

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

97th Legislative Day

April 29, 1992

PRESIDENT ROCK:

The hour of one 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 the Reverend Bob Green, South Side Christian Church, Springfield, Illinois. Reverend.

THE REVEREND BOB GREEN:

(Prayer by the Reverend Bob Green)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journals of Tuesday, April 21, and Wednesday, April 22, 1992.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

(microphone malfunction)

PRESIDENT ROCK:

You've heard the motion as placed by Senator Dunn. 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 Dunn. We'll see if we can get you on this time.

SENATOR T. DUNN:

Same message? Go to number two. Mr. President, I move that the reading and approval of the Journals of Thursday, April 23rd and Tuesday, April 28th, in the year -- 1992, be postponed, pending arrival of the printed Journal.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Dunn. 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. Committee Reports.

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SECRETARY HAWKER:

Senator Leverenz, Chairman of the Committee on Commerce and Economic Development, reports Senate Bill 2211 Do Pass, as Amended.

Senator del Valle, Chairman of the Committee on Consumer Affairs, reports Senate Bills numbered 1511, 1584, 1739 and 2191 Do Pass; and Senate Bills numbered 1708 and 2201 Do Pass, as Amended.

Senator Welch, Chairman of the Committee on Energy and Environment, reports Senate Bills numbered 1750, 1766, 1768, 1943, 1948, 1954, 2079, 2094, 2095, 2096, 2105, 2176, 2181 and 2239 Do Pass; and Senate Bill 1764 Do Pass, as Amended.

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1201 offered by President Rock and all Members.

Senate Resolution 1202 offered by Senator Kelly.

Senate Resolution 1203 offered by Senator Dudycz.

Senate Resolution 1204, 1205 and 1206 offered by Senator Dudycz.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar. All right. Ladies and Gentlemen, if I can have your attention. With leave of the Body, we will move to page 9 on the Calendar, page 9 on the Calendar. There's been a request to read the -- proposed Constitutional Amendments a second time. Page 9 on the Calendar, Ladies and Gentlemen, on the Order of Constitutional Amendments 2nd Reading is House Joint Resolution Constitutional Amendment 28. Madam Secretary, read the resolution.

SECRETARY HAWKER:

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House Joint Resolution Constitutional Amendment 28.

(Secretary reads HJRCA 28)

2nd Reading of the resolution.

PRESIDENT ROCK:

Are there any amendments?

SECRETARY HAWKER:

No amendments, Mr. President.

PRESIDENT ROCK:

3rd Reading. Page 9 on the Calendar, under the same Order - Constitutional Amendments 2nd Reading - is found House Joint Resolution Constitutional Amendment 29. Read the resolution, Madam Secretary.

SECRETARY HAWKER:

House Joint Resolution Constitutional Amendment 29.

(Secretary reads HJRCA 29)

2nd Reading of the resolution.

PRESIDENT ROCK:

Are there any amendments?

SECRETARY HAWKER:

No amendments on file, Mr. President.

PRESIDENT ROCK:

All right. That resolution, too, will be moved to the Order of 3rd Reading. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 151 offered by Senator Schaffer.

And Senate Joint Resolution 152 offered by Senator Demuzio.

They're both congratulatory.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Thank you, Mr. President. I have a Senate Joint Resolution on

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the Secretary's Desk, Senate Joint Resolution 52 <sic> (152). It is congratulatory. I was wondering if, with leave of the Body, we could not expedite that to get it over to the House for the event that is to be held this Sunday.

PRESIDENT ROCK:

All right. The Gentleman seeks leave of the Body to go to the Order of Senate Joint Resolution 152, a congratulatory resolution, which is to be presented this Sunday. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 152. Discussion on the Motion to Suspend? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 152, a congratulatory resolution. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it, and the resolution is adopted. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1208 offered by Senator Jones.
It's a death resolution.

PRESIDENT ROCK:

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

SENATOR DEMUZIO:

Also, Mr. President, I'd like the record to so reflect that Senator Kelly is not here today because of a death in the family, and Senator Vadalabene is absent due to illness.

PRESIDENT ROCK:

The record will so reflect. Thank you. Senator Severns, for what purpose do you seek recognition?

SENATOR SEVERNS:

Thank you, Mr. President. Senator Kelly has asked -- asked that I seek leave for immediate consideration and adoption of his

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Senate Resolution 1202, which is also a congratulatory resolution.

PRESIDENT ROCK:

All right. The Lady seeks to suspend the rules to move Senate Resolution 1202 for immediate consideration and adoption. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Severns, on behalf of Senator Kelly, moves the adoption of Senate Resolution 1202, a congratulatory resolution. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it, and the resolution is adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WICS-TV has requested permission to videotape the Senate Chambers. Is leave granted? Leave is granted. So ordered. Resolutions. I'd ask that the Members be in their -- in their seats, please, for a resolution. Could we -- could we break up the conferences, and ask that all Members be in their seats, please. Senator Marovitz. ...(machine cutoff)...all Members to be in their seats. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1207 offered by President Rock and all Members.

It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd ask for the attention of the Membership. This resolution revolves around a rather momentous decision. And the resolution, if I may, with leave of the Body, Mr. President and Ladies and Gentlemen, recites:

WHEREAS, Jerome J. Joyce was elected to the Illinois Senate in 1974, and was subsequently re-elected in 1978, 1982, 1984 and

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1988; and

WHEREAS, Jerome J. Joyce has, during his seventeen-year tenure in the Senate, served with distinction as the Assistant Majority Leader, Chairman of the Senate Committees on Local Government, Agriculture, Conservation and Energy, and Executive, and as Chairman of the Legislative Redistricting Commission; and

WHEREAS, Jerome J. Joyce, who owns and operates a 520-acre farm near Essex in Kankakee County, has worked tirelessly on behalf of farmers, agriculture and rural Illinois; and

WHEREAS, In his effort to keep agriculture our State's number one industry, Jerome J. Joyce has sponsored, among other things, landmark farmland assessment legislation, legislation designed to spur increased ethanol production, legislation to provide financial assistance to drought-stricken farmers, the State's first program to curb soil erosion, and farm debt mediation legislation; and

WHEREAS, Jerome J. Joyce has likewise been recognized as one of the nation's foremost authorities on nuclear energy, and has been a staunch environmentalist while serving in the Senate; and

WHEREAS, In recognition of his expertise, Senator Joyce was appointed by President Jimmy Carter to the States Planning Council on Radioactive Waste Management in 1979; and

WHEREAS, Jerome J. Joyce received national recognition by sponsoring and passing legislation which successfully banned the importation of nuclear waste in Illinois for five years; and

WHEREAS, Senator Joyce has authored legislation creating an Illinois-Kentucky compact for the disposal of low-level nuclear waste, and helped create a three-member commission to decide where the repository will be located; and

WHEREAS, Jerome J. Joyce sponsored the legislation creating the Citizens Utility Board and played a major role in the rewriting of the Public Utilities Act to make utilities more

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accountable to ratepayers; and

WHEREAS, Senator Joyce also co-sponsored the State's first groundwater protection legislation; and

WHEREAS, When the State of Illinois closed the Manteno Mental Health Center in 1983, Senator Joyce was the driving force behind the creation of the Illinois Diversatech campus on the site of the former Mental Health Center, creating many new jobs; and

WHEREAS, Jerome J. Joyce sponsored the legislation creating the Kankakee River Valley Airport Authority and the Kankakee River Commission; and

WHEREAS, Jerome J. Joyce also co-sponsored legislation abolishing the inheritance tax and removing the sales tax on food and medicine; and

WHEREAS, To spur increased economic development in Illinois, Jerome J. Joyce participated in two trade missions to the Soviet Union to find new markets for Illinois products; and

WHEREAS, Jerome J. Joyce will end his distinguished tenure on behalf of the people of the 43rd District and the people of the State of Illinois by retiring from the Illinois Senate on April 29, 1992; therefore, be it

RESOLVED, BY THE SENATE OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we extend our warmest congratulations to our colleague, Senator Jerome J. Joyce, on the occasion of his retirement from this Body, and thank him for his seventeen years of service; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Jerome J. Joyce, along with our best wishes for good health, happiness and prosperity.

I'd ask we all stand and unanimously approve this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.J. JOYCE:

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Thank you, Mr. President. It's -- after Senator Rock read that, it's a good thing I'm getting out of here. I must have cost the State of Illinois billions. But thank you, Senator Rock. I -- I guess I have been here a long time. I know when I came down here the first time, my kids were small, and now I'm -- when I'm leaving, my grandchildren are the same age that my kids were when I came down. So I think that's time to -- to wrap it up. And I look forward to bringing those grandkids down here to Springfield, and when I can take them by the hand and point to the august site across the street at Second and Monroe that's now the beautiful State Library, and tell them how much time as a Senator I spent there on that site. Of course, it was the Capitol Way Inn then. Through all the victories and rivalries and -- I'm not without regrets. I think that as a Democrat, I would have liked to have had the opportunity to serve more than a couple years under a Democratic Governor. I regret that we were unable to fund education to the extent that we should have, or to protect the environment to the extent that we should have. But the deepest regret I think I'm going to have, and the one that's going to haunt me for many days when I leave this building, is I regret that I'll be unable to vote on the pension bill that comes around next November. I also had the good fortune to witness many historic events in this building. I witnessed landmark debates over the Equal Rights Amendment. I was witness to President Carter's visit to the Capitol. I witnessed the tense debate over -- the death penalty. I saw Jim Thompson ride a horse in the 2nd Floor Rotunda. Saw John Knuppel throw soup on Charlie Wheeler. And once I thought I saw Dawn Clark Netsch make up her mind, but -- and that was truly a miracle. I've also witnessed vast changes during my service here. I saw Dick Durbin, once our capable parliamentarian, turn into a powerful and respected Member of Congress. I saw our Leader, Phil Rock, turn from just a

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run-of-the-mill Chicago legislator into perhaps the greatest Senate President in our history. I can't tell you how many times, for you members of the press, that I've seen Bill O'Connell turn into a saloon. You know, some of the things that I'm sorry about, I -- the, you know, reporters this last Session were complaining about campaign funds and how we spend our money. And all I can say to you is now that I'm leaving, I can spend it anywhere I want to and I don't have any left. But I will be thinking of all of you during the years that come and the times that I've had here with you and the -- the heartbreaks and the fun and all of the rest of it. And particularly, I'll be thinking of you this June 30th and probably July 30th and August 30th. But I will miss this -- this great place, and it's been very fulfilling, and I'll always have a place in my heart for all of you. So thank you very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn. Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Jerry Joyce possesses those qualities that the Irish admire the most in people, and that is that he was always faithful and loyal to his friends. He was a soft touch for those in need. He worked diligently for his neighbors, skillfully - never deserted them. As a newcomer, he was very helpful to me. Lately, he's not been too helpful - now I know why. But he was always gracious. And when I was overly serious about a situation, he injected humor to bring me back down to earth. Truly, I think that the people of Illinois today lose a good Member, a Member that both sides of the aisle can recognize as a formidable foe, who would look you in the eye and tell you what he thought, and sometimes you didn't want to hear it. And I got a good example of that last week in a bill, when he killed one of my bills in committee. But you could count on that, and that's

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just the kind of person he was - someone that you could count on. And that's a pretty good statement to say about somebody - loyal, honest, and you could count on him. He leaves a legacy, and I thank him for his service to his county in Kankakee and to the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All in favor of the adoption of Senate Resolution 1207 will indicate by saying Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Marovitz, for an announcement.

SENATOR MAROVITZ:

Thank you very much, Mr. President. The Senate Executive Committee has an awful lot of work to do - some major legislation up today - and we will commence at two o'clock in Room 212. And if we could start right at two o'clock, we've got a lot of work, and we could probably be done by Session tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Senate Revenue Committee will meet here on the Senate Floor, hopefully within fifteen minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. Anyone's welcome to come back -- everyone's welcome to come back to my office all afternoon. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

The Senate Labor Committee, instead of meeting in A-1, will be changed and moved to Room 400. So I want -- we will start in probably about fifteen minutes. We'd like for you to be there as

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soon as possible. We do have several bills. And the Senate Labor Committee will meet in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I'd just like to remind everybody who's on Appropriation II that we will meet at 9:00 a.m. in Room 212 of the Capitol. That's tomorrow. Also, at four -- at 4:00 p.m. this evening, Appropriation II Subcommittee on Project CHANCE will meet in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. The Senate Transportation Committee will convene tomorrow morning at 9:00 a.m. - that's Thursday morning at 9:00 a.m. We have only three or four bills. We should have a very brief, short meeting - tomorrow morning at 9:00 a.m., Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Mr. President, I would move at this time to re-refer Senate Bill 1526 from the Elementary and Secondary Education Committee to the Revenue Committee, and also ask that posting requirements be waived. The bill was to be heard in the Elementary and Secondary Committee this morning and did not get heard, and we don't know if the Committee will meet again or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved to re-refer Senate Bill 1526 from the Committee on Elementary and Secondary Education to the Committee on Revenue. All in favor, indicate by saying Aye. Opposed, Nay.

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The Ayes have it. Motion -- motion carries. Further business to come before the Senate? The Senate will stand adjourned until tomorrow at the hour of noon. Senate stands adjourned.

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