, were rejected on this floor, and the reason this 522
action is being suggested today is because our only recourse is 523
this action which (Inaudible) qualifies it for the urgency or 524
emergency nature that you cited under the Robert's Rules of Order. 525
Senator Rock, all you are doing by the ruling that you have made,
is reinforce the idea that the hearing that we are trying to get, 526
and the motions that we are making are very justified. I would 527
urge you to reconsider that.

PRESIDENT: 529

Further discussion? Senator Etheredge. 531

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

SENATOR ETHEREDGE: 533

Thank you, Mr. President, Ladies and Gentleman of the Senate. 533
I would like to ...underscore a point...just made by one of my 536
colleagues about the inconsistency of this particular ruling. Not 537
only did we discharge a bill out of committee last week, but 538
earlier the week before, I believe it was, we discharged two bills 539
out of the Senate Elementary and Secondary Education Committee. I 540
guess I would have to ask the Chair why were those motions in 541
order, and this one not in order? I, too, would ask you to
reconsider...your decision.

PRESIDENT: 543

And I...and I think the answer is...is patently...clear. That 545
those were represented to be an...a speedup of an effective date 546
with respect to a subject matter that's near and dear to all of 547
us, and a supplemental FY '89 Supplemental Appropriation which, it 548
was represented to the Chair, was of some urgency, was in fact an 549
emergency. Further discussion? Senator Welch.

SENATOR WELCH: 551

Thank you, Mr. President. 553

PRESIDENT: 555

Oh, I'm sorry. I...I presumed you had concluded, Senator 557
Etheredge. I apologize. Your light was not flashing. Senator 558
Etheredge.

SENATOR ETHEREDGE: 560

Thank you very much...Mr. President. I guess...in regard to 562
the Appropriations Committee, it seems to me that I remember 563
the...chairman of that committee standing up...and opposing that 564
Discharge Motion at the time.

PRESIDENT: 566

But the representation was the same. Further discussion? 568
Senator Berman. Welch's light was not on. I...maybe it's just me, 569
but the lights are not flashing up here. Did...is your 570

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

light...your light is now on. 570

SENATOR WELCH: 572

...me, and then the light was turned off, because Senator 574
Etheredge was still talking.

PRESIDENT: 576

Right. Right, Senator Welch. Senator Welch. 578

SENATOR WELCH: 580

Thank you, Mr. President. Let me just say that 582
the...the...side to the right keeps talking about the majority 583
believing that the rule that these committees are not...legitimate 584
is supported by the majority, and that couldn't be further from 585
the truth. A majority of Senators have shown up at these 586
committee meetings. A majority of Senators have presented bills.
not the minority, a majority, over thirty Senators have been 587
appearing at these committees. So that seems to me to be a tacit 588
admission that these committees are legitimate, and once you 589
admit they're legitimate, there's no reason not to come to the 590
committees. You're talking about doing the work of the Senate, 591
well then, do it. Show up at these committees. You're getting 592
paid for being there as if you were there. The majority is 593
showing up. The majority of the Senate is working. The majority 594
of us are passing bills, and you folks should be there too, 595
instead of with this...sudden change of heart. You know, about
three or weeks ago all of us were attending committee meetings. 596
The first report that was Tabled from any committee was from my 597
committee. There were ten bills in that report, and six of them 598
Republican bills. Not only did you participate in those committee 599
hearings, you passed out the majority of bills out of my 600
committee. So, it seems to me to now suddenly say, well now we 601
don't think those committee are legitimate, that's totally 602
inconsistent, and it's very hypocritical. I'd point out to
Senator DeAngelis, while he's talking about Animal Farm, the 603

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

animal he shouldn't...he shouldn't be referring to is not the 604
pigs, he should be referring to the sheep, because that's what we 605
are facing here.

PRESIDENT: 607

Further discussion? Senator Geo-Karis. Yeah, you have been 609
up now three times in a row. I'm just trying to recognize those 610
who have not yet had an opportunity. I will certainly get to you. 611
Senator Schuneman.

SENATOR SCHUNEMAN 613

Thank you, Mr. President. Just very briefly. I've served 615
here in the Senate since 1981, Mr. President, and during that 616
period of time I would have to say that your rulings have 617
generally been very fair, and certainly have followed the rules. 618
You've been...you've been sensitive to the wishes of the majority, 619
or the minority, and the rights of the minority, until you
happened to be on the other side. And I think what we're seeing 620
is a real double standard here. I would suggest to those on the 621
other side of the aisle that all that needs to be done here is for 622
the President to do what our rules say should be done, and that is 623
appoint the Standing Committees of the Senate. We do that every 624
year. You all know that. The President needs to appoint 625
standing...the members of the Standing Committees of the Senate
that would be accepted by a majority of the Senate. That's the 626
only thing that needs to be done to break the deadlock. I'd suggest 627
to you, Mr. President, that...that rather than go outside the 628
rules of the Senate and find some reason to rule against the 629
majority, you should...you should carry out your duty, and appoint 630
those...members.

PRESIDENT; 632

Further discussion? Senator Berman. 634

SENATOR BERMAN: 636

Thank you, Mr. President. I think that...many of these 638

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

arguments are losing sight of what's really important. I would 639
just suggest to you that all of our parliamentary antics really 640
don't carry much weight with the citizens of the State of 641
Illinois. We have set out, whether it be in the old rules, the 642
permanent rules, the temporary rules, whatever rules, a period of
time to allow the people of the State of Illinois their one 643
opportunity to come before us and have their say regarding 644
legislation that both sides of the aisle have introduced. Comes 645
Friday, under all the rules that I have seen, that deadline 646
expires. Now we can argue, and I can argue with the best of you, 647
about the parliamentary tactics and maneuvering, and 648
manipulations, but comes Friday at the close of business, the
opportunity of the people to have their say regarding the bills 649
that we have introduced in the Senate, is over, and I just suggest 650
to you, as I have suggested before, that as far as my committee 651
and every other committee that is chaired by every person on this 652
side of the aisle, I extend to my members a cordial, sincere 653
invitation to join us tomorrow morning at 9:00 a.m., and 654
tomorrow...Thursday evening at 6:00 p.m., to hear our bills and to
allow the citizens of Illinois to have their say on those bills. 655
Those witnesses, those school officials, those citizens, the people 656
that represent the children of the State, aren't interested in 657
temporary rules, permanent rules, Robert's Rules, anybody else's 659
rules. They want to hear how we're going to improve the education
of our children. We again extend to you the opportunity to have 660
your bills heard and your witnesses heard. I hope that you will 661
live up to that responsibility, and allow those people to be heard 662
and responded to honestly and in good faith, so that we can carry 663
out that obligation to those citizens. That, I think, is our 664
first and upmost obligation between now and the close of business 665
on Friday.

PRESIDENT:

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STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

All right. Further discussion? Senator Geo-Karis. 669

SENATOR GEO-KARIS: 671

Mr. President, and Ladies and Gentlemen of the Senate. Yes, 673
I'd like to see the improvement of education for our children, but 674
we are not improving the education of our children when we are not 675
following the proper rules. We are following temporary rules, and 676
I call your attention to the very Senate Calendar on Pages 13, 14 677
and 15. It says Committee Hearings, and every committee is listed 678
as a Special Temporary Committee. Under Rule 9, Special 679
Committees, this is of our own Senate, "When the Senate is in 680
Recess, Special Temporary Committees may be appointed by the 681
President." Well, you've done that while we were in Recess, but 682
now we are not in Recess, and further, it says "The action of the 683
President of the committee shall stand...shall stand as...as of 684
the action of the Senate, unless the action shall be amended or 685
modified on roll call by a majority of the Senators elected the 686
next...at the next Session of the Senate. Well, we are elected. 687
There's forty-seven percent of us over here represent the State 688
of Illinois on this side of the aisle. We haven't been given any 689
consideration, and yet, you can sit there and blame us. How can 690
you do that when you're not following your own rules, for heaven's 691
sakes? You're not. You're defying the children of the State of 692
Illinois. You're telling them to go for bogus rules. Temporary 693
rules. You're not asking to follow regular rules, and I submit 694
that you should reconsider your...Mr. President. I almost called 695
you, Your Honor, and I'd love to call you Your Honor someday, but 696
this time, I believe, I have to call you Mr. President. 697

PRESIDENT: 698

I...I let that one get away from me, too. Yeah. Further 699
discussion? Senator Kustra. 700

SENATOR KUSTRA: 701

Thank you, Mr. President and members of the Senate. I was 702

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

listening intently, of course, as I always do, Senator Berman when 703
you speak your words of wisdom for the Chamber. And I laid 704
particular emphasis of the fact that this Friday, as you say, will 705
be the last opportunity. The people will have an opportunity to 706
be heard. Well, one thing I can assure you. This Friday will not 707
be the last opportunity for the people to be denied the right to 708
be heard in this Assembly, because what we are doing today really 709
takes us back to three motions that were filed in this Chamber a
few weeks ago. And those motions dealt, among other things, with 710
the Conference Committee Report system. And if you want to talk 711
about a people's right to be heard, then let's talk a little bit 712
about the many times on this floor when the people's 713
representatives were...denied the right to be heard. You're so 714
worried about the people. The people send us to do their job, and 715
on...in this Chamber in the last week of the Session on a regular 716
basis, thanks to a decrepit Conference Committee Report process,
we pass things that only come to our attention when we return home 717
every year. If we were to have considered those motions, we could 718
have straightened out some the problems that this Body has 719
suffered under current leadership, but that's not possible. 720
Within a matter of minutes, if you take a look at that motion, the 721
motions that have been filed, the first one happens to be mine. 722
By coincidence, it deals with child abuse. It deals with the case 723
of Cecilia Florez. It's a tragic case. Within a matter of
minutes, we could be dealing with that issue right here on this 724
floor. We don't have to wait for committee meetings, and those 725
committee meetings are going to run out of time this week, and 726
we're still going to have a load of bills which cannot, within the 727
time allotted us, be heard by this Chamber in committee. What are 728
we going to do then? One way or another, whether it is today, or 729
next week, we're going to be back here, on this floor, dealing 730
with Motions to Discharge. The question is whether you want to do

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

that today? You want to get to business? You want to talk about 731
the issues that's facing the people of the State of Illinois? You 732
can do it within minutes, right now, or you can sit around for the 733
rest of this week. I will agree with you, Senator Berman, over a 734
parliamentary dispute. One side thinking those committees aren't 735
legal and they're not permanent, and another side thinking 736
otherwise. The question now is, in the meantime do we go about 737
the people's business? Within minutes, we can be about the 738
people's business. You folks are going to have decide that. Your
leader is going to have to consider changing that ruling. 739

PRESIDENT: 741

Further discussion? Senator Luft. 743

SENATOR LUFT: 745

Thank you, Mr. President. Senator Kustra ought to read the 747
proposals we have been offering. we've been trying to satisfy 748
his concerns, and we've been rejected every time, on Conference 749
Committee Reports, if I'm right, and the President could 750
acknowledge whether I'm right or not. It is my understanding we 751
made an offer to deal with Conference Committee Reports, and tried 752
to solve all of our concerns with that, not just that side of the
aisle. Let me also point out and make perfectly clear that the 753
Republicans attended all the meetings that were held by these 754
committees up until a certain point. Secondly, or thirdly rather, 755
...the fairness of the President of this Body should never be 756
brought in...question, I don't think, because if...all fifty-eight 757
of us were up there rather than him, we would all be less fair 758
than Phil Rock, and I don't think that's even arguable. And 759
secondly, or fourthly, if we really want to talk about fairness,
if we were bad people over here, you guys, some of you, would be 760
in big trouble, because I've had bills in committee that mean a 761
lot to my area, and there's two Senators sitting over there that 762
didn't show up to help. One didn't even show up on the committee 763

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

to vote, after that Senator was at two press conferences with me 764
on the bill. Now, if I wanted to be really unfair, I'd have gone 765
to that person's district and blasted the hell out of him. We're 766
fair. We're trying to be fair, and the man sitting up there is
the fairest of us all. So let's don't talk about anything about 767
fairness. We're trying to deal with this as mature people, and 768
you can talk about Conference Committees, you can talk about all 769
the legal aspects of what we're doing, but what we're talking 770
about today, right here, right now, on this motion, is one simple 771
thing, and that's whose legislative process do we want to follow. 772
Do we want to do our legislative definition...definition 773
of...legislative process, where we hold hearings, where a majority
of the committee members are showing up, letting people come in 774
throughout the country and tell us what they need? We got a open 775
process we're advocating over here. We've called everybody's 776
bills. We've ask you to come, and...or do we want to go to your 777
legislative process? Introduce a bill, have it entered in for 778
committee, discharge committee, and nobody ever gets to talk about 779
it until we get out here. That's democracy? And I think, if we
go back to our districts, we can argue our point and the point, 780
remember, is this, whose legislative process do you want to 781
follow, ours or yours?

PRESIDENT: 783

Further discussion. Senator Keats. 785

SENATOR KEATS: 787

Thank you, Mr. President. Several people talked about 789
perspective and what we're seeing and not seeing, and sometimes 790
it's worth considering that. There was a legendary political 791
figure in this State that some of us were lucky enough to serve in 792
the Legislature during...part of his tenure, and that was Mayor 793
Richard Daley. He used to have a phrase to paraphrase, and I'm 794
going to roundly come out with it, you ought to win with grace

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

and lose with dignity. And he always was willing to work with 795
this group or that group, and one of the frustrations was, as you 796
look at what's happened in other states, people sometimes lost 797
that perspective, and it caused things to happen to form 798
coalitions across party lines, and as those coalitions came about, 799
groups that were some Republican, some Democrats, got together, 800
and they began to run the system in what they felt was a fair way. 801
In America, at this very moment, that's happening in state after
state. The Speaker of the South...or the Speaker of the Florida 802
House was removed in a coalition where you had Republicans and 803
Democrats on one side, backing him, and Republicans and Democrats 804
on the other side opposing him. He was removed as Speaker of the 805
Florida House, and, with a little bit of dignity, he said, I got 806
less votes than those guys, and then, expletive deleted, departed. 807
The Speaker of the North Carolina House.... A coalition was put 808
together between Democrats and Republicans, and a Democrat Speaker 809
took office with the support of both parties. It's true in...it's 810
happened in New Mexico, Alaska, Connecticut, New Hampshire, state
after state, bipartisan coalitions have gotten together, and you 811
know, that's not that bad an idea. In a state as diverse and as 812
large as Illinois, with all the different groups we've got, you 813
know some of you have constituents that are fairly more similar to 814
mine than some of my brethern, and you know what? Some of us have 815
constituents that are more similar to some of yours than some of 816
your brethern. Bipartisan coalitions are perfectly acceptable in 817
virtually every other state. It is rather interesting that 818
Illinois has been unable to accept something that is considered 819
acceptable in virtually every other state in the country.

PRESIDENT: 821

Further discussion? Senator Schaffer. 823

SENATOR SCHAFFER: 825

Somehow I feel called upon to...suggest that thus far, and I 827

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

don't think...any of us on this side of the aisle are trying to 828
form a bipartisan coalition to remove the President of the Senate. 829
I think our goals...yeah, yeah, okay our side doesn't want to, if 830
you guys want to, why put the motion on the floor. We're clear on 831
that issue, though. I would suggest to you, however,...and I 832
believe...Senator Marovitz's comments may at least in part been 833
aimed at me, the question of attending committees...there's nobody
on this side of the aisle that objects to...the concept of 834
attending committees. In fact, I can recall more than one of my 835
friends on the other side complaining that if the Republicans did 836
anything well, it was to show up at committees. ...Some of you 837
will recall those comments. I think our record on committee 838
attendance is something we can all be proud of. The question 839
isn't whether we are willing to attend committees, the question is
whether we recognize the validity of the committees, and I would 840
suggest to you that our rules could not be clearer. Those are 841
temporary committees. Those committees are designed to be 842
appointed when we are in Recess. ...Sometimes if you think of the 843
grade school...comparison, maybe this place does look like Recess, 844
but we are clearly not, in a parliamentary...sense, in Recess. We 845
are in full Session. Those committees clearly have no legal 846
standing, and I would quote you, if one wants to turn to 847
Robert's...it says very clearly in Robert's, if one wants to go
beyond our rules, which I guess on a selected basis we apparently 848
want to,...Robert's is clear. It says a Special Committee should 849
not be appointed to perform the task that falls within the 850
assigned function of an existing Standing Committee. Those bogus 851
apparitions that you people call committees are a violation of our 852
rules, of Robert's Rules, and of common sense. Let's get about 853
the people's business. Give us a roll call on a legal committee 854
system, and you'll see Republicans in their chairs participating 855
in those committees to the point that you'll wish we hadn't come

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

back. 855

PRESIDENT: 857

Further discussion? Senator Demuzio. 859

SENATOR DEMUZIO: 861

Thank you, that was a great speech, Jack. ...Let me 863

just...point out that...when the Temporary Committees were 864

appointed, we came back on April 5th, and according to our rules, 865

the timely motion for that was within one legislative day. No one 866

filed a motion, and therefore, the Temporary Special Committees 867

are still functioning. A number of you over there sent out press 868

releases indicating you were appointed to these various 869

committees, and I'm sure that your districts are wondering why you 870

are not attending, but nevertheless,...I remember...wasn't such a 871

long time ago, although I wasn't here in the Session serving in 872

the Senate, I remember a fellow who served in that post up there 873

by the name of Russell Arrington. He, I think, had some 874

responsibility with respect to this three-fifths rule, and he 875

also had, if I remember correctly at that time, proxy voting, 876

where you didn't have...much...hearing process that took place 877

in...in committee. So, I understand what fairness is now. You 878

want to go back to that same process. You want to discharge and 879

put all of your bills on 2nd Reading, and you want to put all the 880

Democratic bills on the Secretary's Desk. That doesn't seem to me 881

to be the fairness that we're all ascribed to here in this Body.

PRESIDENT: 881

All right. The question is...is there any further discussion? 882

Senator Philip, do you wish to close? The question being, shall 883

the ruling of the Chair be sustained? Senator Philip 884

has...appealed the ruling of the Chair. Senator Philip to close. 885

SENATOR PHILIP: 888

...Thank you, Mr. President, Ladies and Gentlemen of the 890

Senate. I will remind everybody on January 11th, we did...adopt 891

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

the Rules of the Senate. We should remember that. We should 892
operate under the Rules of the Senate, not Robert's Rules of 894
Order, not Mason's Rules of Order. Senator Berman, I...I feel the
way you do, that citizens ought to have the right to testify in 895
committee. When they come down here, they ought to have their 896
chance to talk to the members of the committee. Senator Berman, 897
they can't...the sponsor doesn't have to be there. All the 898
chairman of that committee had to say is absolutely come in and 899
testify. You can let those people testify. Senator Marovitz, 900
Appropriations II today, you were absent the whole time. I know
it's very serious that we ought to be in all those committee 901
hearings. I understand what you're saying, but Senator, for some 902
reason, you were not there today, and I would like to know how the 903
majority can be dilatory, Mr. President? If there are thirty 904
members here united for any reason, any cause, for any motion, how 905
can we be considered dilatory? I don't understand that. Once 906
again, I hate to do it, but I certainly respectfully appealing the
rule of the Chair, and ask for a roll call. 907

PRESIDENT: 909

All right. The question is, shall the ruling of the Chair be 911
sustained? All those in favor of sustaining the ruling of the 912
Chair will vote Aye. Those opposed to sustaining the ruling of 913
the Chair will vote Nay, and the voting is open. Have all voted 915
who wish? Have all voted who wish? Have all voted who wish? 916
Take the record. On that question, there are 28 Ayes, 30 Nays. 917
Having failed to receive the necessary three-fifths negative vote,
the appeal fails, and the ruling of the Chair is sustained. 918
Senator Philip.

SENATOR PHILIP: 920

...Thank you, Mr. President, Ladies and Gentlemen of the 922
Senate. We filed a second motion in regard to taking from the 923
Secretary's Desk.

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

PRESIDENT: 925

All right. Further motions, Madam Secretary. Read the motion. 927

SECRETARY: 929

I move that all applicable rules be suspended, and that Senate Bill 55 be taken from the Calendar Order of Secretary's Desk and be placed on the Calendar Order of 2nd Reading. I request a roll call vote on this motion. Filed by Senator Judy Baar Topinka. 931
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933
934

PRESIDENT: 936

Senator Topinka. If you explain the nature, there has been some inquiry as to what the nature of the motion is. 938
939

SENATOR TOPINKA: 941

Yes, Mr. President. The nature of the inquiry is I would like to...suspend...the rules, the temporary rules, here to get my motion heard from the Secretary's Desk. It is a bill that has involved a lot of activity. It has been supported strongly by Attorney General Hartigan, who wishes to pursue on this front as well, because it does involve basically a standard set for telecommunications and fires, which of course, with the Hinsdale fire last year, took down all telecommunications in Northern Illinois, and basically, had an impact throughout the State and throughout...other states, our surrounding states. It's something that is of an emergency nature. It will set the pace and the model basically, for the United States as well as for foreign countries, who are watching what we do here, and I would appreciate that this bill be heard. 943
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PRESIDENT: 956

Well, Senator Topinka, the Chair fully understands your concern and is again prepared to rule that this motion...is also, at this time, out of order. Senator Philip. 958
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960

SENATOR PHILIP: 962

Thank you, Mr. President. I would...I would like to have you 964

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

21st Legislative Day

May 2, 1989

cite your source and explain your ruling. That's a dandy. 965

PRESIDENT: 967

Well, all I said was at this time, it's out of order. 969

It's...close to four o'clock in the afternoon, I've got three 970

requests for a caucus. Senator Welch.

SENATOR WELCH: 972

Mr. President, I would just point out that Senate Bill 55 had 974

a complete hearing in committee, and it was voted out of committee 975

on a vote of 11 to nothing. The sponsor of this motion to take 976

the bill from the Table voted to put it on the Table. So, it 977

would seem to me that it's somewhat contradictory, and 978

perhaps...there is a rule prohibiting a member from voting to put 979

a bill...their own bill on the Table, then asking to remove that 980

bill from the Table. It would seem to me to be dilatory, if

nothing else.

PRESIDENT: 982

Senator Topinka, the Chair has...ruled that the motion is out 984

of order. I think the proper motion would be, since you had voted 985

on the prevailing side, to move that bill from where it was to 986

where it is, you ought to vote to reconsider and move them all 987

back. Any further business to come before the Senate? If not, 988

Senator Demuzio moves that the Senate stand adjourned until noon 989

tomorrow. Noon tomorrow, Ladies and Gentlemen.

END OF TAPE 992

DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 02, 1989

SR-0244 ADOPTED	PAGE	5
SR-0245 RESOLUTION OFFERED	PAGE	4
SR-0246 RESOLUTION OFFERED	PAGE	4
SR-0247 ADOPTED	PAGE	1
SR-0248 RESOLUTION OFFERED	PAGE	4
SR-0249 RESOLUTION OFFERED	PAGE	4
SR-0250 RESOLUTION OFFERED	PAGE	4
SR-0251 RESOLUTION OFFERED	PAGE	4
SR-0252 ADOPTED	PAGE	5
SR-0253 RESOLUTION OFFERED	PAGE	4
SR-0254 RESOLUTION OFFERED	PAGE	4

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND RICHARD MAYE	PAGE	1
INTRODUCTION OF GUEST - SENATOR REA	PAGE	1
RECESS	PAGE	2
SENATE RECONVENES - PRESIDENT ROCK	PAGE	2
SENATOR PHILIP - MOTIONS TO DISCHARGE COMM.	PAGE	6
SEN. LUFT INQUIRES RE: MOTIONS TO DISCHARGE COMM.	PAGE	6
SENATOR PHILIP'S MOTION RE: APPEALS CHAIR	PAGE	8
SEN.'S PHILIP/TOPINKA MOTION RE: SB 55	PAGE	25
ADJOURNMENT	PAGE	27