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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a Secretary of State's kind of clean-up bill. It clarifies current law with regard to certain vehicles which are registered in other states that -- that occasionally operate in -- in Illinois - basically, it's tractor-trailers - and it changes the way their license plates are procured, and the cost. I'll be glad to answer any questions; otherwise, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill 1764 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. And Senate Bill 1764, having received the required constitutional majority, is declared passed. Senate Bill 1770. Senator Woodyard. Senator Bill 1773. Senator Fitzgerald.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DUDYCZ)

Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 1773.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1773 would add same-sex marriages to the list of prohibited marriages in the State of Illinois. As most of you know, Illinois now will only license two peoples of the opposite sex to get married; however, Illinois recognizes valid marriages that were contracted in other states, unless they're on our State's prohibited list. Right now it appears that the State of Hawaii may be on the verge of recognizing marriages between two people of the same sex. It's anticipated that they could do that as early as this summer. If Illinois law is not changed, Illinois will wind up giving recognition to same-sex marriages granted in I've brought this bill in order to keep the State of Hawaii. marriage in Illinois the same as it's always been and to stick to the one man-one woman definition of marriage that we have all known in this State and all other fifty states, until now. I'd be happy to answer any questions about the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I rise in opposition to the bill. I respect the sponsor's motivations. It is very clear that today in Illinois marriage is reserved as a union between a man and a woman. That is our policy, and I personally support that. I think it should be reserved for a union of a man and a woman. There's historic, cultural, religious and civil tradition for this, and we should continue in that tradition. I also think that certain members of our society, who are gay, who join in a long-term committed relationship with a

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person of the same sex, should be, at least, acknowledged as fellow human beings and fellow citizens, and I think we ought to discuss how our law should evolve to give a certain stability and protection to that relationship. Unfortunately, we are not having that discussion. The reason why some in that community are offended by the bill is that they are not asking for the right to be married. They, in fact, are asking for the right to not be discriminated against. That is a bill which actually passed the Statehouse and came very close to passing out of a committee in this Chamber. That's what we ought to be debating, but we're not. The problem is that some people might support this bill because it's a way to single out and condemn the lifestyle of gay and lesbian people. So that is why people are offended by it. They are offended because it is equating these relationships with incest and bigamy, and that is not what we ought to be doing. I don't think we should be condemning these people who have these different relationships. And so, I think what we should be doing instead is talking about having a commission or a committee to study these relationships, to decide what, if any, recognition the Legislature might give them. This particular bill is unnecessary. Hawaii, which is the state that people are concerned might legalize same-sex marriages, has not done so. Their legislature is debating whether or not to ban those marriages, whether or not to have some kind of a registry. That's a -- a discussion which is ongoing in that state, and so, as a result, this is certainly premature. And I think the -- the fact is that it sends the wrong message to many people in our State who happen to be gay. I think there's many of us who know people who are gay, people -- are friends, of our neighbors, who are relatives, and I think that, in light of the fact that they have not asked to even have legalized marriages, we should not be voting on this bill at this time. PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Senator Sieben. SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this legislation. It's interesting that yesterday in this very Chamber we honored the 1996 Mother of the She talked about her family, about her husband, about her children, her grandchildren, about the dignity of motherhood and marriage. Over the years, I've attended a lot of weddings in a lot of different churches, and usually the minister begins by saying something like, "We are gathered together in the presence of God and before these witnesses to join together in holy matrimony this man and this woman." This is an honorable estate instituted by God and signifies to us that union which exists between Christ and his church. That union is documented by a signed marriage license. The marriage license isn't a meaningless piece of paper; it's a contract between two individuals and this And the State has a strong interest supporting a contract between a man and a woman, because it's an effective means of procuring for society its future with well-socialized children. Thousands of years of history and numerous comprehensive studies and common sense have shown that children grow up to be the most well-adjusted, productive members of society when they are raised in a household with a married mother and father. And that is why the State issues a marriage license. It's why the State prohibits marriages with more than one person, marriage with a close family or a relative, and marriages to a child. civilization has ever survived by accepting homosexual marriages, brother-sister marriages or multiple marriages to a single spouse; yet, that is what homosexual members of society are asking of us. If homosexuals can get marriage licenses, on what logical basis do we exclude those who want a marriage license to marry two or three people? On what logical basis do we exclude those who want to --

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want a license to marry their cousin? Please vote Yes to prohibit same-sex marriages.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WCIA has requested permission to videotape the proceedings.

Hearing no objection, leave is granted. Any further discussion?

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. First thing, I would echo everything that the Senator from Henry County just said; however, I'd like to ask -- before I comment, I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Molaro.

SENATOR MOLARO:

Is it now, in the State of Illinois, that we do not recognize same-sex marriages? Is that true?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fitzgerald.

SENATOR FITZGERALD:

Illinois will only license heterosexuals to get married; however, we will recognize a valid marriage entered into in another jurisdiction, unless it's on our State's prohibited list. It had never occurred to the drafters of our current marriage Act that they would have to put a marriage of two people on the same They just listed -- of the same sex on the prohibited list. incestuous marriages, marriages between close relatives. polygamous marriages. Those are all on the prohibited list. And in the case -- I guess the State of Arkansas allows marriage between first cousins. Illinois will not give reciprocity to those marriages because they are on our prohibited list. The reason for this bill is, Hawaii may be on the verge of recognizing same-sex marriages. In the absence of an addition to our prohibited list,

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we will give reciprocity to those marriages coming out of the State of Hawaii.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Well, you know, I -- I listened to you when you first said it, and -- and you said the state of -- it "appears" the State of Hawaii "may". So you've got "appears" and you have "may". Obviously we have inflammatory issues -- flammatory {sic} subjects, sensitive issues that, at times, we have to address in this Body because of the fact that it comes up and we have to look at it. By using the word "appears" and "may", you, by your own admission, are saying that Hawaii has done nothing yet. I would suggest that before we take these topics up and inflame segments of our population that need not occur, let's see what happens throughout the State. I think we're -- it's not ripe yet for us to be taking this type of action, and that's why I think we should stand in opposition to this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs. SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I can concur pretty much with -- what everyone has said here, and -- but there was one comment that was made that -- as if the people who are engaged in "same-sex marriages" - quote, unquote -- have come forward and asked to be recognized in Illinois. That is not true. They have not asked to be recognized. This bill is -- is proactive from the standpoint that we are attempting to guess what Hawaii's going to do. I would agree with Senator Molaro that the timing, at best, is -- is really strange, and it appears to be more politically motivated than it does by actual action. This is a bill, * for -- for probably ninety-five percent of this

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Legislature, is probably very difficult to vote against because of our past practice and our past history. But, yet, to -- to put a bill on the books, and especially coming from that side of the aisle who traditionally says we want to get rid of bills that we don't need, and we're putting a bill on the books here, potentially, that we very well may not need. And that's my problem. That's the only problem I have with it, Senator. If -- if Hawaii had already made their decision, if Hawaii had said "yes" and we would have to recognize paying benefits to -- to same-sex marriages, that we would have to give them all the rights that we would a heterosexual marriage, at that point, then everything changes. But I think to do this now is a little premature. But, again, as I indicated, I'm sure it's one that's just going to fly out of here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Petka.

SENATOR PETKA:

Thank you much — very much, Mr. President and Members of the Senate. In 1993, I introduced virtually — a virtually identical piece of legislation. At that time, two of the main opponents of this legislation, who I might add, parenthetically, are no longer here, claimed that the bill was a waste of time, that this was simply an attempt to harp on and bash a lifestyle. The bill passed out of the Senate and went over to the House, and for what I considered partisan, political reasons, it was killed. But I predicted at that time that the issue would be revisited in the State of Illinois. In 1993, in the last week of April, the last weekend, there was the infamous homosexual march in Washington, D.C. I had an opportunity to — to watch some of the leaders of that — of that march who participated in a talk show afterwards, and one of the things that they insisted upon, one of the things that they have demanded, and still demand today, according to the

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"Windy City" Times of February 22nd, 1996, is that they demand the right to have a marriage, that they have the right to have the same benefits that have been traditionally enjoyed by heterosexual couples. I received some letters from people who are violently opposed to this legislation, who did not live in my district, and one of the things that they -- they stated - and it was a common thread and an organized drive - was that, "Senator, why are you trying to legislate your morality on all of us?" It's a very simple proposition, folks. All laws that we pass in this General Assembly have a moral tone to them, whether we're taxing people disproportionately. Our criminal justice system is basically founded upon the Ten Commandments. The real question that we must ask ourself is, whose morality are we going to impose on the public. I agree with Senator Sieben and Senator Fitzgerald that we are making a public policy statement and a public policy statement that absolutely has to be done now because of what I consider to be a bizarre public policy statement that may be made in the State of Hawaii. I strongly urge the adoption of this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members of the Senate. I — I was off the Floor when the bill first came up, and — and I'm a little confused here. I don't know what we're trying to fix, because I didn't think that the State of Illinois, right now, allows for same-sex marriage, and — and now we're saying that this bill, I guess, is prohibiting something that doesn't exist. Now, it — it really is a political gimmick. That's basically what this is all about. It's playing on the — the sympathy of the public out here to try and put those of us who believe in basic human rights on the spot, clearly for political reasons. Clearly.

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No other reason at all. Now, if you had a bill in here that says to permit the same sex to get married, I would vote No. That's my belief, because I do believe it does Absolutely not. denigrate the institution of marriage. However, why am I voting on a bill to prohibit something that doesn't exist? This is a waste of taxpayers' money. I -- I see it clearly for political reasons. All you're trying to do is just string out somebody over here on a vote that you can run around out there because you know it is very clear, hot issues on the whole idea of the institution and strengthening the institution of marriage and -- and the morality of the family. That's all this is about. This is a game. And I don't think we ought to -- we ought to stop playing games down here and get serious about doing the business of the people of this State, like funding education, like providing adequate and accessible, affordable medical care for people in -- in need in this State, taking care of our senior citizens, dealing with our environmental problems and other issues and stop this political game that we're playing every day, day after day after day. This is a bad idea. If we're going to start legislating un-legislated, then we might as well go home down here. Stop playing the game.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer. SENATOR PALMER:

Thank you, Mr. President. This is a very disturbing bill. I agree with what Senator Collins said. Here we are trying to look into a crystal ball to project what one other state in a union of fifty states may do and act upon that at this moment in time. When you look at our analyses and you see who is for and who is against this, once again we are engaging in setting groups of people against each other. And unfortunately, in this country, as Carl Rowan's column yesterday pointed out, we're engaging in that

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more and more. And this is an instance where we don't have to and shouldn't have to, and I think it's a very dangerous thing to do. This is an election year and I'm sure feelings run high, but I think this is totally inappropriate. Yesterday, we had thousands of parents down here on a real issue of funding schools. Those are the kinds of things — that's what we should be debating today. We should be discussing how our children... You want to be pro-family? Then let's talk about being pro-children, and let's talk about how our children can go through public schools in a way that gives them adequate and equitable funding for their futures and ours. That's pro-family. This is a waste of time, and it is totally inappropriate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski. SENATOR BURZYNSKI:

Thank you...(microphone cutoff)... Thank you, Mr. President. I'm a little bit disturbed by the comments that I hear from my colleagues on the other side of the aisle when they talk about this bill being a game. I don't believe it's a game. I think it's a very serious matter. And when we talk about entering into this very lightly, I don't think it's entered into very lightly. And, certainly, when we say that it's dangerous, that this bill is dangerous, I would submit to you that it's more dangerous if we don't adopt this bill than it is if we just let it go on the way it is. I certainly encourage my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Fitzgerald, to close. SENATOR FITZGERALD:

Thank you. I'm not going to rehash the speech I already gave about why the bill is necessary. I said it two or three times, and then the next question up was "Why is the bill necessary?" Senator Palmer, if you don't think the bill does anything, then

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why are you opposed to it? That doesn't make any sense to me. There's a very good possibility that Hawaii will recognize same-sex marriages this summer. The Hawaiian Legislature has refused to do that, but the court told the Hawaiian Legislature that their current marriage Statute violates their interpretation of the Hawaiian Constitution, because they are equating the laws against discrimination based on sex as being the same as laws prohibiting discrimination based on sexual orientation. And the Governor in the State of Hawaii favors same-sex marriages, and his Attorney General is somebody he appointed, and it is likely that they will not fight an adverse court ruling. And if we don't act -- the reason, Senator Jacobs, we must act now is because if we don't act now and Hawaii recognizes same-sex marriages over the summer, then by the time we come back in the fall, it'll be too late, because we cannot retroactively strip people of vested rights. That's unconstitutional. That's why it's necessary to But all of you, if you think the bill doesn't do anything, that it's gratuitous, then you should -- you shouldn't oppose it 'cause it doesn't do anything. Why do you care? You said that there are only political reasons to -- to support the bill. There happen to be economic issues involved here, too. There's probably a gigantic, colossal impact to our State's five pension funds if all of a sudden people can claim that they have -- are married with same-sex partners. All of a sudden those -those partners would be entitled to the pension benefits that only heterosexual married couples now enjoy. The impact could be qigantic. I've asked the Economic and Fiscal Commission to put together the figures. They haven't gotten them to me yet, but it could be quite significant. The point is, to vote against this bill; to do nothing, could be to radically change marriage laws in the State of Illinois as we recognize it. Now, I want to tell you just -- I'm going to close with one final story. My mother-in-law

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is a secretary in the Denver public schools, and there's a third-grader in that school that she works at who is adopted by a gay couple - two gay men. And every -- every day this boy is dropped off at school by his parents, and the other kids make fun of him. And he's constantly crying; he's in the principal's office; he's constantly fighting. I think that we need to promote our existing concept of marriage. I think it's healthy for a kid to grow up with a mom and a dad. That isn't an idea that just fell out of my head three weeks ago when I introduced the bill. Every society that I know of has long enjoyed that concept. And it's one thing to say that homosexuals should be treated with dignity and compassion; it's quite another to say that State law must affirm the lifestyle. If -- if you want to change the way our marriage laws work, then vote against this bill, 'cause you may get a lot of the type of adoptions that I just saw and a lot of other results that I don't think your constituents would be very happy with. Senator Petka did a poll in his district, and eighty-six percent of the people in his district were opposed to same-sex marriages. This is an obvious bill. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 1773 pass. All those in favor will vote Aye. Opposed will vote 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 42 Ayes, 9 Nays, 2 voting Present. And Senate Bill 1773, having received the required constitutional majority, is declared passed. The Senate will be... Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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State your point.

SENATOR WELCH:

Mr. President, in the gallery, we have the Seneca Future
Farmers of America, led by Jeff Maierhofer, Could you please
rise?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our -- will our guests in the gallery please rise and be recognized? Welcome to Springfield. Senator Philip, what purpose do you rise?

SENATOR PHILIP:

SENATOR GEO-KARIS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Our wonderful Senator Geo-Karis has a birthday coming up this Friday. She's thirty-nine again. And I'll remind you of this: I think she's the only Member that was born outside of America. Came to this country as a young lady, became an American citizen, volunteered for the Armed Services and defended our country in WW I -- oh, wait a minute! WW II. And we -- we all love you, Geo, and we want to wish you a happy, happy birthday. She has cake up here on our side.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Happy birthday, Senator Geo-Karis. The Senate will be standing at ease for -- oops! Senator Geo-Karis.

Mr. President and Ladies and Gentlemen of the Senate, I want to thank my distinguished colleague and our great President of the Senate for his accolades, and I just want to remind him that age is mind over matter. And if I don't mind, it doesn't matter. So, I just want to thank everyone and just tell you that this seasoned citizen is around to love all of you and wish you all well, and thank you so much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will be at ease for about one minute while the

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Rules Committee meets and the rest of the Members enjoy Senator Geo-Karis' cake. And the Secretary will be reading House Bills lst Reading.

SECRETARY HARRY:

House Bill 1285, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 1287, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 1290, by Senator Burzynski.

(Secretary reads title of bill)

House Bill 2406.

(Secretary reads title of bill)

Is offered by Senator Cronin.

Senator Hawkinson offers House Bill 2529.

(Secretary reads title of bill)

House Bill 2557, by Senators Madigan and Raica.

(Secretary reads title of bill)

House Bill 2587, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 2651, offered by Senators Hawkinson and Shadid.

(Secretary reads title of bill)

House Bill 2915, Senator Burzynski.

(Secretary reads title of bill)

Senator Raica offers House Bill 3052.

(Secretary reads title of bill)

House Bill 3396, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3546, presented by Senator DeAngelis.

(Secretary reads title of bill)

House Bill 3617, Senator Raica.

(Secretary reads title of bill)

And House Bill 3638, by Senator Klemm.

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(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cromin, what purpose do you rise?

SENATOR CRONIN:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR CRONIN:

Senator Dillard and I join in welcoming Mayor Jim Addington here today, mayor from the -- the mighty Village of Westmont, who I also should add that Mayor Addington will be the next president of the DuPage Mayors and Managers. So I'd like to welcome Mayor Addington.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield, Mayor. ... Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Agriculture and Conservation - House Bills 2665 and 2711; to the Committee on Appropriations - House Bill 2667; to the Committee on Education - House Bills 995, 1684, 2230, 2664, 3091, 3300 and 3532; to the Committee on Environment and Energy - House Bills 2515, 2571, 2725, 2747 and 3167; to the Committee on Executive - House Bill 3050; to the Committee on Financial Institutions - House Bills 2697 and 2860; to the Committee on Higher Education - House Bills 456 and 2836; to the Committee on Insurance, Pensions and Licensed Activities - House Bill 1796, 2616, 2626, 2819, 2918 and 3186; to the Committee on Judiciary - House Bills 2456, 2631, 2649, 2658, 3233, 3451, 3578 and 3669; to the Committee on Local Government and Elections - House Bills 885, 2695 and 2735; to the Committee on Public Health and Welfare -

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House Bills 2533, 2564, 3230 and 3613; to the Committee on Revenue - House Bills 427, 431, 1645, 2659 and 2809; to the Committee on State Government Operations - House Bills 2670 and 2861; to the Committee on Transportation - House Bills 378, 2799, 2916, 3367, 3368, 3436 and 3677; and Be Approved for Consideration - House Bill 2294.

PRESIDING OFFICER: (SENATOR DUDYCZ)

...Burzynski, what purpose do you rise? Senator Burzynski. SENATOR BURZYNSKI:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BURZYNSKI:

Earlier this morning, I had the pleasure of introducing to the Body the new — the president of the Illinois State FFA; however, I also neglected to introduce to the Body another young lady who was at the podium with us, Director of Agriculture Becky Doyle. And I noticed that she is back in the Chambers, in the gallery behind the Republican side. So I wish that we would recognize her.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. Middle of page 6, on the Order of Senate Bills 3rd Reading, Senate Bill 1777. Senator Donahue. Mr. Secretary, read the bill.

SECRETARY HARRY:

Senate Bill 1777.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE: