

STATE OF ILLINOIS  
85th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

110th Legislative Day

May 25, 1988

Speaker McPike: "The House will come to order. The Chaplain for today will be Reverend Paul Bacon, from Trinity Lutheran Church in New Lennox. Reverend Bacon is the guest of Representative Wennlund. The guests in the balcony may wish to rise and join us in the invocation."

Reverend Bacon: "Let us pray. Oh Heavenly Father, we know that when we work for the welfare of mankind, we are doing Your work. For You have created us and put us on this earth to benefit from Your creation and to do all that we can to improve what we find in our conditions in life. Grant us, on this day, and all of the days that this Assembly meets the wisdom to understand what is good for the world in which we live and the people that we serve. And grant us also the courage and the ability then to carry out those methods through what we propose in this Assembly. We ask Your presence among us today. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Piel."

Piel - et al: "I 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. Representative Piel."

Piel: "Yes, Mr. Speaker. Would the record show that Representative McCracken and Representative Klemm are excused today. And Representative Williamson is also excused. That's Representative McCracken, Representative Klemm and Representative Williamson."

Speaker McPike: "Thank you. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker. On this side of the aisle Representative Bob DeJaegher and Representative Lee Preston are excused due to illnesses."

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Speaker McPike: "Take the Roll. 113 Members answering the Roll Call, a quorum is present. Representative Tuerk."

Tuerk: "Mr. Speaker, I request a Republican Conference and I presume that would be in 114...118."

Speaker McPike: "Yes, how much time to you need?"

Tuerk: "Oh, a half hour, 45 minutes."

Speaker McPike: "Allowing the Clerk perfunctory time, the House will stand at ease until the hour of 1:00 p.m. Republicans will have a...be back by 1:00?" Tuerk: "We'll do our best."

Speaker McPike: "Thank you. So we'll stand at ease until 1:00 p.m. The Republicans will have a conference immediately in Room 118."

Clerk O'Brien: "Committee Reports. Representative Rea, Chairman from the Select Committee on Economic Development, to which the following Bill was referred, action taken May 25, 1988 reported the same back with the following recommendation: 'do pass' Senate Bill 1685. Representative Satterthwaite, Chairman of the Committee on Higher Education, to which the following Bills...following Bills were referred, action taken May 24, 1988 reported the same back with the following recommendation: 'do pass Short Debate Calendar' Senate Bills 1691 and Senate Bill 1796'. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken May 24, 1988 reported the same back with the following recommendations: 'do pass Consent Calendar' Senate Bills 1707, 1714, 1830, 1947, 2009, 2049, 2243, and 2249."

Speaker McPike: "The House will come to order. Committee Reports."

Clerk O'Brien: "Representative O'Connell, Chairman of the Committee on Judiciary II, to which the following Bills were referred, action taken May 25, 1988 reported the same

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back with the following recommendations: 'do pass' Senate Bills 1612 and 1989; 'do pass Consent Calendar' Senate Bill 1966."

Speaker McPike: "Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I'd like to introduce a former colleague and a Member of the House, former Republican State Representative Augie Ruf whose here visiting with us today."

Speaker McPike: "Committee Report."

Clerk O'Brien: "Representative O'Connell, Chairman of the Committee on Judiciary II, to which the following Bills were referred, action taken May 25, 1988 reports the same back with the following recommendation: Senate Bill 1612 and 1989; 'do pass Consent Calendar' Senate Bill 1966."

Speaker McPike: "Rules Committee."

Clerk O'Brien: "Committee on Rules has met pursuant to Rule 29(c)3, the following Bills have been ruled exempt on May 25, 1988: Senate Bills #1167, 1558, 1562, 1581, 1615, 1634, 1672, 1673, 1676, 1723, 1860, 1862, 1865, 1893, 1903, 1914, 1915, 1956, 1987, 1990, 1994, 1995, 2010, 2040, 2052, 2116, 2122, 2124, 2127, 2141, 2154, 2193, 2197, 2199, 2201, 2218, 2235, 2257, 2258, 2260, 2264, 1626, and 1795, signed John Matijevich, Chairman."

Speaker McPike: "On Supplemental Calendar #1 under Non-Concurrence appears Senate Bill 2202, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. The Senate has moved to non-concur on Senate Bill 2202 and I move that the House do not recede from the Amendment."

Speaker McPike: "The Gentleman moves the House refuse to recede from the Amendment #1 to Senate Bill 2202. All in...is there any discussion? All in favor of the Gentleman's

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Motion say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. And the House requests a Conference Committee on Senate Bill 2202. Page 4 of the Calendar, under Item Veto Motions, appears House Bill 1685, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Today I'm moving that the House override the Governor's Item Veto of 155.6 million supplemental appropriation for the Medicaid Program, which is contained in House Bill 1685. This money is necessary to keep the Medicaid providers, not to mention the poor and the sick, from being held hostage to a tax increase strategy perpetrated by the Governor. I resent even having to consider a supplemental. I resent it all the more, because it would not be necessary had the Governor respected the Legislature's intent, when we passed the FY88 budget last spring. We gave him enough money to get through this year provided he continued to pay bills at the 60 days after they were presented for payment, which was the norm at the time the budget was passed. Instead of respecting the Legislature's intent, he began paying bills faster and faster. During the first six months of the fiscal year Medicaid spending was twenty-two percent higher than it was during the first six months of the previous year. The Illinois Hospital Association reports that the payment cycle has fallen from 60 days to 45 days by the end of March. No wonder the appropriation is exhausted. Now the Governor says in his veto message that if this is upheld, he will request another supplemental appropriation from us in two parts. First part is the thirty million dollar fund, little more than a slush fund, to keep a few providers afloat between now and the end of the year. Incredibly he continues that he will direct the Bureau of the Budget to work with the Controller's Office to process

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past due vouchers immediately so they can be put in the mail July 1. Now, what he's saying is that he wants us to uphold this veto but to pass another supplemental appropriation for the same amount effective July 1. Why is he doing this? Little...all it will accomplish is to keep the heat on the Medicaid providers for a tax increase in the meantime. If we do override this veto today, and the money is not readily available, there's no problem, because the Finance Act gives him 90 days to pay the bills for appropriations made during this fiscal year. So all he has to do is to wait until July 1, to release the money, which is what he proposes to do in his veto message. The General Fund's balance will balloon from mid-June onward, because the university payrolls will sharply...be sharply curtailed with the advent of summer vacations. So the real effect of our action today, if we should choose to override this veto, will be to give the beleaguered Medicaid providers the first claim on additional dollars when they become available, at the time they become available, and the amount that they become available. The Medicaid providers have suffered enough, we should stop this blood-letting. And now for the record let me say that the position of the Hospital Association is in favor of overriding the Governor's veto. The last check from the Department of Public Aid to the hospitals is expected to be transmitted in early June. Without this supplemental Legislation funding from the FY89 appropriation will not reach institutions until August. Moreover, the interest payments, which accrue on late bills, bills aged over 60 days, will stop accruing, according to the Bureau of the Budget's interpretation of the law. This will create a two month drought in payments to Medicaid provider institutions. A drought, which some hospitals which serve

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primarily the poor, may not be able to survive. Ladies and Gentlemen of the House, we should override this veto in the interest of humanity and in the interest of good business practices. We should not let the clock stop on interest payments. Thank you."

Speaker McPike: "Heard the Gentleman's Motion. Is there any discussion? Representative Leverenz."

Leverenz: "Will the Gentleman yield to a question or two?"

Speaker McPike: "Yes he will."

Leverenz: "You're trying to override, how much, for what? It's almost very difficult to hear you."

Bowman: "Well thank you Representative Leverenz, I will try and speak up."

Leverenz: "Well I know you are, but there's a bit of a den on the Floor."

Bowman: "Okay, the Bill in it's original form, as sent to the Governor, was two hundred and fifty-eight million, of which one hundred and eighty was general revenue. He signed all of the non-general revenue and twenty-five million of the general revenue. At issue is 155.6 million dollars in general revenue in the Medicaid lines."

Leverenz: "And that money gets paid to who? Are these providers? And if so, what kind of providers?"

Bowman: "Yes, this money is...would be available to all Medicaid providers. The hospitals, the nursing homes, the pharmacists, all other Medicaid providers."

Leverenz: "Well, thank you. I would ask that some of the conferences that are going on on the Floor stop and that we, perhaps, clear the Floor for this very important Override Motion. And that I would solicit your 'aye' votes."

Speaker McPike: "Representative Ropp."

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

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Okay, Representative, for sometime, I think the Legislature and the Governor have had some unwritten rule that we should maintain a minimum balance in our checkbook at the end of June 30th. Is that correct?"

Bowman: "I'm not aware of any unwritten rule."

Ropp: "Well, are you...do you know of any written rule?"

Bowman: "No, not even a written rule. If you have a target figure for the available balance, let's discuss it."

Ropp: "Well, I think that over the years that we have been here, you and I together at least, I think that figures been somewhere around two hundred;million that we have attempted to keep in a minimum balance at the end of the year, or at least...and I know that seldom does it ever stay there, but I think that's an attempt that we have tried to maintain and that's one of the reasons that the Governor made a number of vetoes at the end of last Session in order to maintain a balance like this. I think one of the reasons was the fact that it has some effect on our bond rating. Can you tell me what effect will our bond rating have if, in fact, this is overridden?"

Bowman: "Well, Representative Ropp, I'm glad you ask that question. Because we haven't been at two hundred million for a long time. And yet we have a...continue to have a triple A bond rating. I think the issue of the bond rating is spurious to this debate. Because if...if two hundred million dollars was required for triple A bond rating, let me tell you, there are several bond issues that we floated successfully in the past that would not have enjoyed a triple A bond rating. So I think that's a spurious issue, frankly."

Ropp: "Well, nevertheless, I think that was one of the points that was made last year during the debate of the budget. The fact that we were attempting to maintain this kind of

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level, at least at the end of the fiscal year. And I think it is a concern because, in fact, the bond rating goes lower..."

Speaker McPike: "Excuse me, excuse me, excuse me Mr. Ropp. Representative Ropp. Representative Ropp. I wonder if we could have a little attention to Representative Ropp. No one can hear him. Representative. Representative Ropp, continue Sir."

Ropp: "I think the point was that we were attempting in a good business manner to have a bank balance at the end of the year, at least of somewhere close to two hundred million. And that by the passage of this particular override, the objectives that I'm sure some in this Chamber had attempted would have gone for not. Therefore, I think this even places a greater concern that we should all have as to where we're going in our State financially. And of course there are those people who say we need to come up with some new priorities, and I think that's very commendable. The fact is there are some areas, though, that it is very difficult to reduce in terms of priority. And the ones that most of us have is in terms of providing adequate funding for education. We haven't even got money for that yet. And I'm not sure you're going to be able to come with sufficient dollars to meet the number one priority. And the area that we are...have been spending money on are areas over the last couple of years that are really non-producing. Whereas, if we really get concerned and come up with sufficient dollars to deal with education, we will in fact be producing the kind of students that we need to be revenue producers in the State of Illinois and hopefully can reduce this particular line item next year. So I think it's extremely important that we begin to prioritize our concerns and actually come up with the

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dollars that are needed so that we can maintain that unwritten two hundred million dollar balance that many of us have attempted to address for these many years."

Speaker McPike: "Further discussion? Representative Bowman to close."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. In conclusion, I would just like to pick up the theme that Representative Ropp so nobly advanced here, of good business practices. You know really what's an issue here is whether the interest payments are going to continue to accrue on the unpaid balances. The Bureau of the Budgets contention is that there's not...if there's no money in the appropriation line at a particular point in time, then after that point in time the interest will stop accruing. So the Governor is asking us to turn around and appropriate a supplemental...that will be available July 1. The practical effect of the Governor's request is simply to cancel out the interest that accrues during the month of June. So I think if you support good business practices you support the hospitals and all other Medicaid providers, getting their money. Not only in a timely fashion, but failing that to make sure that they get all the interest that they are due. The real issue here is the interest accrual and I urge that you cast an 'aye' vote for good business practices."

Speaker McPike: "The question is 'Shall the Governor's item veto to House Bill 1685 be overridden?' All those in favor of the Motion vote 'aye', opposed vote 'no'. Representative White, explain your vote."

White: "Mr. Speaker. Ladies and Gentlemen of the House. I stand in support of this wonderful piece of Legislation. The State of Illinois has a responsibility of responding to its commitments. The hospitals and the providers have provided

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service to the poor and I think it's only fitting and proper for the State of Illinois to do all it can to uphold its commitments to these institutions and to the providers. We're not talking about new money. We're just talking about money that is owed to the providers and to the hospitals. So a green vote is a proper vote at this time."

Speaker McPike: "Representative Matijevich."

Matijevich: "Explain my vote Mr. Speaker, Ladies and Gentlemen of the House. It is very ordinary in this House that when the administration's party supports him in his veto that someone speak up from the administration's minority party, in this instance to defend the Governor's veto. I heard nobody in the Majority Party who is in a Leadership position or spokesperson for that party. That silence indicates to me that we who have said that the Governor has manufactured a crisis so that he can have a tax increase that is a creditable position from this side of the aisle. The Governor has said that he wants to maintain a two hundred million dollar balance to insure a good credit rating. I have said before that I can't understand how you can have a good credit rating if you aren't paying the bills. Especially when you had the money to pay the bills. So I would hope that we can get enough 'aye' votes on this. It is needed so we can pay bills for providers of health care. But I don't sense that there's going to be enough votes even though the Minority Party has really stood silent on the Floor of the House."

Speaker McPike: "Representative Levin, to explain his vote."

Levin: "Mr. Speaker. Ladies and Gentlemen of the House. I think it is wrong to balance the State's Budget on the backs of private providers, hospitals, nursing homes, pharmacists. More than being wrong I think we're talking about life and death. I had a conversation with a woman who needed drugs

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in order to survive. She has been a middle-class person, she had come down with a disease that suffocates her lungs and she had gotten a call from her pharmacist that they've cut off the money so he was not going to be able to continue to give her the drugs she needed to be able to live. So we're not just talking about what's economically fair to the private providers being paid for the services they provide. We're talking about life and death here."

Speaker McPike: "Representative Stephens, to explain his vote."

Stephens: "Thank you, Mr. Speaker. I have to rise and explain my vote. In defense of the pharmacy industry, which was just mentioned, I am a medical provider. Two of our pharmacies provide medical service to Medicaid recipients. Today I'm seventeen thousand dollars in arrears in payments from the State. I feel the pinch that you're talking about. But you need to know that pharmacists and wholesalers throughout Illinois are continuing to provide service. Working through the private enterprise system to continue the flow of drugs knowing in good faith that the government, the State of Illinois, is going to come through in their obligation. It might be a little late, but there's something else in the works and you know it across the aisle. And you know that we're good for the money. It's not fair to balance the State's budget on the backs of medical providers. We know that. But it's a critical situation that we face. And so don't tell us, that what we're doing is wrong and cruel and you know that we are in a catch twenty-two. We're going to take care of medical providers and we're going to take care of the mentally...medically indigent. We're going to continue to provide service. You know that. So don't play political football with a sensitive issue."

Speaker McPike: "Representative Daniels, to explain his vote."

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Daniels: "Mr. Speaker. Ladies and Gentlemen of the House.

Anytime you talk about Medicaid provisions and providing it's a difficult time to look truly at the course of this government and the priorities that it must set. And in this instance, we recognize and we understand because most Members of the House, at throughout various times, said we must have a checkbook balance available, revenue balance of two hundred million dollars and cannot drop below that because it'll have an adverse impact upon our bonding houses and bond rating. And we know that, of course, that this is the start of the budgetary Session when half the budget is here now and the other half is in the Senate. And we all recognize, of course, with reality and specificity, that this budget will be dealt with, that Medicaid funding will be provided and the appropriate time as we move forward in the budget process and starting in the month of June. But we also know that there is, in fact, a provision on the suggestion on how to handle bankrupt or distressed Medicaid providers, such as hospitals, by the transferring of funds from one department to another and by the provisions of an impact as the Governor has suggested of 10.6 million dollars in General Revenue Funds, which is subject to federal matching funds of 5.3 million. Thereby leaving in this distressed Medicaid provider fund a total impact upon General Revenue Funds of 5.3 million. The thirty million dollar fund that the Governor will introduce and has suggested as an alternative, will provide eleven million dollars to distressed hospitals, eleven million dollars to community care facilities, and eight million dollars for other health care professionals. With only a total impact of 5.3 million dollars on General Revenue Funds. Now we recognize that this is a difficult vote for some of us on this side

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of the aisle. But we also recognize that it is responsible and prudent at this time in our budgetary process. And in accordance with that we dedicate ourselves to a responsible budget. To responsible action in terms of the people of the State of Illinois and what they expect this government to do and this General Assembly to act upon. For there will be no subterfuge or hoodwinking of the people of Illinois. When you don't have the money, you have to stand up and make the tough choices and the tough decisions are now. And now is the time that this budget must be shaped and we will work on that budget to prevent as much as possible the necessity for increasing the income tax in this State. And without action by this General Assembly responsible in nature appropriating funds when they are available, then you on the other side of the aisle are forcing this State into a tax increase scenario. Ladies and Gentlemen, we're ready to work on the completion of the budget. To bring this process open. To involve all of the people of Illinois through their representative government. We ask you, we challenge you, we invite you, to participate with us in working on the budget in a responsible framework and a responsible action so that the people of Illinois are cared for. So that the available revenue balance is there and are priorities are met."

Speaker McPike: "Representative Bowman, to explain his vote."

Bowman: "Yes, I wasn't going to do it until provoked by..."

Speaker McPike: "It's his Motion."

Bowman: "What?"

Speaker McPike: "Proceed."

Bowman: "Okay, thank you very much. What we're arguing about here is five weeks. We want it now, the Governor wants it July 1. Now the difference between his proposal and our proposal is really twofold. Number one, is that if we

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don't pass this appropriation now, the clock is going to stop running on interest accruals. Now that's not good business practice. We shouldn't do that. We shouldn't play fast and loose with the providers once again. Now the second difference between our proposal and the Governor's proposal is that by passing the override at this point when the university payroll cease in June, then money will become available that can be made available to the providers at an earlier date. So this is a...we're arguing over five weeks, four weeks, three weeks, whatever, but the fundamental business principle is that if the bills go unpaid they should be paid interest."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 57 'ayes', 48 'nos'. And this Motion having re...having failed to receive the required three-fifths Majority fails. Page 2 of the Calendar. House Bills, Third Reading, Appropriation Bills, appears House Bill 3782, Representative Leverenz. The Gentleman asks leave to return the Bill to Second Reading for purposes of an Amendment. Does the Gentleman have leave? Representative Mays."

Mays: "I would object at this point. We have not been consulted on this side of the aisle with this Bill at this point, so for now, until we have a chance to consult, I would object."

Speaker McPike: "There's an objection. The Gentleman moves that House Bill 3782 return to a Second Reading for purposes of an Amendment. Heard the Gentleman's Motion, is there any discussion? There being none. The question is 'Shall the Motion prevail?' All those in favor of the Gentleman's Motion vote 'aye', opposed vote 'no'. Representative... Representative Mays to explain his vote."

Mays: "I would simply say that we have not been consulted on

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this. And it would not be a prudent thing for us to get into this thing at this time, until we have a chance to have our staffs get together and, so I would urge a 'no' vote from people on this side of the aisle."

Speaker McPike: "Representative Bowman, to explain your vote."

Bowman: "Well, this is a matter of some urgency. And I'm sure that the issues are familiar to people on both sides of the aisle and we can debate this at the proper time. It's the custom in this House that if a person wants to move his Bill back from Third Reading to Second Reading, that the Sponsor is entitled to that and I think Representative Leverenz and McPike, no less so."

Speaker McPike: "Have all voted? Have all voted who wish? Representative Leverenz, to explain his vote."

Leverenz: "Well, I Mr. Speaker. I think I explained this to Representative Mays this morning. I know it was quite early and I let you play for free and everything this morning. I mean just give us one or two extra votes and we can get this done here and work together as we have for weeks after weeks and we just need one or two more votes. We have a new umbrella for you, let's see what else do we have, some ball markers, we have ball markers and a sleeve of balls. Can I talked to you about a new golf bag? Thank you, we have one more. Let's see, now, we're going for the driver. Perhaps Representative Ackerman, could help us with a vote here, he needed a new driver. Maybe I'll...maybe I'll buy his putter he found. Power pod for him to use."

Speaker McPike: "Representative Ackerman, to explain your...Representative Ackerman, to explain your vote."

Ackerman: "Thank you, Mr. Speaker. Representative Leverenz, I did find my driver and I also found a putter with it, so I don't think I can help you on this vote. ...be a chipper

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involved in it too."

Speaker McPike: "Representative Mays, for what reason do you rise?"

Mays: "Just to seek a verification, should this Bill get the requisite number of votes."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk, will take the record. Representative Leverenz."

Leverenz: "A non-dilatory poll of the absentees please."

Speaker McPike: "Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting: Berrios, Braun, Daley, DeLeo, Krska, Laurino, and Williams. No further."

Speaker McPike: "On this Motion, there are 58 'ayes', 48 'nos'. The Motion fails. Senate Joint Resolutions."

Clerk O'Brien: "Senate Joint Resolution 135, resolved by the Senate of the 85th General Assembly, of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Wednesday, May 25, 1988 they shall stand adjourned until Wednesday, June 1, 1988 at 12:00 o'clock noon."

Speaker McPike: "Representative Matijevich, moves for the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Adjournment Resolution is adopted. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 197, offered by Speaker Madigan. House Joint Resolution 198, Bugielski. House Resolutions 1472, Doederlein. 1473, Doederlein. 1474, Doederlein. 1475, Doederlein. 1476, Doederlein. 1477, Doederlein. 1478, Doederlein. 1479, Doederlein. 1480, Daley. 1481, Matijevich. 1482, Johnson. 1483, Johnson. 1484, Black. 1485, Harris. 1486, Black. 1487, Cullerton. 1488, Countryman. 1489, Ryder. 1490, Peterson."

Speaker McPike: "Representative Matijevich, moves for the adoption of the Agreed...Representative Matijevich."

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Matijevich: "I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Any announcements? Representative Matijevich now moves that the House stands adjourned until next Wednesday, June 1, at the hour of 12:00 noon. All in favor of the Gentleman's Motion say 'aye', opposed 'no'. The 'ayes' have it. The House stands adjourned."

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