

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

119th Legislative Day

December 4, 1996

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will the guests in the galleries please rise. Our prayer today will be given by Pastor David Cox, St. John's Lutheran Church, Springfield, Illinois. Pastor Cox.

PASTOR DAVID COX:

(Prayer by Pastor David Cox)

PRESIDENT PHILIP:

Will you please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Tuesday, December the 3rd, 1996, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to -- to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Cronin, Chair of the Committee on Education, reports House Joint Resolution 75 Be Adopted, as Amended; Senate Amendment 4 to House Bill 207 Be Adopted; Senate Amendment 4 to House Bill 995 Be Adopted.

Senator Butler, Chair of the Committee on Commerce and Industry, reports House Bill 2595 Do Pass, as Amended.

PRESIDENT PHILIP:

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Messages.

SECRETARY HARRY:

A Message from the President, dated December 4th, 1996.

Mr. Secretary - Please be advised I have replaced Senator Walter Dudycz on Senate Rules Committee with Senator Doris Karpziel, effective immediately.

Signed by President Philip.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1186, together with the following amendments, which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1 and 2.

Passed the House, as amended, December 3rd, 1996.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 117, offered by Senator Maitland.

It's substantive.

Senate Resolution 265, offered by Senator Clayborne and all Members.

And Senate Resolutions 266, 267, 268 and 269, all offered by Senator Demuzio.

They're all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. There's been a request from Channel 3, Channel 17, WBBM, Channel 32, WICS-TV to tape the proceedings. Is

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leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DeANGELIS)

...page 4 of today's Calendar is the Order of Motions in Writing to Accept the Specific Recommendations for Change of House Bills. House Bill 2406. Senator Dillard. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to accept the specific recommendations of the Governor as to House Bill 2406, in manner and form as follows:

Amendment to House Bill 2406

in Acceptance of Governor's Recommendations

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a motion to accept Governor Edgar's specific recommendations for change to a bill dealing with primarily the University of Illinois at Chicago. This bill allowed the University some flexibility to take some thirty acres of land adjacent to its Chicago Campus to expand and develop over time that great institution to the north. And the Governor thought the bill was drafted, perhaps, a little overbroadly, and he narrowed the bill to his liking and -- and actually drew down the powers of the University of Illinois. I'd be happy to answer any questions, but I recommend that we accept the Governor's specific recommendation for change to House Bill 2406.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2406, in the form and manner just stated by Senator Dillard. Those in favor will vote Aye. Those opposed will vote Nay. The voting is now open.

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Light's not on, pal. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting Nay, none voting Present. The specific recommendations of the Governor as to House Bill 2406, having received the required constitutional majority votes of Senators elected, is declared accepted. Page 2 of today's Calendar is House Bills 3rd Reading. We will return to that order of business for the purpose of recalls. Senator O'Malley, do you wish House Bill 207 to be returned to 2nd Reading for purposes of an amendment? Take it out of the record. Senator Cronin, do you wish House Bill 995 to be returned to 2nd Reading for the purpose of an amendment? Senator -- out of the record. On page 2 of today's Calendar is the Order of House Bills 2nd Reading. Senator Parker, on House Bill 365, do you wish the bill read? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 365.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator... Senator Philip, on House Bill 445 {sic}, do you wish the bill read? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 444.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator Dillard, on House Bill 1131. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1131.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator Woodyard, on House Bill 2963. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2963.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Executive Committee - Motion to Concur to House Amendments 1 and 2 to Senate Bill 1186; refer to Judiciary Committee -

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Conference Committee Report No. 1 to Senate Bill 1459; refer to Local Government and Elections Committee - Senate Joint Resolution 117; refer to State Government Operations Committee - Conference Committee Report No. 1 to House Bill 1653; and Be Approved for Consideration - House Bills 999 and 3695.

PRESIDING OFFICER: (SENATOR DeANGELIS)

...what purpose does Senator Peterson seek recognition?

SENATOR PETERSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR PETERSON:

I'd like to introduce two county board members from Lake County, Judy Martini and Dianna O'Kelly, who are visiting us today, are going to be in a committee meeting. We'd like the Chamber to welcome them.

PRESIDING OFFICER: (SENATOR DeANGELIS)

...page 3. Senator Clayborne, for what purpose do you seek recognition?

SENATOR CLAYBORNE:

I rise for personal privilege, to announce that one of our most stately Senators, colleagues, today is his birthday: Senator Bill O'Daniel.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Hey! Would you like to say a few words, Senator O'Daniel, to show us the wisdom of your age? On page 3 of the Calendar, the Secretary's Desk, Non-concurrence on House Bills. Senator Syverson, on House Bill 2702? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Amendments 2, 3 and 4 to House Bill 2702.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson.

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SENATOR SYVERSON:

Thank you, Mr. President. I'd like to refuse to recede on Amendments 2, 3 and 4, and ask for a conference committee on that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Syverson moves that the Senate refuse to recede from the adoption of Senate Amendments 3 and 4 on -- 2 and 3 {sic} on House Bill 2702, and that a committee on conference be appointed. All those in favor, say Aye. Opposed, say No. The Ayes have it, and the motion carries and the Secretary shall so inform the House. On the same order of business is House Bill 2918. Senator Peterson. ...the bill, Madam Secretary. Take it out of the record. For what purpose does Senator Hawkinson seek recognition?

SENATOR HAWKINSON:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your announcement, Senator.

SENATOR HAWKINSON:

Mr. President, the Senate Judiciary Committee will meet at 2 o'clock, in Room 400. That's 2 o'clock, in Room 400. It should be a short meeting. There's only one item of business.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senate Judiciary at 2 o'clock, in Room 400. Thank you, Senator Hawkinson. Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I rise on a point of personal privilege and for the purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point and your announcement.

SENATOR SIEBEN:

On a point of personal privilege, I'd like to introduce today the students from Newman High School, in the government class at Newman High School in Sterling, Illinois. They're on the

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Democratic side of the gallery, and their instructor, Jerry and Pat Stanley, are with them. I'd like them to be recognized.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Will our friends please stand and be recognized? Welcome to Springfield. Senator Sieben.

SENATOR SIEBEN:

Then secondly, Mr. President, for the purpose of an announcement. The State Government Operations Committee will meet at 2 o'clock today, in Room 212. So the Members of the State Government Operations Committee will meet, and we have one item to consider, at 2 p.m., in Room 212.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State Government, 212, 2 o'clock. Senator Karpziel, for what purpose do you seek recognition?

SENATOR KARPIEL:

Thank you, Mr. President. Simply to announce that there will be an Executive Committee meeting in Room 212, at 2:15. 2:15, Room 212, Executive Committee.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you, Senator Karpziel. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. For the purpose of an announcement. The Senate/House Joint Committee on Electric Utility Regulatory Reform will have its final meeting at 3 o'clock, in Room 400.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just to remind the -- the Committee Members of the Special Select Committee, Mr. President, on Boat Safety, we're meeting immediately after we recess this morning, in Room 212.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Donahue, for what purpose do you rise?



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SENATOR DONAHUE:

Well, thank you, Mr. President. I would like to call for a Republican Caucus - a Republican Caucus - immediately in Senator Pate Philip's Office.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer, for what purpose do you rise?

SENATOR PALMER:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR PALMER:

Senator, since this is my last few days here in the Senate, I ask your indulgence to say a few brief remarks in parting. Thank you. Politics is a roller-coaster ride, and for me the ups have been grand and the downs have been instructive. I want to thank all of you in the Senate, the Senate Members, for your collegiality and even for the battles, when they led to some responsible and just laws. I want to make a special thanks to the Senate staffs on both sides of the aisle for your professionalism, to the people who work behind the scenes and to my own stellar staff. Bev, Connie and Martin, you are all terrific. There is a saying that those who don't do politics will have politics done to them. So expect me to continue to do politics, in one fashion or another. I thank you all very much.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Collins.

SENATOR COLLINS:

Thank you. Senator, in response to the Executive Committee announcement, I -- I tried to get your attention immediately, but -- Senator Karpziel, I don't understand how, with an issue of this magnitude, will the people from the City of Chicago and those who are involved, the pros and the cons, will get here in an hour

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notice to testify in committee on this bill. That is just unfair, and that most certainly is not democratic -- with the democratic process here. I think it's at its worst when we know how controversial and how much this issue means to the City of Chicago, and also to those who are opposing, to not allow them the opportunity to come down and testify in a committee. This is unfair and we should wait until such time that this bill is given the -- the posted and required notice, and so that people can come down and testify.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to say that it's been a pleasure working with Senator Alice Palmer, and we will miss you, and I wish you the best.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR BOWLES:

I, too, want to join in saying that Alice will be missed. She has been a tremendous mentor for me during my term here in the Senate. In addition, I would like to tell you that I have a young lady, who is a freshman at the Collinsville High School, who is serving as a Page today. She is accompanied by her mother and her

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grandmother, who are in the President's balcony. I would like to have them stand, please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I also rise on a point of personal privilege. I would like to add...

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point.

SENATOR SEVERNS:

...my parting words to Senator Alice Palmer as well, a dear friend and a great public servant. I know that all of us have had the opportunity to work with many people in -- in the public and political arena, but I think it's only once in a great while someone comes along who makes an impact indelible in our memory in terms of their commitment and compassion and courage in the -- in the arena. And I think Alice Palmer, as well as anyone I know, represents the words of John Buchan when he wrote that politics is still the greatest and most honorable adventure; that public service is the crown of a career. He certainly had to have someone like Alice Palmer in mind when writing those words. We'll miss you dearly, and we will invite you to continue, as you said you would, your involvement in the political arena. Alice, you're fantastic. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Trotter. Senator Trotter.

SENATOR TROTTER:

Hello? Thank you. Yes, I, too, want to just add my voice to saying good-bye, from this venue, to one of my good friends. Unlike many of you here, I can truly say that I've known Alice on -- on different kinds of fields and on different venues. Alice replaced another good friend of mine when she became a Senator,

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Richard Newhouse. So as I -- when I served in the House, Alice was my Senator. So I -- I proudly say that she has represented not only the constituents of Illinois, but she has done me proud as been -- in having been my Senator. I'm not going to belabor this, because tomorrow morning I'm going to ask everyone in this General Assembly to join with the Illinois Legislative Black Caucus as we honor Alice Palmer at a breakfast over at the St. Nick Hotel. So we will have food; we will have people who will be giving additional accolades, and -- and please -- and just be good to our -- our departing friend from this Chamber. So that's tomorrow morning, at 8 o'clock. Everyone is invited to St. Nick Hotel, which is at Sixth and Jefferson, to have breakfast with our friend, Senator Alice Palmer.

PRESIDING OFFICER: (SENATOR DeANGELIS)

What time is that, Senator?

SENATOR TROTTER:

Eight o'clock in the morning.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Molaro. Senator Molaro.

SENATOR MOLARO:

Thank you -- thank you, Mr. President. Just briefly on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR MOLARO:

I just wanted to say when -- the short time I've been here, the four years I've been here, you try to learn a lot that first term, and I've learned about decorum, respect, intelligence, thoughtfulness and insightfulness from no one more in this room than Senator Alice Palmer. I made sure that every time, no matter what the conversations were going on, and I know it's hard to hear over the din, every time she spoke, I listened. And I learned

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from that, because when she spoke, it was eloquent, from the heart, and for the good of the people of the State of Illinois, as well as her district. And we don't know how much we're going to miss her until she is gone. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Peterson. Senator Peterson, for what purpose do you seek recognition?

SENATOR PETERSON:

Point of personal privilege...

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR PETERSON:

...Mr. President. As the Chairman of the Revenue Committee, working with Senator Palmer has been certainly a pleasure. As the Minority Spokesperson on that committee, she's brought intelligence, wit and, also, insight to a committee that can be kind of dry at some times. And I -- I will miss her, and I hope that the -- the Democratic side has somebody that's just as outstanding to take her place, because she did a great job. With Godspeed, we wish you well.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR GARCIA:

Mr. President, I would be remiss if I didn't publicly, before my colleagues, join them in their accolades of my friend, Senator Alice Palmer. My arrival to this Body was made that much more easier knowing that she would be here and knowing that she is one

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and has been one of our best teachers in this Body. Always showing us how to be really deliberative, how to rise and make points without becoming personal. Always sticking to principle and to substance. And I want to applaud her for her contributions to the people of the State of Illinois. And I also look forward to working with her in the future, because she will continue to be a great advocate for the rights of poor people and working people, and good people everywhere. We just want to say thank you for having been here with us, Alice.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR HENDON:

I, too, rise in commending Senator Palmer for the work that she has done. But I came to this Chamber with Senator Garcia, and I remember when I left City Council, everybody got up and lied and said what a great statesman I was, and how much they were going to miss me and how sad they were to see me move on. And even my enemies, who hated my guts, lied and said how wonderful I was. And they also got up and lied about Senator Garcia and how much they loved him. This is the first time I've seen a politician leave a Chamber and everything that people rose up and said was the truth and no one lied and tried to sugarcoat it or anything. But I'm mad at Senator Palmer, because this is the second time that she's leaving me. She knows I'm upset. I entered into politics with her as a Democratic Committeeman. She left there; she was not defeated. She's leaving this Chamber without being defeated, because I believe she could never have been defeated in an election. Senator Palmer is a great, dear friend of mine. I

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know I will be seeing her and working with her again, and so will you. And I just wanted to rise to say I thought we would do this tomorrow, Alice, but I guess we're doing it today, so I'm unprepared. I didn't bring my handkerchief, so I'll hold back the tears. And I will say that, some of you who are leaving this Chamber, I will not get up and lie tomorrow and say how much I love you and I'm going to miss you, but I am going to say it to Alice because I mean it sincerely. God bless.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeANGELIS)

State your point, Senator.

SENATOR JONES:

Yes. I, too, would like to rise and wish my colleague, a Member of our Caucus, well. She has been a person who has brought a lot of intellect to this Chamber, as well as our Democratic Caucus - her new, fresh ideas as to how we do things for the people of the State of Illinois, her insight as it relate to education, her insight as it relate to revenue flow. She has been one who has been an asset to this Body, to the people of the State of Illinois. We all wish you well, Alice, and we look forward to working with you in -- in the future on your many great endeavors. And as you so eloquently pointed out many times: If you don't do politics, politics will be done to you. And you keep up the good work. God bless you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Senate will stand in recess till the call of the Chair.

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{SENATE STANDS IN RECESS}

{SENATE RECONVENES}

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Senate committees scheduled for 2 o'clock and later will commence immediately. Senate committees will commence immediately.

{SENATE STANDS IN RECESS}

{SENATE RECONVENES}

PRESIDING OFFICER: (SENATOR WEAVER)

...Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Sieben, Chair of the Committee on State Government Operations, reports House Bill 1653, the First Conference Committee Report, Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1459, the First Conference Committee Report, Be Approved for Consideration.

And Senator Karpriel, Chair of the Committee on Executive, reports Senate Bill 1766, the First Conference Committee Report, Be Approved for Consideration, and Senate Bill 1186, the Motion to Concur with House Amendments 1 and 2, Be Adopted.

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measure has been assigned: Referred to the Committee on Insurance, Pensions and Licensed Activities -



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Conference Committee Report 1 to Senate Bill 454.

PRESIDING OFFICER: (SENATOR WEAVER)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Joint Resolution 139.

Adopted by the House, December 4th, 1996.

A Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 996.

Passed the House, December 4th, 1996.

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 2735, with Senate Amendment 1.

Non-concurred in by the House, December 3rd, 1996.

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title:

Senate Bill 775, with House Amendments 1, 2, 3 and

4.

We have a like Message on Senate Bill 1643, with House

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Amendments 1 and 7.

Both passed the House, as amended, December 4th, 1996.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Madigan arise?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR WEAVER)

Very good.

SENATOR MADIGAN:

That immediately upon adjournment, or one hour from now, whichever occurs first, there will be a meeting of the Senate Insurance, Pensions and Licensed Activities Committee to consider a Conference Committee Report on Senate Bill 454, in Room 400.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Illinois Information Service needs to videotape from the Senate Gallery. Is leave granted? Leave is granted. ...what purpose does Senator Jacobs seek recognition?

SENATOR JACOBS:

Mr. President, we would request a Democratic Caucus immediately, in the newly elected Minority Leader, Senator Emil Jones, Office. It won't take the two hours or better that the Republicans did. We'll be back in twenty or thirty minutes.

PRESIDING OFFICER: (SENATOR DeANGELIS)

That request is in order. We should expect you back here at 6 o'clock. Thank you. The Senate will stand in recess till 6 o'clock, where everyone should be back and in their seats.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senate will come to order. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 270, offered by Senator O'Malley.

It is a death resolution.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar.

ACTING SECRETARY HAWKER:

And Senate Resolution 271, offered by Senator Palmer.

It is substantive.

PRESIDING OFFICER: (SENATOR MAITLAND)

...right, Ladies and Gentlemen, I'd like to have your attention, please. We will be starting on page 3 of the Calendar, Conference Committee Reports. And House Bill 632, Senator Madigan, will be the first up. I think our Democratic friends are just about all back here. Let's go ahead and proceed. On page 3 of the Calendar, on the Order of Conference Committee Reports, Mr. {sic} Secretary, do you have on file a conference committee report on Senate {sic} Bill 632?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 632.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. The Conference Committee Report No. 1 on House Bill 632 amends the Regulatory Agency Sunset Act to extend the sunsets of the Medical Practice Act, the Illinois Optometric Practice Act and the Clinical Psychologist Licensing Act to January 1st, 2007, and numerous changes in those Acts. The most substantial change is -- insofar as the Medical Practice Act is the installation of a fifty-hour continuing education requirement to be completed

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annually. There are some additional things in the Act to update the Act in -- in compliance with the improvement of computer technology and the Internet. I will basically answer any questions that may be -- come up on the Medical Practice Act. It passed out of committee unanimously yesterday, and it passed the House bill -- or, the Conference Committee Report on House Bill 632 passed the House unanimously earlier this afternoon. Otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am painfully well aware of the fact that this bill is probably going to fly out of here, and it's probably going to fly out of here in the face of every major newspaper editorial board in this State. I'd like to point out a few things, when we talk about extending the sunset. All of these Acts that are before us in this particular bill sunset on January 31st of 1997 - a year from now. Traditionally, around this place, most professional licensing Acts are reviewed by the General Assembly in the spring Session, before the Sunset Act. This process affords us, in the General Assembly, the opportunity to have some adequate time to discuss the changes that should be taking place in -- in these professional Acts. It also allows for the opportunity for amendments to the proposed changes. It -- this bill right -- that's before us right now negates all opportunity for amendments. It discourages a thorough examination of the proposals, and, frankly, it's unprecedented in the history of the General Assembly. Never before have we done and taken this action on a regulatory basis on the Sunset Act in any Veto Session. I want to also point out, as you pretty well know, that the Illinois Audit Commission, in response to practically every major editorial board

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in Illinois, has indicated that we ought not to be doing anything with the Medical Practices Act until such time as the Illinois Auditor General comes back with the facts with respect to the disciplinary action by Professional Regulation. And I can tell you that there -- and cite the Peoria paper, the Sun-Times, the Champaign paper, a number of editorials across the State. I'm not suggesting to you that the -- the Act cannot be changed. It makes it much more difficult for us to do so, if this Act is again to be -- the ten-year extension. So we ought to be about waiting for the Audit Commission, for their recommendations, because we have asked certain things. We have commanded the Auditor General to examine the Department's timeliness in initiating, carrying out and completing investigations. We have commanded the Attorney -- the Auditor General to determine the adequacy of the Department's investigatory procedures, including identification and gathering of appropriate evidence, the Department's procedures for determining the need for and the nature of any recommended disciplinary action, the Department's process for ensuring that its recommended disciplinary actions are implemented and that any specified corrective steps are instituted. As a matter of fact, I would say this, from the Springfield paper. Their editorial says this: What doctors do and how they care for their patients certainly affect the public welfare, and the general public does have a need to know what doctor who treats them is competent and ethical. The vast majority of doctors are competent, honest and sincere. We don't understand why the medical profession would not want to deal more stringently when -- and openly with those whose actions put other doctors in bad light. We urge lawmakers to begin now to consider changes in the Medical Practices Act. First, the disciplinary board should consist of some -- should consist of some voting members who are not physicians. Second, the proceedings of the board should not be conducted in a more

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atmospheric -- I'm sorry -- in a more public atmosphere. And finally, sanctions that are taken should be spelled out in detail so that the public and those in the health profession can be fully aware of the situation. I know, again, that this bill is going to fly out of here, because it's programmed that way, but I will tell you this: that when the Auditor General's report comes back and specific recommendations are made, I hope that this General Assembly, both House and Senate, give serious consideration to those recommendations that are being made. Now, I'm not prepared to vote No, to say that I am -- that I'm not in favor of extending the Medical Practices Act, but what I am saying to you, that this is unprecedented action; it shouldn't take place in this Veto Session. But I know it's going to fly out of here. And I will say this: The next opportunity that we have to make changes - and I give great credibility to the Auditor General's report, whatever it may be, and I don't know what's in it - and I will criticize some of the individuals who have -- as of even this day, have gone downstairs to have a press conference to suggest changes that ought to be in the Medical Practices Act without even talking to anybody. So I know it's going to fly out of here, Senator, but I want to give you the opportunity to -- to suggest to you tonight that I want to work with you on meaningful, significant changes and a hearing process that will afford the public the opportunity to have input and -- and the opportunity to make changes, if they're warranted. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

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Are you willing to support us in making those changes - I'm on the Audit Commission also - when -- when this report is completed? Would you be amenable to making those changes and also any changes that will come about as we look at the whole field of -- of -- of medicine, the HMOs and PPOs and the changes necessary that's going to be made from the federal legislation that's coming in, how we deal with the treatment -- health care as a whole? Are you willing to -- to come back and to make those changes? Because if you wait, we may have a better understanding of the whole health delivery system in the State of Illinois and how that's going to relate at the federal level. So I wanted to know: Will you support those changes?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would be more than willing and proud to work with Senator Demuzio and you, Senator Collins, on any changes that we may -- that this Body may feel is necessary to -- to this Act when the audit is in and as these changes come forward from the federal government. As always, I stand ready to work with you on those changes that we may -- that this Body may deem to be necessary. I cannot tell you, at this point, not knowing what those changes are right now, whether or not I'm in a position to support them, nor would you be in a position to be able to state categorically that you would support any changes that may be forthcoming. But certainly those changes that may be outlined, we should take them up for consideration. I'd be more than happy to work with you on those proposed changes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? Senator Madigan, you wish to close, sir?

SENATOR MADIGAN:

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I would just ask for favorable consideration, Mr. President, of Conference Committee Report No. 1 to House Bill 632.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 632. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, 2 Members voting Present. The Senate does adopt the Conference Committee Report on House Bill 632, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1684. Senator Fitzgerald. On page 3 of the Calendar, on the Order of Conference Committee Reports, Mr. Secretary -- Madam Secretary, do you have on file a conference committee report on Senate Bill 1684?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 1684.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The First Conference Committee Report to Senate Bill 1684 is meant to address a situation in which a brewery terminates a beer distributorship without cause, in violation of the Beer Industry Fair Dealing Act. The Act currently provides that the distributor can seek an injunction to prevent an illegal termination. A problem has arisen, however, in that courts are reluctant to grant an injunction if the brand constitutes less than twenty percent of the distributor's business. The bill, when it originally passed the Senate 49 to 4 -- last spring, addressed this problem by making it easier for the distributor to obtain an injunction for an illegal termination. But when the bill got to the House, an



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objection was raised as to the methodology employed in changing the traditional requirements for obtaining an injunction. As a result, a new solution was crafted, and this Conference Committee Report is a product of that process. The Conference Committee Report creates a procedural process for resolving the amount of the compensation and when that compensation will be paid in the case of an illegal termination of a distributorship by a brewery. The bill encourages expedited binding arbitration to resolve such disputes. And the Conference Committee Report, I think, passed the House with only one No vote, and it passed the Senate Judiciary Committee yesterday, I believe, without any No votes. I'd urge a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Shaw.

SENATOR SHAW:

Yeah. Thank you, Mr. President. But not on this bill, on the previous bill. I pressed my switch -- Yes switch, and the light didn't come on, so I would like the record to indicate that I would have voted Yes on the previous bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record, Senator Shaw, will indicate that that was your intent. Senator Tom Dunn.

SENATOR DUNN:

Thank you, Mr. President. I have a conflict on this issue. I won't be voting.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, I've spent my entire life in the distribution industry, ranging from automotive parts to -- to food to appliances, and I can tell you that I have never, ever seen an industry protected to this extent. I just

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cannot conceive why the State should impose itself, as it is doing in this instance. We are literally protecting - or "preventing" is a better word - preventing a -- one company from doing business with another company in a legitimate, open manner. We're saying that if -- if a manufacturer, for example, decides that a distributor isn't doing a decent job, that somehow the State must impose itself and dictate how that termination is going to be handled. It just doesn't make sense to me that the State would go to the extent of putting itself in the position of being an -- an arbiter, of preventing a -- a normal, natural flow of business. So I'm going to vote No, simply because I -- I -- I just cannot understand why this industry is protected, is set aside, is shielded, when no other industry, in my estimation or in my knowledge, is protected in such a way. And I'm speaking, incidentally, of the distribution companies. So I -- I am going to vote No on this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? Senator Fitzgerald, to close.

SENATOR FITZGERALD:

Thank you, Mr. President. Just a response to Senator Butler: I -- I respect his knowledge of the business of wholesaling and distributing in general, but I respectfully disagree with his conclusions. What we're talking about here are situations in which a brewery has illegally terminated a distributorship, in violation of an existing State Statute. And right now, the way that State Statute is set up, it allows the brewery to exercise leverage whereby it can delay paying the distributorship the fair value of its brand, in violation of the Act. This bill is set up so that it will tilt the balance back so that it's not unfair to the distributorship, as it is now. Right now, the distributor has considerable equity built up in the brand he has been developing

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in his territory, and when the brewery exercises its leverage to avoid paying the compensation that it's supposed to and to delay the situation, a remedy is needed, and this bill is a reasonable response to that. It creates an arbitration process, encourages expedited binding arbitration to determine the fair value of the brand and to get prompt payment for the distributor when the brand has been illegally terminated. And if either party acts in bad faith, there are bad-faith penalties in this bill. The bad-faith penalties are not just on one side; they're on either side. So if the distributorship is asking for more money or has an absurd idea and is pushing for an absurd idea or to delay, there could be a bad-faith penalty there. And that would apply both ways. It's a fair and equitable bill, and it would help redress the balance. I'd urge a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1684. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, the Ayes are 56, Nays are 1, 1 Member voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1684, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, on Supplemental Calendar No. 1. On House Bills 2nd Reading is House Bill 2595. Senator Lauzen. Senator Lauzen, do you wish this bill read? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2595.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Committee Amendment No. 1.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen. Oh, no. I'm... Have there been any Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No -- no other amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. All right. All right. Secretary's Desk, Resolutions. On the Supplemental Calendar, Secretary's Desk, Resolution, Senator Cronin, do you wish this resolution considered? Madam Secretary, read the resolution, please.

ACTING SECRETARY HAWKER:

House Joint Resolution 75.

The Committee on Education adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. House Joint Resolution 75, as you can see, has bipartisan support. This is the resolution that deals with the mandate waivers law. As all of you well know, we have a law now that permits school districts to seek waivers from State law and administrative rules. The waivers are granted unless we take an affirmative act to deny one of their requests. Almost all of the waiver requests made have been granted or permitted to be granted. Thus, we have fulfilled our philosophical mission of local control. This one waiver request, however, was objectionable to a majority of Members on the Education Committee. Secretary of State George Ryan felt very strongly about this mandate waiver request, that it would have some impact on the safety of -- of student drivers and -- and the driving population. So we responded to those concerns and we have proposed this resolution that denies School District 142 {sic} (205) in Rockford their waiver request to waive their obligation

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to teach -- to teach driver's education. They wanted to, essentially, abolish driver's education. So that is the sum and substance of this bill, and I join with Senator Berman in asking for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? Senator Berman. Senator Berman, your light is on.

SENATOR BERMAN:

Thank you. I support the -- the passage of this resolution. It's very important to maintain the availability of driver's education for the children of Rockford. I'm pleased to join with the Chairman of the Committee in sponsoring this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin moves the adoption of House Joint Resolution 75. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, 2 Nays, 1 Member voting Present, and the resolution is adopted. ...right. Ladies and Gentlemen, on Supplemental Calendar No. 1, on Secretary's Desk, Concurrence, is Senate Bill 1186. Senator Philip. Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1186.

Filed by Senator Philip.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1186 would convey Meigs Field to the Illinois Department of Transportation, June 1, 1997. It also provides a

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quick-take process, because, as you're probably aware, there's not a proper deed or a description of Northerly Island. It also provides that the State would do a survey so we would have a proper deed or description of the Island. It also gives the State the option to -- to privatize Meigs Field. They anticipate it'll cost the first half a year about eight hundred and fifty thousand. They think by privatizing it, by increasing fees, that Meigs Field should be able to run as a profit. I certainly agree with that, and we've had enough discussion on this matter. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

That -- that is in order. There are one, two, three, four, five, six, seven, eight, nine speakers whose lights are on and we have recorded. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank -- thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to ask the sponsor a question, if he would yield, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Philip, is it your understanding that House Amendment No. 2 to this Senate Bill 1186 now becomes the bill? Is that right? The amendment is the bill?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Unfortunately, Senator Demuzio, it's very hard to hear you

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over here, but the answer is yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, at this time, I have the amendment before me, and I would like to read lines 2 through 7 to House Amendment 2, and it says Amendment No. 2 amends Senate Bill 1186 "by replacing the title with the following: 'An Act relating to the acquisition and operation of Meigs Field by the Department of Transportation for and on behalf of the State of Illinois.'" From the lines that I have just read here, it is the intent of House Amendment 2 to, in fact, change the title of the bill. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

It's -- it's replacing the title. That is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator, this is the first day for this Chamber, then, to -- to consider this amendment, and therefore I would request a ruling from the Chair. The Chair -- it has been agreed by the sponsor of House Amendment 2 that this amendment does, in fact, change the title of the bill, and this is, in fact, the first day that this Chamber has had the opportunity to consider Amendment No. 2 to Senate Bill 1186. Therefore, I would ask for a ruling from the Chair as to whether this Chamber may vote on this motion at this time because the amendment becomes the bill and it changes the title to the bill, which has not been read, according to our rules, on three different days in this Chamber, as required by Article IV, Section 8, of the Illinois Constitution, which states that "A bill shall be read by title on three different days in

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each house. A bill and each amendment thereto shall be reproduced and placed on the desk..." I would ask for a ruling from the Chair as to whether or not, in fact, the bill before us, House Amendment No. 2, which changes the title, has, in fact, been read three different days and whether or not this is legally before us.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, the Chair is prepared to make a rule, and I rule that all the procedural requirements as set out in the Illinois Constitution, Statutes and Senate Rules have been satisfied. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, clearly, from what I read, I would respectfully ask -- I don't want to be redundant or dilatory here, but let me appeal the ruling of the Chair. Because, in fact, what I have indicated to and stated to, I think, is a matter of fact, that all which will agree, and therefore I would appeal the ruling of the Chair.

PRESIDING OFFICER: (SENATOR MAITLAND)

That -- that request is in order. Senator Demuzio has appealed the ruling of the Chair. And the question before the Chamber is, shall the ruling of the Chair be sustained. All those in favor of sustaining the ruling, vote Aye. Those opposing, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that -- on that roll call, there are 33 Ayes, 26 Nays, no Members voting Present. And the ruling of the Chair is sustained. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I want you to know that you had the requisite number of votes, but I was still right on the issue. Thank you very much.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Collins.



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SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator Philip, are there any litigations on this issue currently before the courts?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Not on this legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further... Senator Collins.

SENATOR COLLINS:

Senator, I didn't ask on this legislation. I'm -- I'm talking about the takeover of the Meigs Field from the Park District, now. This is not about the City of Chicago; so we -- we need to clarify that issue up front. Have there been any -- are there any current litigation, or have there been any prior rulings, on the issue of the State of Illinois taking back the land that it gave to the Park District in the City of Chicago - to the Park Commission - somewhere around 1903?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

I -- I understand that there is a case pending in the Appellate Court in Cook County. And there is a federal case pending on the environment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins.

SENATOR COLLINS:

...there been any rulings in the lower court in favor of the

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right of the Park District to utilize that land, as it see fit?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yes, the Cook County Circuit Court did rule against the State.  
That is correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

The -- the -- it is true, and that -- this -- issue is now up before the 7th Circuit Court, waiting for -- for a ruling. It's not? It's not? They've already ruled - I'm sorry - for the City, and you've brought this issue before the Legislature somehow to usurp or -- in anticipated rulings from the court. Now, my problem with this is that this is being projected as a fight between the Mayor and the Governor. And to the greater extent, from a political perspective, they chose Meigs Field as the battleground, having nothing to -- really to do with the airport or the use thereof. We understand that here, and I think all -- any politician in the State understand that. But the real problem that I have with this whole thing is the -- the fact that the State of Illinois would go in and take away land that it had given to the Park District for Park usage and that this proposal today that has been proposed by the Park District is for Park usage. So, without any reasons at all, why would the State of Illinois give them land for that purpose and then come back and take it away? Now, I do know in -- in reading the Bible, Job said that the Lord giveth and the Lord taketh away, but I don't think the Governor is the Lord and I don't think this Legislature is Lord. And we don't have the right to just do that willy-nilly for political reasons. And I hope everyone would vote No.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I rise to state my strong concern over the issue before this Body. This issue is not about sound public policy. Instead, it's about silly, petty politics. It is an issue that we should not engage ourselves in. Instead of debating ninety-one acres of an island called "Northerly", we should be debating the plight of over nine hundred school districts across this State, figuring out how they are going to prepare our students to be able to meet the challenges of the next millennium. Instead of debating whether or not we are going to let a select group of planes land at the airport by the lake, we should be debating how we are going to meet our constitutional mandate to fund schools adequately so that our students can soar. It was only a month ago that the trumpets sounded and the public, once again, told us that we should trade ideas, and not insults, and that we should not forget why we began, nor forget who sent us here. There is no public outcry for us to act on this issue. There is a public outcry for us to act on other issues of concern, from funding our schools to halting the skyrocketing property taxes, from making our State regain its competitive edge to working toward a better economic climate and safer neighborhoods. So why is the Governor expending so much time and effort and political capital on an issue that affects only a select few? When he had the opportunity to impact many by creating forty thousand permanent jobs by the year 2020 and create fifteen and a half billion dollars in economic activity and an additional 76.9 million dollars annually in State tax revenues at another airport, he seemed to sit idly by. Where was the Governor on the Lake Calumet Airport? If he had spent a fraction of the time on the proposed Lake Calumet Airport that he has spent on the airport on Lake Michigan, Governor Edgar would have made a real

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difference and, perhaps, provided a lasting legacy. Has he forgotten why he began and forgotten what brought him along? He's requested from us a down payment of eight hundred and fifty thousand dollars. Now, we've heard differing estimates in the Executive Committee and beyond as to what this airport will cost us in the long run, but as the late great orator Everett Dirksen said: Pretty soon, you're talking about serious money. What are we doing here? Have we forgotten why we began? Would we like to continue to land at Meigs? Of course, we would. Do we consider it a positive economic development tool? Of course, we do. Should we be involved in this issue? Of course, we should not. On a barometer of those issues of concern to our constituents, I believe that this issue does not even register as a blimp. Let us move forward to meet the challenges of this State and to lead this State into the next millennium. Let us not engage ourselves in issues that we ought not be involved. To do anything less, I believe, we will be left with the hollow apology of T.S. Eliot when he wrote: That is not what I meant at all; that is not it at all. I urge a No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just, for purposes of time, echo the comments of Senator Severns. I think she said it very well. Those of us who have enjoyed using Meigs surely believe it was an asset, but that is not the issue here. I think there are two items that we should be addressing. One is whether or not the State should be taking from a local government, without their consideration and involvement in the taking, a property that belongs to a local government. I think this is true whether it is the Village of Glencoe, or Skokie, or Lincolnwood, or Cairo, or anywhere else in the State.

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And I think the people have said, in the last election, "We want governments to stop fighting amongst themselves, and we want issues resolved at the most local level possible." And I think, therefore, this issue is something that should be resolved by the City, at the City's level. But I have another quandary: We're passing this legislation now, to be effective June 1st, 1997, at a time when a court may rule in between - maybe as soon as next week, or the week thereafter - again, for the third time, that the City is right in the current legal argument, without regard to this legislation. So therefore, it could mean, come the turn of the year, the City has, by law, through the court system, the availability to take back this property and now start their conversion into a park. Should they do that over the spring, and this is a question to the sponsor -- the Park District would take it back - I stand corrected; thank you -- and the Park District would then start its process of turning it into a park, taking out the runways, et cetera, et cetera, would the State then - to the sponsor - would the State then, when it takes it back, be willing to expend the additional funds to start over, rebuilding a whole new airport there and to reimburse the Park District for the funds it would have legally and lawfully and appropriately expended to build this park for the citizens of Chicago? Is the State making that additional commitment, that come June 1st they will pay those extra twenty-three or thirty million dollars back to the City for creating the park and start all over from beginning to build runways, et cetera, which would then take Department of -- federal Department of Transportation approvals, which might take Transportation Secretary Bill Daley's approval?

PRESIDING OFFICER: (SENATOR MAITLAND)

That's a question of Senator Philip? Senator Philip.

SENATOR PHILIP:

Yes, Senator Carroll. We would - first of all - would not

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think that the Park would engage in such a frivolous act, and I would assume that the State of Illinois would not reimburse them. We would hope that they would use good judgment - generally speaking, they have used in the past - to wait till the last shot is fired.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. And, Mr. President, now that we've seen the first shot fired, maybe we should all wait till the last shot is fired; this is obviously the first shot in the war of the words. But the second part of the question was: Will it not, at some point, take federal Department of Transportation approval to do some of these runway improvements? I mean, I just said the possibility might be that Bill Daley might be the Secretary then.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

...experts, they do not plan any runway improvements.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

Senator, three, perhaps, technical questions. There's -- it was in the committee, there was a question about the ability to acquire private land for certain purposes. I think it's on page 12 and 13: "The Department may acquire by eminent domain any privately owned property..." I just want to make sure it's clear in my mind. Is the -- the -- the land that the museums are on, is

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that considered public property or is that private property?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yeah. That's public property; it has nothing to do with it whatsoever, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Senator, also, we have in Chicago a Lake Michigan and Chicago Lakefront Protection Ordinance, which is on the -- the books right now; it's been on there since 1972. Basically, if you want to construct anything on the lakefront, you need to get a -- go through a -- the planning commission and get -- get special permits. I don't see anything in this bill that I've read that -- that repeals this or -- or -- or deals with it specifically, although there is kind of a general statement found on page 8 and 9 that says that this law -- "the General Assembly intends this Act to grant to the Department any additional authority necessary to authorize the Department to acquire and operate Meigs Field as an airport..." Kind of a general statement, like "whatever it takes". I'm just wondering if that is the Section that you would refer to if you're intending to repeal the Lakefront Protection Ordinance, as it applies to Midway {sic}.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yes. The State would certainly have the control over the zoning of the airport area. It's the power of the State. I don't think it has a thing to do with your so-called commission.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

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SENATOR CULLERTON:

Then -- if I understand your answer then, the Lakefront Protection Ordinance, which would apply normally -- if you were starting a new airport on the lakefront, you'd have to comply with the Lakefront Protection Ordinance, and apparently what you're saying is that Section of the Statute just means that the State doesn't have to comply with the Lakefront Protection Ordinance. The -- the -- the third question I have is just so I -- I want to make sure this is clear. I see in the -- on page 8, we're talking about the fact that this -- we acknowledge the fact that Meigs Field has "ceased operations". So by passing this law, if it's signed by the Governor, we are attempting to start new operations, and it's my understanding - and I assume yours as well, but I want to verify this - that, as a result, when we're starting up a new airport, we'd have to get approval from the federal Department of Transportation, from the Secretary of the Transportation, in Washington.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

My experts tell me that is not true. I believe the power to authorize airports is limited to the State of Illinois.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Just a quick -- just a quick follow-up. When you go out and want to start up a new airport, I assume you have to check with somebody in Washington to make sure it's okay. That's what we're doing here, and I just want to verify that you'd have to go get reauthorization from the Department of Transportation to start your new airport up.

PRESIDING OFFICER: (SENATOR MAITLAND)



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Senator Philip.

SENATOR PHILIP:

The FAA has communicated to the Department of Transportation that they will cooperate in recurrence or reopening of Meigs airport.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch. I -- I'm sorry. I thought you were finished, sir. Senator Cullerton.

SENATOR CULLERTON:

I'm sorry. I just -- I wanted to ask those questions, then I wanted to -- to speak briefly to the merits of the bill, if I could. One of the things that has not been talked about here, and, perhaps, maybe even the Park District didn't do a very good job in this one regard, and that is to explain to the legislators what they want to put there. My district -- I actually live on the lake, and my district is probably -- it's all along the lake from Balbo up to -- to Lawrence. And perhaps, for me, the lakefront is very accessible; but the fact of the matter is that in Chicago three-fourths of the people that live there use the lakefront, annually. This park, which the Park District is going to put here, is going to really be an open-air museum. And it -- I don't know if you've seen this yet, but the -- they're moving the Lake Shore Drive west of Soldier Field. It's just beautiful, and it's got, now, all three of these museums together in one campus. And it's really interesting to see how many people from outside Chicago use those museums. I think Chicagoans are only about forty percent, another forty percent from the suburbs, and the rest are from downstate and out of the -- out of the State and out of the country. So this is going to be a fourth museum, if you will, that the Park District is going to put there. And I have seen, of course, on the lakefront, things like the Air and Water Show, where a million and a half people flock to the lakefront.

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This is going to provide more open space, and it is truly going to be magnificent, and especially in light of the fact that the one thing that Chicago has that many other cities don't have is the lakefront. You go to all these other cities and they've wrecked the lakefront with -- with -- with industry that should better be -- utilize space inland. The -- the next thing I think we have to talk about is -- is Meigs Field. I also have used Meigs Field for eighteen years, up until the time it was closed; very convenient for me to get on Lake Shore Drive, and perhaps, again, one of the closest legislators to the airport. And sure it's convenient for me, as it is convenient for those people from Springfield to fly in there. But I've also seen that -- the -- the underutilization of the airport. The -- the traffic at Meigs has dropped forty-six percent over the last fifteen years. We've seen all of those airlines that started up, or tried to start up there, and went under. And the last one that was left was - there was only one left - was the one that carried, let's face it, lobbyists, and us, and -- and people that work for the State, back and forth from Springfield. That's the only thing that could be sustained there. It -- it is not, actually, a -- as safe an airport as it could be. And to make it safe, by the way, is going to cost a lot of money. To make it safer is going to cost millions and millions of dollars. And if we're going to take it over, we're going to be the ones that are going to be responsible for it. And the weather on the lakefront, with the instruments that they have there, how many times did we go to Meigs, park our car, and then be told we're going to get bused out to -- to Midway? It's -- it happened five weeks in a row, I think, this year, when -- when we started the -- the Session. And so, to me, yes, it's going to be -- take more time to get from Midway to downtown. But I can't believe that these businesses that want to do business in this City are picking it because they got some airport they can fly into. I

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can't believe that the conventions come to McCormick Place, they're not going to come anymore because one-half of one percent of the attendees can't fly into -- into Meigs. They're going to use the other airports. And also, you know, if there is some economic loss, there's going to be economic gain as a result of this park that's going to go there. And finally, I just -- I just am totally amazed to learn -- as you have learned, there's probably people on this side of the aisle that want to vote against this, and I have learned, from talking to some of your Members, that you can't believe that the Governor's made this such a big issue. I mean, even though you agree with the Governor and you think now they should have Meigs, why did he choose this issue to go to the mat on? Why does he take this issue and promise everything, or threaten everything, to make this the vote of the -- of the year? I just don't understand it. You know, we know the Governor feels so strongly about things like drunk driving. You know, .08 goes down; he can't do anything about it. He had a Special Session of the General Assembly to ask us if we would have a hearing on a bill to propose a Constitutional Amendment that, if passed, would advise us that maybe we should do something, possibly, about the school funding formula, and he couldn't get the bill out of a Rules Committee. The Governor couldn't get a bill out of the Rules Committee, because he didn't utilize all of the power that he has - that you and I know he has - to -- to do so. But yet, he chooses to use all that power on something like this. This is not the bill of the century. I just don't understand why he's -- why he's doing it. I don't think we ought to do this, personally. I -- but, unfortunately, we really are -- really are not debating the merits of the bill; we've been debating the politics of it. And I -- I just think that, when it's all said and done, nothing's going to change. You need to get permission, in my opinion, from the federal Department of

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Aviation -- or, of Transportation. It's not going to be given, and we're going to be just wasting our time.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

END OF TAPE

TAPE 2

SENATOR WELCH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This issue is less about good government than it is about politics. But it's amazing to see how a political party can turn against many of its principles all in one single piece of legislation. This issue turns on -- on many -- many sacred tenets that we've heard from you Republicans over the years. The last two years you've been telling us how, you know, we -- "we're against taking away local control", and that's exactly what this bill does. You've told us that you don't want to micromanage local government, and that's really what we're doing. We're substituting our opinion for the City's opinion. We said, "Oh, we've got to limit quick-take powers and make it as narrow as possible." In my fourteen years, this is the broadest quick-take provision I've ever seen. It's boundless in where it can be exercised. We talk about keeping fees low. That's something you folks want to do. Keep the taxes and the fees low. Yet, this imposes a brand new fee on passengers landing at this airport. We're taking over the costs of a local facility with money that we really don't have to spend. And also, we're doing something all of us, downstaters in particular, have long said we weren't going

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to do, and that's use Road Fund money for something other than Road Fund. So I can't believe that you Republican downstaters, on a simple partisan issue like this, are going to throw away that principle that many of you ran on. And I can tell you, in two years when you run, you will hear about that principle and how you violated it. So keep that in mind. And you better start preparing your brochures for two years from now, because that will be a major issue. You know, over the last couple weeks many constituents came to me, and I'm sure they came to you, and they said, "What are you going to do in Springfield for the next couple of weeks?" And I told them we'd be voting on veto overrides, and there may be one or two other issues, and they said, "Well, aren't you going to work on education funding?" Well, it doesn't look like it. We are going to work on vetoes. That's what they told us. What about the prison reforms? We've seen all of these stories in the news and on TV about we need prison reforms. Well, we're going to leave that for the next Session. And then we come down here and we have Meigs Field sprung on us, when we could be working on important issues. This really denigrates the entire process, and those of us who are Senators, and many of us really resent having to have this issue in front of us. The only good thing about this debate here, this week, is this: It's very impressive to see the Governor finally find an issue that he's interested in and marshal the forces that all of us knew he could do to pass legislation. It is impressive, but many of us wish he would do that to help fund education; to help reform our prison systems; to come up with a plan in industrial policy for the State of Illinois, so we can bring in new business instead of having one city fight each other city with these TIF districts, trying to lure business from across the street instead of from across the State line. When are we going to see that Governor come before this Legislature? I think that what we have here is merely a

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political fight, and the Governor has finally shown the thing that he thinks is worth fighting for. And it's really not very much. I urge you to vote No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Well, this is the biggie we've been waiting around for for a couple three weeks. Nothing happening. Waiting for this big issue to come before us: Let me put it, perhaps, in a different perspective. This whole issue reminds me of two spoiled little brats who have a problem and they can't resolve their problem, and they won't take it out in the back alley, where they probably should, and settle it. Instead, they call on us as surrogates to do their battle for them, when the rest of the State truly does not give a damn. I think it was said well by Senator Severns: Where are the other issues? Personally, I think that the Mayor is dead wrong in what he is attempting to do with Meigs Field. I can give you a lot of reasons why I think Meigs Field should stay open, but that is not the issue. The issue is local control, and under local control I think the Governor is wrong on this issue. There has been so much bologna being passed around on this issue, on both sides, that one almost feels that they're working in a meat factory. The issue really belongs, and it was stated earlier, that this is an issue of local control. If local control was not a part of this issue, I would be the first one to stand up and vote with the Governor. But this is a local control issue, and for that reason, and that reason alone, I urge a No vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. I do have some housecleaning

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questions before I make a comment. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

The amendment indicates that the Department of Transportation, by eminent domain, acquire any private property within or outside Meigs Field "in the sole judgment of the Department". That's what it says. It's the sole judgment. Do you know if that's been done before in the past, that it's the sole judgment of the Department of Transportation to determine?

PRESIDING OFFICER: (SENATOR MAITLAND)

...Philip.

SENATOR PHILIP:

It's only for instrument landing aids, and I -- I would suggest this to you, that around O'Hare field, because I happen to represent O'Hare field, the airport has continually overruled local zoning ordinances in regards to the airport. I wish that Senator {sic} Bluthardt was alive, who was a Member of the House with me a long time ago, who was the Mayor of Schiller Park, where the City comes in and tells them what they can do in zoning in regards to O'Hare field, because they're so close. They've done it in Bensenville, also. But, of course, it's all right if the City does it. Right?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

I guess that was a yes, so -- so I'll ask the next question. So I assume that means that if they're going to be able to overrule local authority, if they feel that the Planetarium is in the way, or the Field Museum, or the John Hancock Building, they could come in and just acquire it, if it's in their sole discretion and sole judgment, and that's what the Statute said, I

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guess they can do that. That's sort of not a question, Senator, but if you want to answer it you can. He's raising his hand, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yeah. I -- I'm just saying, we only take private property, not public, because as I stated in my opening, there is no legal description of that property, that deed, because it's been changed so many times. They're going to have to hire somebody to go in there and take a survey. There may be some private property there. Nobody is sure at this point.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

So we're not -- we're not sure what the Department of Transportation's going to take or not take, so, therefore, you could possibly take the John Hancock Building and the Planetarium, if in your sole discretion. Now, some revenue questions real quick. The amendment says Meigs Field derives revenue. Right now, I assume that Meigs Field is losing money in its current operation, and therefore, there will be a deficit that we're going to have to make up. Do you have any idea if the Department knows what the deficit is, and what they're going to make up?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yes. Their guesstimate is about two hundred thousand. You know, in the bill, they allow them to privatize the airport. Put it out for bid. They think, in the long run, by increasing some fees, that the -- that Meigs Field should make money. Now, I -- I might suggest this to you, that DuPage County Airport will



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eventually end up making money also.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

I don't know if the State's going to pay the extra, but I want to get to a couple comments, and we can -- we can move on real quickly here. There's no question that the Democrats, even before I got here, were in charge of this particular Chamber. Well, in 1992, people of the State of Illinois decided that apparently the Republicans would be in charge for a while. Well, when I got here that day and I knew that there were so many years of Democratic control and now there were going to be Republican control, I didn't know what color it was; I just walked in. I assumed it was probably, we painted it red 'cause we assumed there was going to be a bloodbath, and this way if there was some bloodletting, there wouldn't be, you know, anything on the carpets to stain it -- to -- to stain the carpeting. And I guess I thought that because we always talked about what the Republicans would do when they took control. They talked about changing the Work Structural Act {sic}. They talked about workmen's comp. They talked about school reform. We talked about how we would change U of I trustees, possibly the water reclamation district. We've been talking about the assessor's office. There was whims about the CTA. Well, you know what? Whether we, on this side of the aisle, like it or not, thirty-three beats twenty-six. Now, next time around thirty-one beats twenty-eight. I've -- I've done this arithmetic in my head, you know, for hours and hours and every time I come up with thirty-three beats twenty-six, and two, three weeks from now thirty-one's going to beat twenty-eight. We can't change that. So now when you talk about that the Republicans have a right to decide because they won, and they have the votes, we're going to come up with our way of governing for a while. You

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Democrats had it for a while; the people gave it to us. Makes sense to me. Take over what you can. Do what you can, and we just have to sit and wait our turn, and we'll try two years from now. However, never, never had I thought that there would be a point where you would come in and take land from a municipality. If you were going to take land from people, which is sacred -- it separated us from the USSR and communism and everything else -- private ownership of land, a group of people as a -- as a community came together to decide what they wanted to do with their land -- that if that was ever going to happen that there would be gigantic hearings. There would be big public outcries. We would have, you know, hearing after hearing. It would be debated and debated when we -- when the State of Illinois was going to take land from the City of Chicago. It was going to be a big issue when this was going to happen. Well, it's not a big issue. What are we doing this for? What are we taking land away from the Park District and the City of Chicago for? Why is the Governor doing this? This is not -- the President of the Senate isn't bringing this up. The Speaker of the House isn't bringing this up. The Governor is bringing this up. Why is he taking this land? Trying to figure that out. Why? I read the news reports. I read the newspapers. I read what's going on. I watch TV. They don't know. The newspaper reports today, they can't figure out what Governor Edgar is up to. They don't know. I asked the Republicans. They don't know. I asked my colleagues. They don't know. People on the Governor's staff don't know. I cannot figure out why he is drawing the line in the sand and is going to take land away. He's going to take land. Know what he gives us? Nothing. The City of Chicago -- here's our offer to you, City of Chicago, here's my offer: Nothing. That's what I'm going to give you for land. Man, oh man, even -- even the Dutch gave the poor Native Americans -- when they took Manhattan, they gave them

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twenty-four dollars worth of trinkets. We don't even get that. How about our -- you know, no bobbles, no bangles, no beads. Nothing. We get nothing for our island. Twenty-four bucks. Wow. That's not even about seventy cents a vote, we couldn't even get. Now the Governor -- I'm still trying to figure out his reason, because, as John Cullerton brought up, when he had this great package for school reform. Great package. I would venture to say, even though it's closed door, I don't think he went to the House caucus then. I don't think he argued in front of the House caucus then. When we're talking about educating our children, which is a constituency issue across the board in this State, where was he then trying to talk them into it? But there he was trying to talk them into taking land from the City of Chicago, which I cannot figure out. So, therefore, I got to ask one thing. If -- if that's what he tried to do, that's terrible. You can't take it over on a whim. Why? 'Cause he likes to fly there. It might be safer for him. That's the way he wants to come in when he goes to wherever he lives in Chicago. It's closer to -- to the Thompson Center. That's ridiculous. There's no big hue and cry. You're going to take land away, it better be for a reason. We fought a revolution over this. King George would just go around taking land. That's all he did. We stood up and said, "You can't do this, King". So what does -- King Edgar does? He goes and gets General Cornwallis and his redcoats to come in here and try to take away the land...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro, your time is about to expire.

SENATOR MOLARO:

You know, I -- well, I think -- I think it's wrong. I think it's wrong. He shouldn't do this. We fought hard not to have our land taken away, and I know -- I know the redcoats outnumber us, and I know the votes are there and General Cornwallis is certainly

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going to lead his redcoats, and we're going to lose today. But I'll tell you what, we'll lose the battle today, but the war is not over, and we'll be -- we'll rise and fight again. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh. Senator Walsh.

SENATOR WALSH:

I'm sorry, Mr. President. My concerns were addressed by Senator Cullerton and Senator Weaver.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you very much. Last speaker, Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Philip, in your answer to a previous question as to the broad powers this bill gives the Department of Transportation as relate to property on Meigs -- airport, as well as off, and deals with private property and you indicated that for instrument landing purposes the Department of Transportation may see -- deem it necessary to have those broad powers for -- in case you want to have instrument landing at that park. Am I correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Simply stated, for safety. They want to make it a safer place to land airplanes. It makes all kinds of sense, Senator.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones.

SENATOR JONES:

I understand what you're saying. So therefore, it does have power to take private property. Now, could you tell the Body what

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is instrument landing? What would the authority have to do to install instrument landing?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Yeah. They would have to work with the FAA to get a system approved.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones.

SENATOR JONES:

Well, I know they have to work with the FAA, but what would have to be installed at the airport, if you got that approval, what would have to be installed on private property in and around Meigs airport?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Well, at -- at this point, they're not quite sure. It could be a navigation beacon. You're maybe jumping to the conclusion that they need to build some gigantic tower there to -- to direct everybody. I don't think that is a possibility.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones.

SENATOR JONES:

Well, I know that -- I see Secretary Brown there, so he's being rather evasive, but let's deal with the real issue. What -- what that really means, Senator, is that, for instrument landing, they will probably have to install those lights and rafters so the airplane, as it comes in, they'll be able to spot those, and it -- which could be -- possibly be placed on private property. I see they're -- they're shaking their heads over there, but they won't give you a correct answer. And it does have the power to deal with

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-- it could be Prudential Plaza. It could be Lake Point Towers. It could be -- deal with any of the high-rises north of Meigs airport. But, again, that's not the real issue. The issue boils down to whether or not the people of the City of Chicago, who elected their elected officials, whether or not they have control to decide as to what they want to do in their city. It's just that simple. Be it Peoria, Springfield, Rock Island, Rockford, the local control -- the people elected their representative to speak for them. Now, all of a sudden, here -- along comes the Governor, for his own personal use, I believe, for convenience, he'd like to land in -- in Meigs airport. But I've used Meigs airport, and it's been pointed out, many times I fly in and out of Meigs airport, every month the number of people you see there declines month after month after month. There has been so much talk about revenue. The plans that have been presented for the park and the facilities there would generate ten times the amount of revenue for the economy - not only for the City of Chicago, but also for the State of Illinois. It's really shocking to me, and I heard Members mention this on the Floor, that the Governor would go to the wall on an issue, but he would not go to the wall to protect the schoolchildren of the State of Illinois. He would not go to the wall to even see to it that they have a safe environment in the school, when we tried to put forth a bond issue to fight the deterioration of schools throughout the State of Illinois. But he's twisted your arms and you have gave -- given in very meekly. I know most of you on that side of the aisle believe in local control, but you have decided this is where the war begins. This is where the shot is being fired. Like Fort Sumter. This is the war. It's very foolish. It's stupid. It didn't have to happen this way, but you have decided because the Governor wanted to have an airport where he can fly closer into the office downtown, of Chicago. Very unfortunate. I wish he had the

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courage to stand up for the schoolchildren of Illinois. I wish he had had the courage, after calling the Special Session of the General Assembly, to walk into the Republican Caucus and say, "Let the bill be heard so we can properly fund education in the State of Illinois." But he had the courage for his own personal use and convenience to call you in and say, "I want you to vote for this; I want you to vote for that", and we recognize, by a mere two hundred votes, that you'll be in the majority next Session. We recognize that. But the people spoke. They spoke loud and clear this past November and they're going to speak in the future. And by the time we're through with the recount, perhaps we will have the thirty votes. But let's not play politics with -- with this issue. We know you want local control, but don't cave in every time the guy on the second floor call you. Cause ninety -- ninety percent of the time you call on him, your request falls on deaf ears. Always remember that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I've been around for a long time, and I have flown on the State planes for a long time, and I think in my twentysome years I've flown in and out of Meigs three times. Personally, doesn't make any difference to me one way or another. Period. It might even help DuPage County Airport. We might get some of the traffic and some of the revenue. In trying to be fair and objective, and look at this thing objectively, and why are we here? You try to blame it on the Governor. We're here because the Mayor of the City of Chicago arbitrarily shut down a airport, after he had signed an agreement with the State of Illinois on {sic} 1990 for twenty years. That's why we're here. The Governor didn't do it. The Governor has tried to negotiate it. The Mayor

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decided arbitrarily to shut it down, and he did it. That's why we're here. We're not here because of the Governor; because of the General Assembly. I'm sorry it's become such a partisan issue. It should not be a partisan issue. Quite frankly, most of my Members feel the way I do. You know, we shouldn't be arguing this issue, but you did it. You started it. You have done it. You know, it's interesting to me in listening to Mr. Claypool, who's a very bright, articulate man, his only argument for closing down the airport is for an additional park in the City of Chicago. I listened to him, and that was -- that was his rationale. We're going to close the airport for another park. There are - what? - twenty-three miles of park on Lake Michigan. I had one of my Democrat Senator friends tell me -- where did they come up with the twenty-nine million? Where did they find it? They find it in a shoe box someplace? All of a sudden they've got twenty-nine million dollars they can just throw away -- can spend. If you do have the twenty-nine million, why aren't you repairing those parks that are in lousy shape and need some repair? And spread them around in those Senate districts that have parks that need repairs, if you've got twenty -- twenty-nine million dollars to spend. I would suggest you ought to do that. It's interesting to me, because the City's always looking for money. Generally speaking, they find a lot of money, and I don't think most people thought about this. The last tax increases for the City of Chicago that the Mayor just put through. Parking tax. Who pays that? Guess who. Suburbanites. Increased the water tax in the City of Chicago. Who's the biggest customer? Guess who. DuPage County. We are your largest customer, friends. Cellular phone tax. Who pays a lot of that? Suburbanites. The only tax that he put on that the City pays is the real estate tax. Other than that, we are helping you. Now we -- we see where Meigs brings in, in round figures, seventy-two million dollars a year, and the



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Mayor's willing to give it up. Are you kidding me? I mean, I can't understand how you can just say, seventy-two million, kiss good-bye, I don't need the money. Let me talk a little bit about safety. I had a man call me up and he was kind of emotional because his brother had been in a boating accident around Meigs Field, and it was a very serious accident. They rushed him over to Meigs Field. The choppers picked him up, took him to the hospital. He said, "My brother" -- "If the choppers weren't there, if Meigs Field wasn't open, my brother probably would have died. For no other reason, you ought to keep it open for safety." Those -- those Coast Guard helicopters are now in Michigan. Merry Christmas. Let me also talk about this agreement that -- and I tell you, it's interesting, I have a ten-page agreement that was signed in 1990 by about everybody but the Pope. And I'm just going to tell you who signed this. Secretary of Transportation, City Clerk, City Controller, Commissioner of Aviation, Assistant Corporation Counsel, and Richard M. Daley, Mayor. It is an agreement - a ten-page agreement - to keep it open for twenty years. Well, that was in 1990. If my arithmetic's right, we still ought to honor this contract. The City is breaking this contract. For what reason? Well, we have to have another park. No question in my mind. Let me also say -- say this, that one of the issues that was brought up, you know, we're using motor fuel funds. That is absolutely incorrect. It's coming out of GRF. They also tell us what? They think by privatizing it, increasing the fees a little bit, that that airport, down the road, will make money; it will show a profit. I happen to be for that. I -- I'm for privatizing a lot of things, because I happen to think the real world can do a lot better job, generally speaking, than government. And you know what? The Governor is absolutely right. And I don't care, if you bring anybody in that hearing room today and sit them down, and I don't care what persuasion they are, and

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let them listen to the arguments on both sides, they will come to the same conclusion that I have. That the Governor is right. And he's tried to work out a reasonable compromise. You started it. You did it. You closed it down. Now this was given to you. Just so you have a historical background: 1903, the State gives the land to the City of -- gives it to Chicago. 1935, the State approves use of the land for an airport, specifically. 1947, the State grants a request from the Chicago Park District to permit -- to add more land, expressly for the purpose of airport development. Airport development. 1947, the State funnels 4.4 million dollars to develop the airport. The State funnels 4.4 million dollars to the airport -- to build the airport. 1990, Mayor Daley promised to keep Meigs Field open for twenty years, when he signs a federal/State grant agreement. I have it if you'd like to look at it. I'll tell you, when I sign an agreement, I will stick with my agreement whether I like it or not. It would appear the City doesn't feel that way. It's a shame it got into such a partisan thing. It shouldn't be a partisan issue. We ought to do what's right. In my -- in my judgment, you gave the State no option. You closed it. You did it. They had no option to keep Meigs out. I'll tell you, I wish I would have been -- could have foreseen this, because I would have bought stock in fax companies. If I get another fax in my office to keep Meigs Field open -- I can't believe it. Over two hundred fax. I bet I have two or three hundred letters. I have five or ten letters to keep it open, and I call them from the Greenleafers. And I love the Greenleafers. If the Greenleafers had their way, they'd had -- the Loop would be a park. But anyway, the Governor's right. We're right. Let's do the right thing. Let's keep it open. Let's give the City of Chicago its seventy-four million dollars to run the City. And after all, we gave it to them for one reason only, an airport. They have changed their mind, and they are wrong.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jones, the Gentleman was closing. What's your point?

SENATOR JONES:

Point of order, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

I'm sorry.

SENATOR JONES:

Point of order.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR JONES:

The previous Gentleman that spoke, he should at least read into the record the correct information. The correct information, as it relate to the lease, was a -- was -- what you are talking about the twenty-year contract is between the City of Chicago and the State of Illinois. However, the City cannot enter into a -- an agreement beyond the lease which the Park District had given the City to operate the airport. That's just the reason why. If you had read the correct information into the record, Senator Philip, then you would have known that they could not go beyond. And -- and the feds recognize that particular point in the grant that was awarded to the -- the Park District. That's why your legislation -- when you talk about the City of Chicago, the legislation you have before you, it's not the City of Chicago, it is the Chicago Park District, which is a separate entity of government.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right, Senator Jones. That's fine.

SENATOR JONES:

So I'll be -- I want...

PRESIDING OFFICER: (SENATOR MAITLAND)

All right, Ladies and Gentlemen. This is -- are you

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concluded? Yeah. I'm sorry, Senator Jones. This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1186. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 32 Ayes, 27 Nays, no Members voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1186, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, on -- on the Supplemental Calendar, the middle of the page of the Supplemental Calendar, on Conference Committee Reports. Mr. Secretary, do -- this will be Senate {sic} Bill 1653. Senator Butler. Senator Butler on the Floor? Senator Butler on the Floor? Mr. Secretary, do you have on file a conference committee report on House Bill 1653?

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on House Bill 1653.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, this is the mother of all merely bills, because in -- because in the original passage of House Bill 1653, we inadvertently included municipal-owned water commissions, and there was no intention to do that. The ICC certainly doesn't want to extend its powers down to that level. So this corrects that situation. It -- it removes the power of the Illinois Commerce Commission to control local water commissions, and I ask for your vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the Conference Committee Report on House

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Bill 1653. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on House Bill 1653, and the bill, having received the required three-fifths majority, is declared passed. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR MADIGAN:

The Senate Insurance Committee meeting that was scheduled upon adjournment to consider Conference Committee Report to Senate Bill 454 has been cancelled and rescheduled for 8:30 tomorrow morning in Room 400, and I'd like the Members -- be prompt. It'll take a few minutes and we'll get that on the road. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Senator Madigan. All right. Middle of page 2 on -- on the Supplemental Calendar is Senate Bill 1459. Senator Walsh. Ladies and Gentlemen, we have two more items to do, and I'm not going to start until we have some order in the Chamber. ...Secretary, do you have on file a conference committee report on Senate Bill 1459?

SECRETARY HARRY:

Yes, Mr. President. A First Conference Committee Report on Senate Bill 1459.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. The Conference Committee Report on

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Senate Bill 1459 has three provisions. The first one is clean-up language to House Bill 346, regarding courthouse security officers. The second is a "two strikes, you're out" for aggravated kidnappers, which makes it a Class X felony for a person who is convicted of a second or subsequent offense of aggravated kidnapping if they were -- if their first conviction came after the first offense -- or, if their second conviction came after the conviction of the first offense. The third is technical changes to the Sex Offender Notification {sic} Act. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1459. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1459, and the bill, having received the required constitutional majority, is declared passed. Okay. The bottom of the -- of page 2 of Supplemental Calendar is Senate Bill 1766. Senator Philip. Mr. Secretary, do you have on file a conference committee report on Senate Bill 1766?

SECRETARY HARRY:

Yes, Mr. President. The First Conference Committee Report on Senate Bill 1766.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And this bill is an agreement between the Governor and the Illinois Secretary of State in regards to those fee increases. And

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it does end up giving libraries and everybody else more money. It does allow the Secretary of State to use some money to improve his computers and his computer facilities. Be happy to answer any questions. I say, it's an agreement with the 2nd Floor and the Secretary of State.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President and Members...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Committee {sic}. As I said in Committee earlier today, I -- I commend George Ryan for his tireless efforts in the area of literacy programs throughout this State, and I know that in order for him to get these fees passed and signed by the Governor that he had to enter into this agreement to siphon off some of this money to another fund that will not be used for that purpose. I understand politics, and so this was one of those political maneuvers. But it's so unfortunate, because I'm not too clear about what this special fund will be used for, and there is money in that fund now. And if it's used for what the sponsor or one of the -- said that this money would be used for - one of the witnesses - then I don't know why Loleta couldn't get the money to upgrade the computer system in the Comptroller's Office. She's talked about it throughout her campaign. So did I. So did Dawn Clark Netsch before her, talked about the need to do that. Hopefully would have brought about more accountability for State government so that we could get more accurate figures when we get -- for the -- when the budgeteers get ready to sit down and -- and -- and craft a budget for the next -- year -- fiscal year. But no one can tell

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me whether or not and what this money is going to be used for. I'm going to support the bill because this is the only way George had in order to get that extra fee to support the literacy program, but I would hope that we would come back here and make sure that we know what this other money is going to be used for and that all of the money from that fee go into the literacy program. We most certainly need it, because there's a tremendous need out there unmet.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, we don't - can't locate any analysis over here. Does this -- does this bill raise any fees or increase any fees?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Before. What this does is allow the Secretary of State some flexibility to use the stuff for computers, and I understand it also allows the libraries to use some fees for computers. And the Library Association, I've been led to believe, has signed off on this. And in -- to -- to Senator Collins: I think that George Ryan is a much better negotiator with the Governor than the Comptroller.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Collins, are you finished?  
Senator Demuzio.

SENATOR DEMUZIO:



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Well, thank you, Mr. President. I rise in support. There was some questions that I had as to where -- if there was any way in which we might be taking money away from the library system in Illinois. The fact of the matter is that we will not be. I understand that this was some sort of agreement that was worked out later, after the fee bill that passed. It's my understanding that the additional revenue that'll be transferred to the Statistical Services Fund, to be administered by Central Management Services, will go for automation and technology statewide. And I certainly concur with Senator Philip that, in fact -- that the Governor {sic} is a better negotiator than is the Comptroller, otherwise we wouldn't be going through this nonsense with her automation. I would rise in support of this, and I request an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Karpziel. Any further discussion? Senator Philip, to close.

SENATOR PHILIP:

Yeah. I would appreciate a lot of green lighting up there, and we ought to do what's right for the libraries, for the Governor, and for our wonderful, outstanding Secretary of State, George Ryan.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1766. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1766, and the bill, having received the required constitutional majority, is declared passed. Is there any further business to come before the Senate?

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If not, Senator Geo-Karis moves the Senate stand adjourned until  
9 a.m. Thursday, December 5th.

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