

STATE OF ILLINOIS  
84th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

99th Legislative Day

April 10, 1986

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be the Reverend Gale W. Spilman, Pastor of East View Baptist Church of Springfield. Reverend Spilman is a guest of Representative Mike Curran. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Spilman: "Our Heavenly Father, with all the confusion we see in the world today, we thank You that we live in a land where we may gather and discuss and talk of the things that need to be done. Heavenly Father, we pray for those that are gathered here today. Help them in their wisdom and in their knowledge. Give them the right direction that things might be done, that Illinois might be a better place to live. We pray in Jesus' name. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."

Ropp - et al: "Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Speaker McPike: "Roll Call for Attendance. 110 Members answering the Roll Call... 111 Members, a quorum is present. Representative Piel, do you have any excused absences?"

Piel: "Yes, Mr. Speaker, we have Representative Ryder is excused today. And also we have Representative Pullen, McAuliffe, Wojcik, Pedersen and Williamson who are on legislative business. We have not put them on the Roll, but they will possibly be in later on."

Speaker McPike: "Would you repeat those names? The Clerk didn't get all of those names."

Piel: "Representative Ryder is excused today. On legislative business, Representative Pullen, Representative McAuliffe,

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Representative Wojcik, Representative Pedersen, Bernard Pederson, and Representative Williamson."

Speaker McPike: "Representative Greiman, do you have any excused absences? Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 3256, O'Connell, a Bill for an Act to amend Sections of the Probate Act. First Reading of the Bill. House Bill 3257, Matijevich and Leverenz, a Bill for an Act making an appropriation to the Supreme Court. First Reading of the Bill. House Bill 3258, Turner and Anthony Young, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 3259, Turner and Anthony Young, a Bill for an Act making an appropriation to the State Board of Education. First Reading of the Bill. House Bill 3260, McGann, a Bill for an Act to amend Sections of the Illinois Banking Act. First Reading of the Bill. House Bill 3261, McPike - Davis and Greiman, a Bill for an Act to amend certain Acts in relation to mass transit. First Reading of the Bill. House Bill 3162 (sic 3262), Pullen, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 3263, Laurino, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 3264, Steczko, a Bill for an Act to amend the Local Governmental and Governmental Employees' Tort Immunity Act. First Reading of the Bill. House Bill 3265, Levin, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 3266, Keane, a Bill for an Act to amend an Act in relation to state finance and an Act to provide for the management, operation, control and maintenance of state colleges and university systems. First Reading of the Bill. House Bill 3267, Keane, a Bill for an Act relating to the power of the governing boards of

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certain public institutions of higher education to ensure indemnity and defend against certain claims and suits. First Reading of the Bill. House Bill 3268, McPike, a Bill for an Act in relation to certain taxes imposed by the Metro-East Mass Transit District and to authorize their levying in any area of the district certified as an enterprise zone. First Reading of the Bill. House Bill 3269, Sutker and Barger, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 3270, Leverenz, a Bill for an Act to amend an Act concerning fees and salaries. First Reading of the Bill. House Bill 3271, Vinson - Cullerton and Barnes, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 3272, Ropp, a Bill for an Act making an appropriation to the Department of Agriculture. First Reading of the Bill. House Bill 3273, Klemm, a Bill for an Act to repeal Sections of the State Library Act. First Reading of the Bill. House Bill 3274, Churchill, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 3275, Capparelli and Vinson, a Bill for an Act to amend Sections of an Act to provide for the representation and indemnification of certain civil law suits. First Reading of the Bill. House Bill 3276, Capparelli and Davis, a Bill for an Act to amend Sections of an Act in relation to state monies. First Reading of the Bill. House Bill 3277, Breslin, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3278, Giorgi, a Bill for an Act to amend an Act relating to the Circuit Courts. First Reading of the Bill. House Bill 3279, Churchill, a Bill for an Act to amend Sections of the Realtors' Occupation Tax Act. First Reading of the Bill. House Bill 3280, Churchill, a Bill

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for an Act in relation to certain public utility taxes and amending certain Acts therein named. First Reading of the Bill. House Bill 3281, Churchill, a Bill for an Act to amend the Retailers' Occupation Tax Act. First Reading of the Bill. House Bill 3282, Braun, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. House Bill 3283, Homer, a Bill for an Act to amend the Violent Crime Victims' Assistance Act. First Reading of the Bill. House Bill 3284, Homer, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3285, Homer, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 3286, Homer, a Bill for an Act creating the Uniform Durable Power of Attorney Act. First Reading of the Bill. House Bill 3287, Homer, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. House Bill 3288, Leverenz, a Bill for an Act in relation to the registration and licensing of motor vehicles used to transport students. First Reading of the Bill. House Bill 3289, Jane Barnes, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. House Bill 3290, Steczo and Ewing, a Bill for an Act concerning fines and costs issued in relation to various offenses and the disbursement of such fines and costs levied. First Reading of the Bill. House Bill 3291, DeLeo - et al, a Bill for an Act relating to the acquisition of interest in real property by housing authorities in municipalities having over 500,000 inhabitants. First Reading of the Bill. House Bill 3292, Capparelli and McAuliffe, a Bill for an Act to amend the Highway Advertising Control Act. First Reading of the Bill. House Bill 3293, Richmond and Flinn, a Bill for an

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Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 3294, Martinez and Berrios, a Bill for an Act making an appropriation to the Department of Commerce and Community Affairs to be used for the Youth Employment Program. First Reading of the Bill. House Bill 3295, Cullerton, a Bill for an Act to amend Sections of the Metropolitan and Fair Exhibition Authority Act. First Reading of the Bill. House Bill 3296, Bowman, a Bill for an Act in relation to the consumer representation before the Illinois Commerce Commission. First Reading of the Bill. House Bill 3297, Bowman, a Bill for an Act concerning the retirement of nuclear facilities. First Reading of the Bill."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. As Sponsor of House Bill 3219, and its Chief Sponsor, I ask leave of the House to table 3219."

Speaker McPike: "The Gentleman is Chief Sponsor of House Bill 3219 and he has moved to table the Bill. Are there any objections? Hearing no objections, the Attendance Roll Call will be used. The Bill is tabled. Page four of the Calendar, Conference Committee Reports, appears Senate Bill 1412."

Clerk O'Brien: "Senate Bill 1412, First Conference Committee Report."

Speaker McPike: "Representative Pangle."

Pangle: "Thank you, Mr. Speaker. Conference Committee Report is one that was highly discussed last week dealing with some conveyance of some property to a non-profit group in Manteno, Illinois to provide parcels, and I stipulate parcels of property to be conveyed to industry to come into that area to provide jobs for the people in our community. I would want to add that Kankakee is still suffering with

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an unemployment rate of 13.7. And if we're in a position and able today to pass this piece of legislation to convey part of 317 acres to the diversified tech campus people, we'd be able to provide 300 jobs for the people in the Kankakee area that's very much needed. I would move for the consideration and the approval of Conference Committee Report on Senate Bill 1412."

Speaker McPike: "The Gentleman has moved for the adoption of the Conference Committee Report to Senate Bill 1412. Is there any discussion? There being no discussion, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 14...?' I'm sorry, the Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, we have discussed this land transfer considerably. I think most everybody has made up their mind on the issue. Certainly, we don't want to stand in the way of industrial development. I feel certain that the Director of Central Management Services will do everything possible to see that this land is put to good use for the citizens in the State of Illinois if this Conference Committee Report is approved. My personal position on this, I think, is well known to the Members of this Body. I still feel very deeply that we, as Republicans on this side of the aisle, had every right to be brought into the negotiations and discussions of this issue when the Majority Party drew the Conference Committee Report. That was not the case. For that reason, I will not support it, because I feel the process here is important. And it's important that both sides of this aisle have input into important public policy decisions. The decision to give away or to use 300 acres of Illinois land, which has a value of at least 2000 dollars an acre, according to the last appraisal of nearby

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property, is of a magnitude that requires that we have bipartisan consideration. Now, I would just leave as a parting word to the other side of the aisle, if they expect this to work, if they expect the cooperation of the Republican administration in this state, then they ought to cooperate with our Party here in the House. And I can assure you that working together, we could do a lot more than by your trying to strong-arm it through. And that is my major objection. And I have talked with your press back home and they know it, and they know that the Republicans are for industrial development and putting people to work, not for blocking it. But we have rights which we don't like to have trampled. Thank you."

Speaker McPike: "Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker McPike: "He indicates he will."

McCracken: "Representative Pangle, this Bill also amends the Income Tax Act, is that correct? It also... It amends the Income Tax Act, is that right?"

Speaker McPike: "Representative Pangle."

Pangle: "Yes, it does."

McCracken: "What is the substance of that Amendment?"

Pangle: "It applies to enterprise zones."

McCracken: "It applies to enterprise zones?"

Pangle: "Correct."

McCracken: "Does it expand the definition of the potential pool of employees for purposes of a tax credit?"

Pangle: "No, I don't believe that it does, Mr... Representative."

Speaker McPike: "Representative McCracken."

McCracken: "I'm waiting for the answer."

Speaker McPike: "The Gentleman answered the question, Sir."

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McCracken: "Oh. I didn't hear it."

Speaker McPike: "Representative Pangle, would you repeat your answer?"

Pangle: "No, I don't believe it does, Mr. Speaker."

McCracken: "Well, what does it do? What does the Amendment of the Income Tax Act do?"

Pangle: "It deals with job tax credit. It has nothing to do with income tax, Representative. And it deals with job tax credits in enterprise zones."

McCracken: "Okay, thank you."

Speaker McPike: "Gentleman from Grundy, Representative Christensen."

Christensen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to add to the people on the other side of the aisle who might be opposed to this legislation that when Manteno Mental Health closed, we were left with some of the highest unemployment in the state. We are trying to make the best of a bad situation and create some 1500 jobs. I would ask that you help us build Illinois. And remember, there's also a reverter clause in here so if it's not used, it will go back to the state. Let's pass this legislation out of here."

Speaker McPike: "Representative Pangle, to close."

Pangle: "Thank you, Mr. Speaker. I would just... would like to ask for the concurrence on this Conference Committee Report. And I sincerely would appreciate the support of the other side of the aisle, because I think it's very imperative this week that we get this legislation passed so that we can put people to work in Kankakee County."

Speaker McPike: "Question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1412?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who



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wish? The Clerk will take the record. On this Motion there are 97... Representative Klemm 'aye'. On this Motion there are... Representative Turner 'aye'. Turner. Representative Wait 'aye'. On this Motion there are 100 'ayes', 7 'nos', 2 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 1412. And the Bill, having received the required Constitutional Majority, is hereby declared passed. House Joint Resolution 169. Read the Resolution, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution 169. Resolved by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, that when both Houses adjourn on Friday, April 11, 1986, they stand adjourned until Tuesday, April 15, 1986 at 12:00 noon."

Speaker McPike: "Representative Greiman moves for the adoption of House Joint Resolution 169. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Resolution's adopted. Page five of the... page five of the Calendar, Speaker's Table, appears House Resolution 595, Representative Braun. Out of the record. House Resolution 940, Representative Matijevich. Out of the record. House Resolution 1064, Speaker Madigan. Out of the record. House Resolution 1095, Representative Cullerton. Mr. Clerk."

Clerk O'Brien: "House Resolution 1095, adds the Special Horse Racing Investigation Select Committee to the House Rules. The Rules Committee recommends 'be adopted'."

Speaker McPike: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 910, which we passed on January 8th of this year, set up the Special Horse Racing Investigative Committee and called upon that Committee to

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issue a report to the House on or before May 1st of 1986. That report is being drafted and it has come to the attention of many Members on that Committee that it would be very beneficial if the horse racing or racing Bills that would be introduced this year would go to this special Committee. So, the purpose of this Resolution is to add the Special Horse Racing Investigative Select Committee to the list of Committees that are standing Committees so that this Committee would be in existence for the remainder of this Session. I don't anticipate it being a permanent thing; but, for this year, since we will have a number of issues dealing with racing, we thought it would be beneficial to have a Committee that has been looking at all the issues. Representative Kubik is the Minority Spokesman on the Committee, and I believe that he concurs with this Resolution. So, I would move for the adoption of the House Resolution 1095."

Speaker McPike: "Gentleman moves for the adoption of House Resolution 1095. And on that, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker McPike: "He indicates he will."

Ropp: "Yeah, Representative, who... who has selected this Committee, or who even said we needed a Special Horse Racing Investigative Committee?"

Cullerton: "You did when you voted for House Resolution 910 along with the rest of the Members of the General Assembly and then you wanted to know nam... The Members were appointed by the Minority Leader and by the Speaker. Members on your side of the aisle are Representative Vinson, McCracken and Kubik is the Minority Spokesman."

Ropp: "Has this Committee been meeting already?"

Cullerton: "Yes, we've had four meetings and we are going to be

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having a report which we expect to issue to the General Assembly next week."

Ropp: "Is... okay. And this only operates until after this Report is completed, then the Committee is terminated or..."

Cullerton: "No, that's the purpose of this Resolution, is to set this Committee up as a standing Committee that would consider... have Bills assigned to it that deal with racing and have this Committee vote on and consider those Bills. There will be, undoubtedly, some legislative recommendations that come out of the Special Investigating Committee which would be assigned to the Committee, then, for approval."

Ropp: "Will the Bills that have come forth from this Committee be assigned to the Judiciary Committee or will it come to the Ag Committee?"

Cullerton: "Well, I'm not on the Committee on Assignment. If we're going to be creating a new Committee for the length of time of this Session, there's going to be a special Horse Racing Committee. And the Committee on Assignment will decide where to assign Bills. I would think that if a Bill is introduced that amends the Horse Racing Act, that they would probably assign it to our Bill (sic), but you never know."

Ropp: "Okay, thank you."

Speaker McPike: "Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield for questions?"

Speaker McPike: "He indicates he will."

Klemm: "Representative, I'm just curious for clarification, I think, on the word 'Investigative'. Is... that seems to connote something of wrongdoing, that we're searching out and looking...."

Cullerton: "I'm sorry. I cannot hear you. There's too much

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noise, Mr. Speaker."

Speaker McPike: "The Body give the Gentlemen their attention, please."

Klemm: "The term of the Committee called 'Investigative', the name of the Committee using the term 'Investigative' gives the connotation that there is something wrong or some wrongdoing in the racing industry, and I was curious if this is, in fact, what you're looking for this Committee to do, to investigate wrongdoing or something or if this is implied somehow that we're not aware of."

Cullerton: "No, no. See, that's what the name of the Committee was that was set up to investigate some allegations with regard to some improprieties. We've already conducted that investigation. We've had four full hearings conducted in Chicago..."

Klemm: "So..."

Cullerton: "And this is only designed to be a standing Committee that would... that would vote on and consider Bills that are introduced that are assigned to it."

Klemm: "So, though we call it the Special Horse Racing Investigative Select Committee, that will be the name - it's not necessarily meaning we're investigating wrongdoing?"

Cullerton: "That's right. I don't anticipate anymore..."

Klemm: "Alright. It just seemed like an inappropriate use of words to describe a Committee just looking at legislation affecting the racing industry when we added 'Investigative' in it. That's all."

Cullerton: "Well, maybe a better name would have been Racing Committee, but..."

Klemm: "Alright, but it doesn't mean that then."

Cullerton: "Right."

Klemm: "Fine, thank you very much."

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Speaker McPike: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I'd just like to reassure the Members on the Republican side of the aisle that the purpose of this Committee is that as we investigated the horse racing industry, we also know that there are many Bills that will deal with the subject of horse racing and off track betting and a whole conglomerate of issues; that we thought it would be appropriate to continue the work of this Committee because those Bills would be of interest to the Committee. So, there is ... once the report that we will issue in about a week is completed, the purpose of the Committee will be to consider legislation with respect to the horse racing industry and some of the related problems or issues to it. So, I just want to reassure our Members that that is the purpose of this Committee, and the Leadership is in accord with Representative Cullerton's Motion."

Speaker McPike: "The Gentleman has moved for the adoption... The Gentleman has moved for the adopt... I'm sorry, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I join the Gentleman in his Motion. I believe it's a good Motion. The Members of this Committee has developed substantial expertise on this industry. The problems particularly attendant to this industry deserve careful scrutiny, and I would join the Gentleman in moving for the adoption of House Resolution 1095."

Speaker McPike: "The Gentleman has moved for the adoption of House Resolution 1095. Since this establishes a permanent Committee, it requires 60 votes. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 95 'ayes', 13 'nos', 2

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voting 'present'... 94 'ayes', 13 'nos', 2 voting 'present', and the Motion carries. There will be a Republican Caucus in Room 118 immediately upon adjournment. Room 118 immediately upon adjournment. Representative Greiman now moves that the House stands adjourned until Tuesday, April 15th at the hour of 12:00 noon. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the House now stands adjourned. Representative Brookins, do you have an announcement?"

Brookins: "Yes, Mr. Speaker, we have with us today the 'Jane A. Neal' School for Physically Handicapped located at 85th and Michigan, two blocks from Comptroller Roland Burris' house, and they're in the balcony on your left. Thank you."

Speaker McPike: "Representative Mulcahey."

Mulcahey: "Yes, Mr. Speaker, for an announcement if I may. I know we've adjourned, but, for the information of all the Members, I'd like to point out that the Elementary and Secondary Education Committee is going to have the same policy this year as we had last year regarding the posting of Bills. I would urge... We will not post any Bills in that Committee until the Sponsor of the Bill calls Carol Lampard at 2-8796 and indicates that they want their Bills posted. So, if you want your Bills posted in Elementary and Secondary Education Committee, make that phone call to staff. Thank you."

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