

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 3, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend William Oaks from the Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journals of Tuesday, April 1st and Wednesday, April 2nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just to inform the Senate that Senator Lemke will be absent today due to personal matters and health reasons.

PRESIDENT:

The record will so indicate. Committee reports.

SECRETARY:

The Rules Committee met at 9:00 a.m. on Thursday, April the 3rd, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bills 1519, 1562,...1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1626, 1627, 1628, 1639, 1698, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743,

1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778 and 1779.

Senator Savickas, chairman of Committee on Assignment of Bills, reports the following Senate bills have been assigned to committee:

Appropriations I - Senate Bills 1519, 1562, 1626, 1627, 1628, 1639, 1698, 1736, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1750, 1752, 1753, 1754, 1755, 1756, 1757, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1769, 1770, 1771, 1773, 1774, 1775, 1776, 1777, 1778 and 1779; Appropriations II Committee - Senate Bills 1602, 1603, 1604, 1605, 1606, 1607, 1609, 1610, 1611, 1737, 1738, 1749, 1751, 1758 and 1759...also 1772; Higher Education - Senate Bills 1608 and 1612.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 781 offered by Senator Collins.

PRESIDENT:

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

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd ask leave of the Body to suspend the posting rules for Executive Appointments for next week. As you know, it was read into the record yesterday and to suspend the appropriate rules so we could have our hearing on the 9th of April.

PRESIDENT:

The gentleman seeks leave to waive the appropriate rule with respect to posting for the consideration of the Governor's appointments in the Message that was read yesterday. Is leave granted? Leave is granted. Senator

Sangmeister, for what purpose do you arise, sir?

SENATOR SANGMEISTER:

Mr. President and members of the Senate, I understand that House Joint Resolution 152 came over from the House and was assigned by the Clerk because it was my Representative, which is fine. I would like to change the sponsorship of that to Senator Watson with me as a hyphenated cosponsor, and then I think he would like to move to suspend rules to move it forward, which I have no objection to. So, at this point, if you would change the sponsorship of HJR 152 to Watson-Sangmeister and then recognize Senator Watson.

PRESIDENT:

That request is in order. House Joint Resolution 152, the gentleman seeks leave to show Senator Watson as the chief sponsor. Without objection, leave is granted. Senator Watson.

SENATOR WATSON:

Yes, I'd like to ask now leave to discharge this motion out of the Executive Committee.

PRESIDENT:

All right, Senator Watson has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 152 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 152, Senator Watson.

SENATOR WATSON:

Now I understand that a motion to suspend the rules is in order...

PRESIDENT:

Senator Watson...

SENATOR WATSON:

...so it can be heard.

PRESIDENT:

...Senator Watson moves to suspend the appropriate rule for the immediate consideration and adoption of House Joint Resolution 152. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. House Joint Resolution 152, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Joint Resolution 152 is a...is a matter in which...most of the communities in Illinois are dealing with the Clean Water Act of 1972, and what we are trying to do here is urge Congress and Federal Government to relax some of the...the standards and possibly and postpone the date of compliance. That's really, basically, what we're doing here. The reason for the emergency nature of is the fact that they're discussing this right now in Washington and we'd like to get this out there as soon as possible. Thank you.

PRESIDENT:

All right, Senator Watson has moved the adoption of House Joint Resolution 152. Any discussion? If not, all in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 152 is adopted. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill...1797 introduced by Senator Topinka.

(Secretary reads title of bill)

1798, Senators Watson and Degnan.

(Secretary reads title of bill)

Senate Bill 1799, by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1800, Senator Collins.

(Secretary reads title of bill)

Senate Bill 1801, Senator Rigney.

(Secretary reads title of bill)

Senate Bill 1802, Senator Poshard.

(Secretary reads title of bill)

Senate Bill 1803, Senator Berman.

(Secretary reads title of bill)

1804, Senator Berman.

(Secretary reads title of bill)

1805, Senator Lechowicz.

(Secretary reads title of bill)

1806, Senator Lechowicz.

(Secretary reads title of bill)

1807, Senator Sangmeister.

(Secretary reads title of bill)

1808, same sponsor.

(Secretary reads title of bill)

1809, Senator Demuzio.

(Secretary reads title of bill)

1810, Senator Degnan.

(Secretary reads title of bill)

1811, Senator Kustra.

(Secretary reads title of bill)

1812, Senator Etheredge.

(Secretary reads title of bill)

1813, Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Joint Resolution 132 offered by Senators Demuzio, Rock and all Senators and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1814 introduced by Senator Poshard.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. If I can have the attention of the membership, the only remaining items of business are the Resolutions Consent Calendar, the adjournment resolution and Senator Luft indicated the House has already passed the Conference Committee report on Senate Bill 1064. He indicates he would like to go to that order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll move to the Order of Conference Committee Reports. Leave granted? Leave is granted. Conference Committee report, page 3 on your Calendar is Senate Bill 1064. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1064...the Conference Committee has deleted everything after the enacting clause and it responds to a request by the Village of Robbins. In order to acquire approximately seventy acres of property which will be sold to private investors who will construct a refuse derived fuel system, it's a garbage converter sometimes known as a cogeneration plant, they needed quick-take provisions or the project would be delayed approximately eighteen months. What this bill does simply is to...permit a municipality of fewer than fifteen thousand population quick-take acquisition powers where the property sought is to be used for a refuse derived fuel system if such procedures are commenced on or before June 30, 1987.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President and members of the Senate. I

rise in support of Conference Committee report on 1064. This involves a one hundred million dollar project in the Village of Robbins that will tie into part of an enterprise zone. The properties involved...and none of us are too enthusiastic for quick-take around here. The properties involved are not properties involving homeowners. They involve absentee ownership. For those of you who are familiar with the Village of Robbins and its most recent problems, you know that it is a...an extremely depressed area. They are facing severe financial problems. This truly is a...a...an answer to the Robbins problem without going to public funds, and I ask that the Senate support the Conference Committee report on 1064.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Luft, on your quick-take procedure, what effect would this have on the siting provisions of Senate Bill 172 or other environmental requirements? In particular I'm referring to an area in LaSalle County where a toxic waste incinerator wanted to come in, they promised the village a part of the take if they would let them come into the village and all of the residents were upset because they weren't given adequate notice of the proposal. What I'm wondering is what effect is a quick-take procedure going to have on letting some kind of an establishment like this come in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My answer would be, none. This is specifically for a cogeneration plant in communities of fifteen thousand or less

and only used for a refuse derived fuel system if such procedures are commenced on or before June 30th of '87. It's my feeling and I have been told that this bill was written specifically for the City of Robbins and no one else could quite possibly even come under it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, any toxic waste incinerator is going to be able to fit in under the definition of a refuse derived system. What I'm worried about is the possibility that somebody could just allege that they would be creating a fuel system for industrial development kind of to justify the existence of the incineration plant.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My only comment can be that there is a definition in this bill of a refuse derived fuel system and it is...defined as a facility designed to convert refuse and other waste materials into steam and electricity to be used for industrial development and other commercial purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Watson.

SENATOR WATSON:

Is...is there any opposition in the Community of Robbins?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

No, the village...the mayor and the village trustees were down here. They had a public hearing in the village. The properties involved are absentee ownership. No...no one in the village owns any of the properties involved and there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

And there is a sunset provision? And what is the date one more time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft may respond.

SENATOR LUFT:

June 30, '87.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And you feel you've made this as restrictive as you can so it only affects the community of Robbins?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1064. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 2, 4 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1064 and the bill having received the required constitutional majority is declared passed. All

right, with leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 782 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, introduction of bills.

SECRETARY:

Senate Bill 1815 introduced by Senators Etheredge, Netsch and Davidson.

(Secretary reads title of bill)

Senate Bill 1816, Senators Netsch, Etheredge and Davidson.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right, Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we have one additional congratulatory resolution, Senate Joint Resolution 132, with leave of the Body, to add to the Resolutions Consent Calendar. It is congratulatory. Is leave granted? Leave is granted. Senator Poshard moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. All right, Message from the House.

SECRETARY:

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

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

House Joint Resolution 159.

(Secretary reads HJR 159)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock on the adjournment resolution.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the...we suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 159. It is the adjournment resolution. When we conclude our business momentarily, it calls for us to return to Springfield next Tuesday, April the 8th, at the hour of 1:00 p.m...one o'clock. I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as placed by Senator Rock. Those in...Senator Newhouse, do you wish to speak on this? All right. Senator Rock has moved for the immediate consideration and adoption of...suspension of the rules for the immediate consideration and adoption of House Joint Resolution 159. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 159. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 159 is adopted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd like leave of the Body to be added as...as a cosponsor to Senate Bill No. 1554 and House Bill No. 2773. I've checked with the sponsor and they've agreed to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the...you've heard the motion by...by Senator Newhouse on...being added as a cosponsor of

Senate Bill 1554 and House Bill 2773. Is leave granted?
Leave is granted. So ordered. Further business to come
before the Senate? I've got introduction of bills.

SECRETARY:

Senate Bill 1817 introduced by Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Further...further business to come before the
Senate? Senator Vadalabene has moved that the Senate stand
adjourned until Tuesday, April the 8th, at the hour of one
o'clock...one o'clock. Senate stands adjourned.

02/26/88
15:16

STATE OF ILLINOIS
34TH GENERAL ASSEMBLY
SENATE
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