

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

59th Legislative Day

July 4, 1991

PRESIDENT ROCK:

The hour of four 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. Our prayer this afternoon by Father Frank J. O'Hara, St. Peter & Paul Catholic Church, Springfield, Illinois. Father.

THE FATHER FRANK J. O'HARA:

(Prayer by Father Frank J. O'Hara)

PRESIDENT ROCK:

Thank you, Father. Reading of the Journal, Madam Secretary.

SECRETARY HAWKER:

Senate Journal of Tuesday, June 25, 1991.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

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

PRESIDENT ROCK:

You've heard the motion as placed by Senator Kelly. 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. Senator Kelly.

SENATOR KELLY:

Mr. President, I now move that reading and approval of the Journals of Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; Saturday, June 29th; Sunday, June 30th; Monday, July 1st; Tuesday, July 2nd; and Wednesday, July 3rd, in the year 1991 by postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Kelly. Any discussion? If not, all in favor, indicate by saying Aye. All

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opposed. The Ayes have it. The motion carries, and it is so ordered. The Chair's been advised that WAND-TV, WICS-TV, WCIA, WMAQ have all requested permission to shoot some videotape. Without objection, leave is granted. 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 refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 956.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regards to their amendment to the bill.

Action taken by the House July 1, 1991.

I have like Messages on:

Senate Bill 958 with House Amendment 1;

Senate Bill 959 with House Amendment 1;

And Senate Bill 1341 with House Amendment 1.

PRESIDENT ROCK:

All right. Senator Demuzio will move that the Senate accede to the request of the House that a conference committee be appointed. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Senate does accede to the request of the House. 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 refused to adopt the First Conference Committee Report on Senate Bill 930 and requests a second committee of conference to consider the differences between

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the two Houses in regards to Amendment No. 1.  
Action taken by the House July 2, 1991.

PRESIDENT ROCK:

All right. Senator Marovitz will move that the Senate accede to the request to the House that a second conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it's so ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

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

PRESIDENT ROCK:

State your point, please.

SENATOR GEO-KARIS:

First of all, I want to congratulate you on becoming a grandfather. Is that the first time?

PRESIDENT ROCK:

It is. Thank you.

SENATOR GEO-KARIS:

The first time, and I want to thank you for Emily Ann Snow's key chain that you gave all of us. And second of all, I want to wish everyone here a happy 4th. I am particularly grateful for the 4th of July, because I arrived in this country on the 4th of July, and was in Ellis Island and hated the place, but I love the country. So I want to wish everybody a happy -- happy birthday for the country and happy day for everyone.

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 6-6-4 offered by Senator Smith.

It is congratulatory.

PRESIDENT ROCK:

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

SENATOR SMITH:

Thank you, Mr. President. I stand on a point of personal privilege, if I may.

PRESIDENT ROCK:

State your point.

SENATOR SMITH:

I merely want to recall that my former -- my husband -- my late husband, Senator Fred Smith - this would have been his birthday the 4th of the July and which he always was honored here in the Legislative Body. He served thirty-six years here, and I just wanted to bring it to fore. Thank you, very kindly.

PRESIDENT ROCK:

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes. Thank you, Mr. President. To discharge the Committee on Executive from further consideration of House -- of House Joint Resolution 65 and that it be placed on the Order of Secretary's Desk for immediate consideration.

PRESIDENT ROCK:

All right. The Lady seeks leave to discharge the Committee on Executive from further consideration of House Joint Resolution 65, asks that it be placed on the Order of Secretary's Desk, Resolutions. If you'll turn to Page 9, there are currently four resolutions currently residing there. This will be number five, and we'll take it up at some appropriate time around the 1st of August. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. The Committee is discharged, and House Joint Resolution 65 will be placed on the Secretary's Desk, Resolutions. Ladies and Gentlemen, as long as we are here on the 4th of July, we'll turn to Page 16 on the Calendar. Page 16 on

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the Calendar. If any Member has a conference committee report on Pages 16 or 17, we will go through this Order of Business. Then ask if anybody has anything on Non-concurrence and/or Concurrence, and then we will be through for the day. 121. Senator Cullerton. 4-3-4. Senator Tom Dunn. 9-4-5. Senator Lechowicz. On the Order of Conference Committee Reports is a report with respect to House Bill 945, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 945.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Conference Committee Report on House Bill 945 deletes the Senate Amendment No. 1 and provides that the purchasing -- as one of the factors of the Metropolitan Water Reclamation District, that the purchasing agent may take into account in determining the responsibility of any bidder, whether equipment or materials are manufactured in North America. We passed this bill out of here some time ago -- in a previous -- a couple of weeks ago in reference to purchasing out of America. At the request of the sanitary district, in the House, they wanted to include North America, and that's what this Conference Committee does. So I move the adoption of First Conference Committee on House Bill 945. And this contains an immediate effective date.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the First Conference Committee Report on House Bill 945. Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDENT ROCK:

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He indicates he will yield, Senator Dudycz.

SENATOR DUDYCYZ:

Senator Lechowicz, you are granting permissive authority for the Water Reclamation District to purchase American made products, in this Conference Committee?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

It is permissive and the -- and the effective date is January 1st, '92. Senate Amendment No. 1 was an immediate effective date. We -- we withdrew from that, and this will be effective January 1st, 1992.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

What reason would prompt this legislation, Senator, if it's just permissive? Is there something that would prevent them from buying American-made products?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

It's just a consideration that the purchasing agent at the district can take in consideration. There's really no objection to the bill, or to the Conference Committee.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDENT ROCK:

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, many bills of this kind provide that bids can be

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accepted which are higher than others, if they are American-made products. Is there a provision like that in this bill?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

No, this is only permissive, has nothing to do with the higher -- excepting of higher bids.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 945. Those in favor, vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 45 -- 46 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 945 and the bill, having received the required constitutional majority, is declared passed. 9-6-8. Senator Jones. 1007. Senator Marovitz. Top of Page 17. 1415. Senator Hawkinson. 1970. Senator Jones. 2222. Senator Marovitz. Senate Bill 4-4-6. Senator Cullerton. 6-1-6. Senator Joyce. 907. Senator Lechowicz. Middle of Page 17, on the Order of Conference Committee Reports, is a report with respect to Senate Bill 907, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 907.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 907, and the Conference Committee Report that it's contained in, is primarily the work product of Judge Wayne Andersen and the -- Bar Association. Basically what it does, it raises circuit court clerk fees in counties with a population

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between a hundred and eighty thousand and six hundred and fifty thousand. It raises certain fees in Cook County; provides a new disbursement method for court fees in all counties, and it's optional downstate. It preempts home rule, and raises court automation document storage fees from three dollars to five dollars. Basically, as I pointed out, it's permissive. Has to be approved by the respective county boards, and I know that Judge Wayne Andersen has talked to people from both sides of the aisle, and I would hope that the Senate does concur in the Second Conference Committee Report on Senate Bill 907.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the First Conference Committee Report on Senate Bill -- Second Conference Committee Report on Senate Bill 907. Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. This bill has been worked on long and hard by a lot of people. I think all the counties are now on board; we have tried to contact everyone. I think the way the bill is presently in the -- in the present form that it is, it's a good bill, and I would suggest that all vote for it.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

No. Thank you.

PRESIDENT ROCK:

All right. The question is, the adoption of Senate Bill -- Second Conference Committee Report on Senate Bill 907. Those in favor will vote Aye. Opposed, 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 46 Ayes, 2 Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 907, and the bill, having received



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the required constitutional majority, is declared passed. 923. Senator Welch. 1171. Senator Demuzio. 1393. Senator Marovitz. That concludes the Calendar, Ladies and Gentlemen, unless some Member has something they wish to bring to our attention. Page 9 on the Calendar, Ladies and Gentlemen. There's been a request to go to Senate Bill 214. Page 9 on the Calendar, on the Order of Secretary's Desk Concurrence is Senate Bill 214, Madam Secretary.  
SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 214.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. My Motion would be to concur with House Amendment No. 1 and to non-concur with House Amendment No. 2. House Amendment No. 1 is an agreed amendment. It deals with the DuPage County Airport Authority. What the bill did was to give Kane County a new member on the DuPage County Airport Authority and say that all new members appointed by DuPage should be done so with the approval -- advice and consent of the County Board. What the amendment does is to delay the new Kane County appointment until 1993. It also clarifies that the mayors of the two villages that are contained in Kane County within the Airport Authority are to make the appointments. That is, as I said, an agreed amendment; however, House Amendment No. 2 is not agreed, and I understand that the House will recede from Amendment No. 2. So I would, at this time, move to concur with House Amendment No. 1.

PRESIDENT ROCK:

The Gentleman has moved to concur with House Amendment No. 1 and to non-concur with House Amendment No. 2. Discussion on the motion? Senator Macdonald.

SENATOR MACDONALD:

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Question for the sponsor.

PRESIDENT ROCK:

Sponsor indicates he'll yield.

SENATOR MACDONALD:

Senator Cullerton, can you explain to me what -- what the objection is and what your objection is to Amendment No. 2, which relates to Palwaukee Airport and the Village of Wheeling and the Village of Prospect Heights? What seems to be the problem here? This is a very much needed amendment for my district.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Yes. It was brought to my attention by President Rock, yesterday, on the same amendment which received fifteen votes, that there was objections to the provisions contained in House Amendment No. 2. Specifically, it involved quick-take and it involved quick-take that would last for twenty-four months. And you may recall the debate when that came up yesterday, I believe it was. And so as a result of President Rock's objections, I concur with his objections, and I indicated to those proponents of this measure that if it, in any way, affected the outcome of the underlying bill, that it would be cast aside and that's what we intend to do right now.

PRESIDENT ROCK:

Senator Macdonald.

SENATOR MACDONALD:

I hope that everyone will understand that there is no residential property involved here. Although it is quick-take, certainly, I helped Senator Joyce (Holmberg) with her problem with Rockford Airport, and I have certainly done everything I can for every other airport understanding the need - transportation-wise - of airports in other people's districts. I would suggest to you

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that this is an extremely important amendment for my area, and I would like some reconsideration over the rejection of that part of the -- Amendment No. 2 on this bill.

PRESIDENT ROCK:

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, in regards to Amendment No. 1 that we are concurring in, I've had several people ask me what I thought. I think this is a good amendment and I do support it.

PRESIDENT ROCK:

Further discussion? All right. The Gentleman has moved that the Senate concur with House Amendment -- concur with House Amendment No. 1 to Senate Bill 214. On that question, those in favor will vote Aye. Opposed, 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 44 Ayes, 3 Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 214, and the Secretary shall so inform the House. The Gentleman now moves to non-concur with House Amendment No. 2 -- the Gentleman has moved that the Senate non-concur with House Amendment No. 2 to Senate Bill 214. Those in favor of the Gentleman's motion will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 17 Nays, and the motion carries, and the Secretary shall -- the Senate does non-concur with House Amendment No. 2, and the Secretary shall so inform the House. Any other Member have a bill on the Calendar they wish to move? Bottom of Page 13. Senate Bill 9-8-9, Madam Secretary. Senate Bill 9-8-9. On the Order of Secretary's Desk, Concurrence, is Senate Bill 9-8-9, Madam Secretary.

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SECRETARY HAWKER:

House Amendments 1, 3 and 4 to Senate Bill 9-8-9.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. House <sic> Bill 989 does a number of things, as the House sometimes does. It's incorporated a bunch of Senate Bills. One of them creates the Attorney General's Task Force on Environmental Legal Resources. That was Senate Bill 232, by Senator Welch, that passed the Senate. It exempts from the jurisdiction of the ICC, motor vehicles hauling waste from the facility of the generator to the recycling facility - Senate Bill 66, Senator Woodyard, and House Bill 197, Senator Woodyard - passed both Houses. Requires ENR to develop a large scrap tire disposal pilot program, targeted at piles over a million. Requires ENR to develop one -- implement a plan to eliminate large scrap piles. One pile shall serve as a demonstration project, and the results shall be reported to the General Assembly. It bans white goods for landfills - Senate Bill 1439, that Senator Welch passed the Senate. Requires a fee of a dollar per tire sold at retail stores in the State - it's Senate Bill 1311 that Senator Philip passed the Senate. And also gives DOR the authorization to collect the fee and allow foam as cover in landfills - Senate Bill 296, that Senator Weaver passed the Senate. I'd be happy to answer any questions if there are any.

PRESIDENT ROCK:

The Gentleman is moving concurrence with House Amendments 1, 3 and 4 to Senate Bill 9-8-9. Discussion? Discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 9-8-9. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

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that question, there are 49 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 3 and 4 to Senate Bill 9-8-9 and the bill, having received the required constitutional majority, is declared passed. All right. Any other Member on the Order of Concurrence. Concurrence. Otherwise Non-concurrence, Pages 13 through 16. No takers. All right. Any further business? Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 665 offered by Senator Carroll.

It is substantive.

PRESIDENT ROCK:

Executive. Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

For purpose - ask for -- excuse me -- House Joint Resolution 68 concerning the location of the National Park Service, the Abraham Lincoln Research Center and Interpretive Center here in Springfield. It now resides in Exec Committee, and I'd like to move to discharge the Exec Committee and place it on the Secretary's Desk.

PRESIDENT ROCK:

All right. The Gentleman has moved, as Senator Collins did earlier, to discharge the Committee on Executive from further consideration of House Joint Resolution 68 and asks that it be placed on the Order of Secretary's Desk, Resolutions. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. House Joint Resolution 68 will be shown on the Order of Secretary's Desk, Resolutions. Further business to come before the Senate?. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. Any chance of going to

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non-concurrences on the approp bills this afternoon?

PRESIDENT ROCK:

We've been waiting for about a week. My recollection is, you can go to that Order of Business any time. We've called it twice now. Do you have bill, sir? Or you wish to move all of them?

SENATOR MAITLAND:

Well, I think we're prepared to -- to move with them, starting at the -- with House Bill 581.

PRESIDENT ROCK:

Do you want to move them all? We can do it all in one motion? We just refuse to recede from any and all Senate amendments.

SENATOR MAITLAND:

Fine.

PRESIDENT ROCK:

All right. All right. Senator Maitland has moved -- if you'll turn to Page 13 on the Calendar, it'll be House Bills 5-8-1, 629 and sequentially through to 737. Senator Maitland has moved that the Senate refuse to recede from the adoption of any and all Senate amendments to those House Bills. Is there any discussion on that motion? If not, all in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it, and the Secretary shall so inform the House. Further business to come before the Senate? Any further business? If not, Senator Vadalabene moves that the Senate stand adjourned until Friday, July 5th - Friday, July 5th - at the hour of 12:00, noon. Senate stands adjourned until noon tomorrow.

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