

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

126th Legislative Day

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Speaker Breslin: "Ladies and Gentlemen, the House will come to order. The Chaplain for today is Pastor Ron Hembree of the First Assembly of God in Rockford. Pastor Hembree is the guest of Representative Hallock and Representative Giorgi. I invite our guests in the gallery to rise and join us for the invocation."

Pastor Ron Hembree: "Thank You, heavenly Father, for our great nation. Thank You for this beautiful state. Thank You for these men and women who represent us and we ask that You would give them wisdom today. Thank You that when they were embryos in their mother's womb that You gave them wisdom by putting in them certain propensities, talents, abilities, and now Lord, we ask for a divine wisdom for today, perhaps the last day of this Session. Thank You again for the opportunity of doing Your business on this earth. In Christ's name we ask it. Amen."

Speaker Breslin: "Representative Ropp will lead us in the pledge."

Ropp - 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 Breslin: "Roll Call for Attendance. Are there any excused absences, Representative Matijeich? Or Representative Piel? Representative Piel."

Piel: "All present, Madam Speaker."

Speaker Breslin: "Okay. I see there are 118 people answering the Roll Call. Representative Matijeich."

Matijeich: "Yes, Madam Speaker, we have no absences, but I would like to offer on behalf of the Body our prayers and condolences to Representative Saltsman. He was called to Peoria last night. His sister lost a six month battle with

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cancer. He will be back this morning and our blessings to his sister."

Speaker Breslin: "Thank you, Representative Matijevich. I didn't realize that and I don't think other Members did either. Representative Hallock, you're ...you're supposed to be on a yellow light, there. You're locked in. Okay. Jack, would you open that Roll Call? Okay. 117 people answering the Roll Call. A quorum is present. Representative Tuerk, are you ready to make a request, Representative Tuerk? In that case, Ladies and Gentlemen, we are going to go to Supplemental #1...oh, okay. The Clerk wants to do Agreed Motions...Agreed Resolutions, so let's do that first, the Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 159, offered by Representative Harris. House Resolution 1669, McPike. 1670, McPike. 1672, DeLeo. 1673, Rea. 1674, Barger. 1677, Krska. 1678, Stange. 1680, Johnson. 1681, Tate. 1682, Petka. 1683, Wennlund. 1684, Piel. 1686, Granberg. 1687, Pullen. 1689, Ewing. 1691, Barger. 1693, Black. 1694, Cowlshaw."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, we have examined the Resolutions and they are agreed to. I move the adoption of the Agreed Resolutions."

Speaker Breslin: "You've heard the Gentleman's Motion. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1671, Wyvetter Young. 1685, Martinez. 1688, Ewing. 1690, Ewing. 1692, Mays."

Speaker Breslin: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 1675, offered by Representative Anthony Young with respect to the memory of Emmett

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Holloman. House Resolution 1676, offered by Representative Anthony Young with respect to the memory of Robert Louis Holland. House Resolution 1679, offered by Representative Daley with respect to the memory of Nicholas Tenuto."

Speaker Breslin: "Representative Matijevecich moves the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. Representative Hasara, for what reason do you seek recognition?"

Hasara: "Thank you, Madam Speaker. I just wanted to announce that I am serving breakfast in the back of the chamber this morning for all of you."

Speaker Breslin: "Thank you."

Hasara: "To show you how much I'll miss all of you around town over the summer. There are donuts back there now, if you're starving. We are bringing a lot of fruit over that'll be there until it is gone."

Speaker Breslin: "Very good."

Hasara: "And I will be putting a memo on everyone's desk for those who haven't made it over yet. But if you're starving, you can head on back and have a donut."

Speaker Breslin: "Thank you, Representative Hasara. Breakfast on Representative Hasara, this morning in the back of the chamber. Ladies and Gentlemen, we are going to begin this morning on the Order of Supplemental Calendar #1 under Conference Committee Reports so please look over these Conference Committee Reports. We will be voting on them shortly. Members who have Bills on this order that need to present these reports for adoption should get to the floor. Representative Brunsvold, Representative Steczo, Representative 'Peterson', Representative Pullen, Representative Homer and Representative Parke. On

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Supplemental #1, Ladies and Gentlemen, under Conference Committee Reports, appears House Bill 2993, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. 2993, if you remember from Wednesday...from Tuesday, includes the White Sox package from Senator Zito dealing with the share buy out of the White Sox to a limit of 60 million dollars. A Conference Committee Report spells out that no City of Chicago...no state dollars are to be included in that package. It will be revenue bonds that will flow to pay off...revenue sources will flow to pay off the bonds and it's defined specifically in there that 60 million dollars would be the limit and it also defines that no state dollars are to be used for the package. Also included in the Conference Committee Report would be provisions for civic center support by raising of the 'CAP' monies from 101 million to 111 million and it defines three areas of support and that civic center area, Quad Cities, River Forest, and Rosamond and those are GEO bonds and not Revenue Bonds. Those are the provisions of the First Conference Committee Report on House Bill 2993 and I would ask for your support."

Speaker Breslin: "The Gentleman...the Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2993. On that question, the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Obviously, as you can tell by looking around the chamber, we're somewhat short of Members. This is a controversial issue. The Conference Committee Report was put on the desks of the Members at 8:45. The rules state that it should be on for an hour so I'd ask the Gentleman to take it out of the record for at least another half an hour."

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Speaker Breslin: "That's fine. Representative Brunsvold will take the Bill out of the record. Are there any other Bills that are in that order, Representative Piel, that you know of that...the Conference Committee Reports have not been on the desks for the appropriate length of time?"

Piel: "I would have to check, Madam Speaker. If there's one in particular that you're interested in, I can let you know what time it was put on the desk."

Speaker Breslin: "None that I know in particular. Representative Hultgren."

Hultgren: "In answer to your question, I've been marking the time, I have all the Bills on that Calendar. None of them have been on the desks for an hour."

Speaker Breslin: "Okay. Are there any Bills in which the Membership would consider noncontroversial and would want to waive the rule? Is there any...anyone with that...in that regard? Okay, we'll just give you a minute to look at it. Fine. Representative McCracken."

McCracken: "There have been discussions on 3297 which are...the Conference Report apparently in order consistent with those discussions. We could go to that."

Speaker Breslin: "Okay. Representative McCracken moves that we waive the rule about Bills being on the Members' desks one hour in advance of adoption with regard to House Bill 3297. Is there any objection to the waiving of that rule? Hearing no objection, the rule is waived. I didn't call the Bill yet, Mr. Clerk. I just said the rule was waived. Representative Steczo, are you ready to proceed on this Bill? Are you ready? Okay. House Bill 3297, appearing on the Supplemental Calendar #1, under the Order of Conference Committee Reports. Representative Steczo."

Steczko: "Thank you, Madam Speaker. First, I would ask leave of the House to change the report on its face on page one

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where it indicates that the...I believe the...the House recede from Amendment #2, that wording should read, 'the Senate recede from Amendment #2'."

Speaker Breslin: "You have heard the Gentleman's request. He requests that we change on its face the...on the first page of the Conference Committee Report, that the House recede from Senate Amendment #2, not House Amendment #2. Is that clear? Are there any objections? On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. This is consistent with our understanding. But could you tell me, again, exactly which Amendment you want to effect and which line of the Conference Committee Report you have in front of you?"

Steczko: "Representative...Representative, it may be a good idea because I'm waiting for the staff individual to come down here right now, Madam Speaker. Could we take it out of record for just a...a smidge?"

Speaker Breslin: "Okay. Out of the record for a smidge. Representative McCracken."

McCracken: "We're ready on 4005."

Speaker Breslin: "Okay. House Bill 4005, Representative McCracken asks leave to waive the rule that Bills be on Members' desks for one hour prior to adoption with regard to House Bill 4005. Is there any objection? Hearing none, House Bill 4005 will be called. Representative Pullen."

Pullen: "Thank you, Madam Chairman, Ladies and Gentlemen of the...Madam Speaker, excuse me, Ladies and Gentlemen of the House. The Conference Committee Report on House Bill 4005 has three basic provisions. First it incorporates the provisions of House Bill 3394 which passed this House and got stuck in the Rules Committee in the Senate, to include in the persons who can know the identity of an HIV infected school age child, the superintendent of a public school

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district and the educational placement personnel who are..."

Speaker Breslin: "Excuse me...excuse me. Representative Currie, for what reason do you seek recognition at this time?"

Currie: "I rise to ask whether this report has been on the Members' desks..."

Speaker Breslin: "The report has not been on the Members' desks for one hour, Representative Currie. Representative McCracken asked that the rule be waived so that it could be heard immediately. There were no objections. I asked for objections."

Currie: "Sorry. Sorry."

Speaker Breslin: "Representative Pullen, continue."

Pullen: "Thank you. In the educational placement personnel who are required by state or federal law to be involved in placement decisions concerning children, usually that is referring to a special education situation. The second provision secures for health care workers and fire fighters and ambulance attendants the right to have a person tested for HIV if that person's bodily fluids have exposed the health care worker in a manner which can transmit HIV in the medical judgement of a physician. That Bill has passed both Houses. In fact, that is the base Bill of 4005 so we have already voted on that. The only change to that is a minor language change to clarify the intent. The third provision is to amend the Written Informed Consent Statute that we passed last year to put into the same posture as other diagnostic blood tests under law the test for HIV when it is being ordered by a physician. That is, this provision would indicate that written informed consent to the HIV test is not specifically required if the patient has consented to treatment generally and if in the medical judgement of the physician that test is medically indicated

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for the appropriate diagnosis and treatment of the patient. This is, I believe, very essential to the proper treatment of persons who are infected with the AIDS virus in Illinois. The law that we passed last year seemed appropriate at the time, but medical science has advanced well beyond where it was last year when that law was passed. And it is now possible to treat HIV related conditions. It is in...much more so in the interest of the patient himself to be tested and I believe that it is important for the sake of the medical managing of this epidemic and especially for proper medical care for those persons who have this virus that we not burden this particular diagnostic test with special laws with respect to whether the test shall be performed when it involves the medical judgement of the physician that it is appropriate for the care of that patient. I move adoption of the Conference Committee Report."

Speaker Breslin: "The Lady has moved for the adoption of the First Conference Committee Report on House Bill 4005 and on that question, the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I rise in opposition to this Conference Committee Report. First let me...let me remind you that one of the provisions in this program is a provision that was Vetoed by the Governor last year and that has to do with a requirement of notification of a school district superintendent and the reason the Governor Vetoed that provision was because it substantially increased the opportunity for breach of confidentiality with respect to information about AIDS viruses. But by far the worst part of this Conference Report is the part that says that routine medical tests can include tests for the presence of the AIDS virus. That program would be a direct contradiction...contradiction to

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the AIDS Confidentiality Act that is already on the books. Public health experts are unanimous in telling us that if we are serious about stemming the spread of this disease, confidentiality is absolutely critical for people who might be its present victims. To say that any routine testing for the AIDS virus can happen without the patient's knowledge, without any guarantee of confidentiality, without any guarantee of counseling, without any guarantee of anything, is to take this state three steps backward in any effort to stem the AIDS epidemic. By far the worst part of the Conference Committee Report is this provision and anyone who is serious about seeing to it that we control the AIDS epidemic had better be voting 'no' on this Conference Committee Report. This was not an issue considered in committee. It's a brand new proposition that finds its way to us at the end of this Conference Committee Report. Look carefully at this measure, my colleagues, because to support it is to fly in the face of the best medical information and the best public health advice."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, I would just like to echo the...the previous Speaker's comments and to add that the...national commission that made an indepth study on AIDS has issued its report and one of the things that it emphasized above all others is the need for confidentiality in order to encourage people to do voluntary testing. The AIDS Plague, if you wish to call it that, is unique in our history and we must treat it with particular care. I think in order to encourage those who are at risk to have this test. We must absolutely ensure confidentiality to them. This is a very dangerous Bill and I urge you to vote 'no' on the con...the Conference Committee Report."

Speaker Breslin: "The Gentleman from Cook, Representative Huff."

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Huff: "Thank you, Madam Speaker. Will the Sponsor yield for a few questions?"

Speaker Breslin: "She indicates she will."

Huff: "Yes. Representative Pullen, I think that, not that I'm opposed to your legislation, but I think what we really need to know is the real nature of the AIDS virus. I had a conversation with you the other day in which I revealed to you and you confirmed that the AIDS virus is made up of animal virus and I asked you at that time didn't it seem odd...didn't the medical community question what was animal virus doing in man? Ladies and Gentlemen, if you understand the nature of the AIDS virus and take into the account the official dogma that AIDS originated from the green monkey in Africa, it has been proven unequivocally by the science community that when you break the AIDS virus down to its gene components, you do not see the genes of the green monkey, but instead you see the genes of animal virus specifically those associated with cattle and sheep. In cattle, it is the bovine leukemia virus and in sheep it is the 'bisna' virus. Can you confirm that, Ms. Pullen?"

Pullen: "Representative, I...I am not as certain as you that it has been concluded that this virus is made up of those viruses, but it is certainly the case that this virus most closely resembles those viruses in nature and the nature of those viruses and this one that makes them fairly unique is many fold. One of the problems that...in the nature of these viruses is that they are very slow to show symptoms and that is one of the key reasons why it is so important to the medical care, the proper medical care of the infected person that the diagnosis be properly made as early as possible."

Huff: "Well, do...would you disagree with the findings that the...that because of the virus' recombinant nature, by

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that I mean, Ladies and Gentlemen, this virus has the ability to reproduce itself in a mutative form which it makes it almost impossible to for treatment, but specifically in the area of a...a vaccine, because we are not dealing with one virus, we're dealing with several viruses and if we do not move to halt the spread of this virus, it's possible that it could...manifest itself in 488 different antigen degrees. Because of the recombinant nature of the virus, Ladies and Gentlemen, we are all at risk and according to independ...epidemiological reports that flies in the face of the official dogma, it is possible, given the 50,000 reported cases that we have in this nation today, that in the span of 12 years each and every one of us in this room will be effected. Is that not so, Mrs. Pullen?"

Pullen: "As...as I indicated a moment ago, this virus does present unique challenges because of its biological nature and as you indicated, the fact that it is a retrovirus, that is that it can and does invade a human cell and take over that cell's genetic makeup and convert that cell into a virus factory."

Huff: "Right."

Pullen: "And then...and then kill the cell and the fact that it mutates rapidly which makes a vaccine or a cure very problematic, makes it especially urgent that we deal with this epidemic because as the virus mutates it does get stronger. And there are implications in that which we do need to be concerned about. Its effects are treatable, but it is not curable and it is not preventable in a medical sense. It is preventable only in a behavioral sense at this stage."

Huff: "Yes. Yes, I understand from the medical community that AZT, which is a ...a...accepted drug to treat AIDS, kills

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the AIDS virus, but what the scientific community is not telling the public is that ATZ which is junk food for the virus is also junk food for the humans. It kills the virus and it kills the human too. Ladies and Gentlemen, let me go back to my original question that...original discovery that the AIDS virus is made up of two basic virus known as bovine leukemia virus..."

Speaker Breslin: "Bring your remarks to a close, Representative."

Huff: "Which would suggest to any veterinarian, and I know a lot of my downstate colleagues who have cattle and who are familiar with veterinarians tending to the cattle, see this virus, they should ask themselves what is animal virus doing in man? I would submit that the only answer to that question is that virus bovine leukemia virus and 'bisna' virus is in man man only because it was manipulated genetically by genetic engineers. It is a man made virus and we need to come to...we need to come to terms with what I'm saying and question our government as to why they're not telling the American people the truth before we're too late."

Speaker Breslin: "The Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. I wonder if the Sponsor would yield for some questions?"

Speaker Breslin: "She indicates she will."

Slater: "Representative Pullen, if...if I had several years ago, let's say as long as 15 or 20 years ago gone to my family physician, filled out a history and given a general consent for treatment, is that the kind of treatment that without anything else would authorize the physician in this case to test me for AIDS?"

Pullen: "Under this provision, if the patient has provided his or her consent to the physician for medical treatment, the

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question of whether this test should be performed would rest in law on the same basis as whether any other diagnostic test should be performed. It would be in the medical judgement of the physician whether the test is medically indicated to provide appropriate diagnosis and treatment to the patient."

Slater: "In other words, that treatment...under your Bill, even though the consent was given some 20 years ago, that consent applies to a test given now?"

Pullen: "That consent is an expression of trust in the physician and establishes the physician/patient relationship and that is the consent that is good for every other diagnostic test done in medicine except this one that was made special last year by the legislation adopted here."

Slater: "And your Bill would undo that special category that was created last year?"

Pullen: "In terms of the physician/patient relationship, yes. It would not apply to other situations where written informed consent would still be required."

Slater: "Okay, thank you. Let me...let me create another scenario, if you would. Let's assume that somebody was applying for a job and that one of the conditions that the employer had is that that person should be subjected to a physical examination by a physician and of course, consistent with that, he signs, he or she signs a consent to have the physical examination performed. Is that consent sufficient to give the doctor the right to call forth an HIV test?"

Pullen: "General consent would consent to the tests, but the other provisions of this law which are not being effected would still prevent the physician from communicating the result of that test to the employer. He could communicate it only to the patient and to the state public health

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authorities if it were a positive test in a confidential manner. This is not affecting the the confidentiality provisions."

Slater: "But as it relates to free employment physical examination, it certainly is not your intent that this provision be used for the purpose of subjecting persons seeking employment to an HIV test, is it?"

Pullen: "No, it is not my intent because the confidentiality provisions would still protect the person from the physician communicating the result of the test to the employer."

Slater: "Thank you very much."

Speaker Breslin: "The Gentleman from Cook, Representative White."

White: "Madam Speaker, will the Sponsor respond to a question?"

Speaker Breslin: "She will."

White: "First of all I'd like to make a statement. Yesterday I met with Representative Pullen and indicated that I could support a package with some reservations and after having further read through the Conference Committee Report, I decided not to sign it because there were some things in that report that flew in the face of a Bill that I passed last year which was a confidentiality testing Bill. And so I apologize to you for that, Representative Pullen. However, I would like to know...get back to my original question, why would the superintendent want to know whether there's a student who has AIDS, concern the fact that the superintendent is far removed from the classroom and that particular school?"

Pullen: "In most school districts, Representative, the Superintendent is not really far removed from the classroom and the superintendent is certainly not far removed from the process by which school boards are seeking to set up policies concerning the handling of children and staff

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people with infectious conditions. The...the way the Governor Amendatorially vetoed the Bill we had last year leaves the principal of the school and the superintendent in a very awkward relationship whereby the principal is notified of the identity of the child, but is forbidden by law to tell the superintendent and the reason that this Bill was brought before us which passed the House overwhelmingly several weeks ago is because the school people who were not terrifically involved at the time that the Governor did what he did, have found that it has set up some unworkable situations in the school districts whereby a principal is not allowed by law to tell his boss something that is of concern to the superintendent as the person who is in charge of the overall educational program and of the best interest of the children in the district including that infected child."

Slater: "Well, when you have a school system as large as Chicago where you have a superintendent who is in charge of about 75 schools, I don't think that it's important for the superintendent to know whether a child in Schiller Schools, for example, has AIDS or not. Let me give you an example of what I'm really driving at. Not long ago in the school where I teach, and I've taught for 29 years, there was a young lady who had been raped and the principal knew and the principal shared that information with the assistant principal and the assistant principal shared it with the classroom teacher and the classroom teacher, in the process of sharing it with another teacher spoke rather loudly of this matter and as it turned out, the entire staff knew and then the staff, through their conversations, passed...let this information pass on to the student body so everyone in the school knew that this particular child had been raped. I think that we should do all we can to guard our young

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people who are victims of AIDS so I'm opposed to this particular facet of your Bill. But more importantly, I want to get back to the Bill I passed which dealt with confidentiality in testing and I think that if we were to allow doctors to work on patients and kick out the confidentiality phase of the...of the Bill that I passed last year, I think that we're doing a great disservice to the patients and to the people of the State of Illinois."

Speaker Breslin: "The...the next Gentleman to be recognized is the Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you. Would the Sponsor yield, please?"

Speaker Breslin: "She will."

Kirkland: "Is, in the part of this Conference Committee Report regarding the general consent being sufficient for the testing of AIDS, is there an element of protection for the physician in that...in that provision as well as protection in your mind for the patient and if so, could you describe that?"

Pullen: "Well, I'm really not sure how to answer that. I am...looking at the Conference Committee Report. I don't see anything about relieving a physician of liability. What this is for is to permit the physician to practice medicine in the manner that he traditionally practices it for all other diseases so that he can give proper diagnosis and treatment to the patient rather than having a specific law burden the decision of whether this test will be given or not."

Kirkland: "Alright. Alright. I wasn't so much thinking of liability, I guess I was wondering whether there's an element of protecting that the physician, when the physician might fear that the patient has...has AIDS and that could be communicable or something like that."

Pullen: "This is based on the appropriate diagnosis and treatment

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of the patient."

Kirkland: "And would the...under the language of the Bill, that would be strictly up the physician's judgement as to what is appropriate. Is that correct?"

Pullen: "It would be in his medical judgement just as all other diagnostic tests are under law."

Kirkland: "Alright. Now, a further question as to the...the example given by Representative Slater with the 20 year old consent. Isn't it indeed possible that when that consent, when that old consent form was signed that neither the patient nor the physician contemplated this obviously unique kind of testing for an obviously unique disease that really nobody knew about when that general consent was signed?"

Pullen: "Well, medical science has advanced over 20 years in many diagnostic areas. If the...if the patient doesn't trust the physician, he's not going to go back to that physician."

Kirkland: "Well, I don't know whether you answered the question or not. I'm just...I wonder how valid a consent is, a general consent when such a unique disease comes along with such...with such an important test in terms of what it might diagnose, the accuracy of that diagnosis, the importance of the confidentiality of that...what might be found and so forth. I, Madam Speaker to the Bill, I would just think that it be important that any consent signed should be signed by the parties in contemplation of this kind of test being given and that many old consents would not involve that here. Okay. Thank you."

Speaker Breslin: "Okay. The Gentleman from Cook, Representative Shaw."

Shaw: "Madam...yes, Madam Speaker. I move the previous question."

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Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Pullen to close."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think t'at this Bill is important for the proper care of those persons who are infected with the human immuno deficiency virus for the medical management of this very serious epidemic. It does not effect confidentiality provisions in terms of the patient/doctor relationship, but it does put into the medical judgement of the physician whether a test is medically indicated for the sake of that patient, the same as other diagnostic tests under law. The other provisions I have explained previously and I urge adoption of this Conference Committee Report. Thank you."

Speaker Breslin: "The Question is, 'Shall the First Conference Committee Report on House Bill 4005 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Stern, for what reason do you seek recognition?"

Stern: "If the Bill appears to be...achieving enough votes, I would like to verify the Roll Call, Madam Speaker."

Speaker Breslin: "Very good. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 80 voting 'aye', 32 voting 'no', 1 voting 'present'. Representative Wait votes 'aye'. Representative Stern has requested a verification. Representative Stern."

Stern: "Representative Stern cries 'uncle'."

Speaker Breslin: "Okay. Representative...Representative Stern withdraws her request for a verification. Representative Ackerman votes 'aye'. Representative Turner changes his

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vote from 'aye' to 'no'. Anyone else seeking recognition? Seeing none, the...on this question there are 81 voting 'aye', 33 voting 'no', 1 voting 'present' and the House does adopt the First Conference Committee Report on House Bill 4005. Both sides of the aisle agree that they are ready to go to Senate Bill 124. Representative McCracken moves that we waive the rule that this Bill be heard in spite of the fact that it may not have been on our desks for one hour. Is there any objection to the waiving of that rule? Hearing no objection, the rule is waived. Representative Homer is recognized to present the Conference Committee Report."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. Senate Bill 124 does two...two things. One is that it corrects a technical flaw on a Bill that we passed last year that had a drafting error in that it didn't have the proper title. It didn't include all of the Sections that it was supposed to in the title and that was Public Act 851003 which takes effect on July 1, 1988. The other portion of the Bill was offered at the request of the...Coalition Against Sexual Assault and it pertains to a...some language in a Bill that we passed that has to do with aggravated sexual assault. The way we passed the Bill, we said that aggravated sexual assault occurs when there's sexual penetration with someone under 18 years old and the person is responsible for the child's welfare is the one who committed the act. Under this Conference Committee, we would change that language to say that instead of a person responsible for the child's welfare, would be a person in a position of trust, authority, or supervision in relation to the victim. What it does is to further clarify and make more specific the person who would be in the position to be prosecuted for this offense. So I'd be happy to answer any questions and

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move the adoption of the Report."

Speaker Breslin: "The Gentleman has moved the adoption of the First, the Second Conference Committee Report on Senate Bill 124. On the question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in opposition to this Conference Committee Report because I don't believe that the Conference Committee Report and the language contained in there defining...fails to define a position of trust, authority, and supervision in relation to the victim. We're creating a serious crime, here. I believe it's a Class I Felony as a result of somebody who commits an act of sexual penetration with a victim who was at least 13 years of age but under 18 years of age when the act was committed and the accused was 17 years of age or older. But we don't know what a position of trust or authority is, or supervision. You know, does that mean that you walk out of a room and you say, 'Would you watch so and so for five minutes?' Does that put them in a position of trust and authority? I think that the drafters of this Conference Committee Report, and they know because I told them that when I...when I refused to sign the Conference Committee Report, that...that they haven't met the Constitutional requirement of being sufficiently definite and certain for this to be an enforceable law under the Constitution of the State of Illinois. I think it can be corrected if they'd only just do it. They refused to do it and I'd ask for a 'no' vote. Thank you."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson, M.: "Good morning. Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this Conference Committee Report. I think the definitions are

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in a phase where they can be readily interpreted and I would move the adoption of the Conference Committee Report to Senate Bill 124."

Speaker Breslin: "Representative Homer to close."

Homer: "Thank you. I would just simply ask for your favorable 'aye' vote on this Conference Committee Report. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the Second Conference Committee Report on Senate Bill 124?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? 111 voting 'aye', 3 voting 'no' and none voting 'present'. The House does adopt the Second Conference Committee Report on Senate Bill 124 and this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair would note for the record that House Bill 4005 also received the Constitutional Majority and is declared passed. Is Representative Keane or Representative Steczo in the chamber? Representative Keane, we're ready to go to your Bill. Ladies and Gentlemen, we're going to go the Order of Senate Bills. Second Reading. It's on page two of your Calendar. Senate Bill 1534. This is Second Reading. Mr. Clerk, are there any Motions or Amendments? First, of course, you have to read the Bill a Second time. Oh, I think it's been read a second time previously."

Clerk Leone: "On page two of the Calendar, Senate Bill 1534, a Bill for an Act in relationship to tax increment financing. Has been read a second time previously. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Keane and Churchill."

Speaker Breslin: "Representative Keane."

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Keane: "Thank you, Madam Speaker. This is the TIF Bill, the Tax Increment Financing Bill and Amendment #1 does a number of things. It, first, it sets up...the review and the standards for TIF. We have a two tier...we set up a two tier review system in agreement with the Department of Revenue. Tier one says that no more than 25 percent of the sales tax generated by a municipality with a population greater than 12,000 shall be included in the TIF and no more than 35 percent if the population is less than 12,000. The second part of that first tier is that no more than 20 percent of the property value in the municipality with a pop...population greater than 12,000 shall be included in the TIF and if it's under 12,000, 30 percent. And the third factor in there is no more than 25...25 percent of the land area if the population is greater than 12,000 shall be included in the TIF. If it's under 12,000, 35 percent. In tier two, there are three ways to get to a tier two level of review. First, if you fail to comply with the standards used in tier one. Second, if there's a filing of a complaint by the state, a tax payer of the municipality or local taxing district. And Third, an area has state sales tax growth of more than 15 percent and more than 5 retailers one year prior to the formation of the TIF. Also a tier two review consists of applications by the Department of Revenue of the above standards and the definition of blight in conservation areas. Still under tier two, the deficiencies presented in the TIF district may be corrected after tier review...tier two review is completed and that's required by January...July 1st, 1989. If a TIF is forced to redraw boundaries, the municipalities will be required to follow the formal amending process and to hold a public hearing. All state sales tax boundaries must be approved by the Department of Revenue by November

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1, 1989 and the Department of Revenue will then certify whether the TIF District is eligible for state sales tax monies. The TIF districts may only spend state sales tax money within new state sales tax boundaries and the Department of Revenue may continue to calculate municipal sales tax increments for old and new TIFs if the municipality so requests. We have continued oversight by the Department of Revenue to ensure that the criteria are met and that municipalities are...must submit a certified audit to the Department of Revenue to show that the funds have been expended in compliance with law. And the Department of Revenue will also be required to hire experts in the field of economic development to handle the tier two review. That's part of the review. In terms of the criteria, now, there's going to be a formula applied where 80 percent of the first hundred thousand dollars will go to the TIF, 60 percent of that amount between a hundred thousand and a half a million and 40 percent over a half a million. For example, 80 percent of the first hundred thousand dollars will go to the TIF with the remaining 20 to be returned to the state. There are time tables set in the Bill. In 1987, increments will be paid in the fall of 85, the 88 increments will be paid in the summer of 89, the 89 increments will be paid in the summer of 90. After that, July through June receipts will be reported by July 31st. The Department of Revenue will determine increments by January 1. There were...are some other technical things in the criteria. A state local contribution is required. The Bill requires municipalities to enter into binding commitments for use of all state and local increment funds within 36 months. There's a limit to each municipality's collection to 15 percent of total state monies appropriated so that no one...no one municipality can get over than

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amount. A municipality collection for...for fiscal 89 shall be limited to 7.5 percent. An entreatment of new and existing bonds, which many people were concerned about, if those TIFs that have already issued bonds will have the standard...they will be subject to standards and the other criteria including the 80, 60, 40 formula and in terms of existing bonds and contracts, a TIF district which does not issue bonds or which has issued bonds or rendered into contracts prior to June 1, 88 will receive a net...net state sales tax increment which has already been determined subject to the 80, 60, 40 formula. State participation will be phased out 10 percent per year beginning in the 11th year. So during the last ten years of the...of the TIF, the TIF district uses all property and state and local sales tax increments to pay off state bonds and contracts and is still unobligated to meet debt service or existing obligations. The municipality will be eligible to receive supplemental payments up to the amount of the increment they would have received if the phase out had not occurred. In terms of new bonds, municipalities will be able to issue bonds for three years from the date of the Act and still be entitled to receive state sales tax increment monies for 15 years and then a phase out for the last fifth...five years. In special fund, we have a...we've set up a fund that the monies will be collected, the sales tax increment monies will be transferred from GRF to this special fund. The General Assembly will have to appropriate from that fund and if there...if there are dollars left after we appropriate, those dollars that are remaining will be sent back to the General Revenue Fund. As you can imagine, it's been somewhat of a complicated Bill. It cleans up many of the problems that we've had with TIFs in the past. There's been an agreement to sign off by the Department of

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Revenue, the Governor's Office, the TIF Association, and almost everybody else that's been involved in it after long and laborious negotiations. I'd be happy to answer any questions and ask for a...your acceptance of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 1 to Senate Bill 1534 and on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "Representative Keane, how do we handle the financing of the new bonds?"

Keane: "Municipalities are able to issue bonds for three years from the effective date of this Act and they'd still be eligible to receive the state tax increment subject to the formulas in the appropriation as I mentioned earlier. And they can do this for 15 years from the date of issuance of the bonds. The monies will be phased out 10 percent per year over the last five years. For instance, 90 percent in year 16 and down to 50 percent in year 20. A two to one state local match will be required during the phase out period. This two to one requirement will ensure more extensive local participation during the latter years."

McCracken: "Okay. How are we handling the funding of existing bonds and contracts already entered into by TIF districts?"

Keane: "For those TIF districts which don't issue bonds or which have issued bonds or rendered into contracts prior to June 1, 1988, it will receive the net state sales tax increment which has already been determined subject to the 80, 60, 40 formula and the approp..and also from the appropriation by the General Assembly for ten years from the effective date of the Bill. For the next ten years, the amount will be reduced by 10 percent a year. However, if during the last ten years, a TIF district uses all their local property,

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state and local sales tax increments to pay off their bonds and is still unable to meet that service or existing contractual obligations, the district can petition the state for a supplemental payment which will equal the amount they would have received if the phase out had not occurred. Remember, however, that the amount of the supplemental payment is capped by the amount that the municipality would have received in increment as determined by the formula and appropriation if there had been no phase out."

McCracken: "Are all the TIF districts subject to the standards required to be met during the preliminary review process?"

Keane: "No. Standards won't be applicable to property tax TIFs if they were created prior to 1986 so long as the property tax TIF didn't enlarge its boundaries in 1986 while becoming a state sales tax TIF. If the TIF district enlarge its boundaries...did enlarge its boundaries in 1986, the district will be subject to the standards and review process."

McCracken: "Are we giving the Department of Revenue any money to administer this program?"

Keane: "Yes. Yes, the Bill calls for 3 percent of the amount set aside for the TIF appropriation to go to the Department of Revenue. It is my understanding that the Department of Revenue will oppose this Bill if it does not receive the appropriation to fund the program and I am in full support of that set aside."

McCracken: "What do all the different definitions of sales tax amounts mean?"

Keane: "The, quote, 'initial sales tax amount', end quote, is the calculation used for the 1986 TIFs that are not required to revise their boundaries to meet the standards contained in this Bill. The revised...the, quote, 'revised

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initial sales tax amounts', end quote, is calculated...is the calculation used for any sales tax TIFs that are required to redraw their boundaries to meet the standards provided for in the Bill. The, quote, 'adjusted initial sales tax amount', end quote, is the calculation for pre 1986 TIFs that do not have to redraw to meet the standards."

McCracken: "Are we allowing TIF districts to retain funds indefinitely without spending them?"

Keane: "No. We are requiring all TIF districts to specify the use of all local and state sales...state increment money in their annual report. If they fail to do so, unspecified monies shall be deemed surplus and used to retire debt or shall be distributed back to the state and local taxing bodies. We also require TIF districts to enter into binding contracts to spend such monies within three years of receipt or the money shall be declared surplus and used for early retirement of bonds or returned to the State and Local Governments."

McCracken: "Are we going to retain control over spending for the TIF program through the appropriation process?"

Keane: "Absolutely. The General Assembly will appropriate an amount determined to be appropriate for each year from the Special Tax Increments...Increment Fund. If the amount that has been deposited into the fund is more than the amount appropriated by the General Assembly, the General Assembly may appropriate the left over monies back to the GRF."

McCracken: "In the Bill we require a local match to be deposited in the Special Tax Allocations Funds so the state is not contributing more than three times the local contribution. What funds can the locals use to meet this requirement?"

Keane: "The municipalities can use any local funds. However, no

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state or federal monies may be used by the municipalities to meet the local match requirements. This exclusion includes, but is not limited to, road funds and revenue sharing dollars. In addition, the net sales tax increment is the maximum amount provided..."

Speaker Breslin: "Okay. Excuse me, Representative Keane, you have...Representative McCracken, you have run out of time. I'll allow Representative Keane to finish his...answer and then get back to...there are several other people seeking recognition. Proceed, Representative Keane."

Keane: "Thank you. In addition, the net state sales tax increment is the maximum amount provided by the state in a fiscal year. Thus, if the net state sales tax increment for a municipality is determined to be 90 million, the local match is 30 million. If the municipality decides to contribute 60 million to support economic development in the area, the state monies will still only equal the maximum increment determined under the...under the formula, that is 90 million. This amount will not increase despite additional local contribution. I'd be happy to answer any further questions."

Speaker Breslin: "Representative McCracken, do you wish to close? Okay. The next person to speak is the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "Representative Keane will yield to a question."

Brunsvold: "Representative Keane, how would this affect small communities? I mean, I've got a number of very small TIF districts that have been there a while and are they going to be hurt by this Amendment?"

Keane: "It...it pretty much depends on how the TIF was structured. 40 percent of the TIFs in the state are small, they're under 20,000 and I...I agree with that, that's what

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we want it to do. But, some of the TIFs which had large areas and brought in...brought in areas that were very, very big and may not have had blighted areas within that TIF area, may suffer, may have to do...have a little pain as they restrict their boundaries. This was never...this was never meant to take, as in some cases, people put their whole town under a TIF. That violated the intent of it. In those cases where that shrinkage occurs, yeah, there will be...there will be pain. Well, we got 35 percent, you could put...you still can put 35 percent of the area of that town or municipality in a TIF and over that it's 25 percent."

Brunsvold: "To the Amendment, Madam Speaker. I would advise that everyone that has small TIF districts should take a...a look at their TIF district and see how it will be affected by this Amendment because I have a couple that would be severely damaged by this Amendment and I don't intend to support it because of my TIF districts. Thank you."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker, will the Gentleman yield for a question?"

Speaker Breslin: "He will."

Stern: "Mr. Keane, I...I couldn't hear all that you said. Am I correct that this Amendment includes reducing the business district permitted in a TIF from 50 percent to 25 percent?"

Keane: "Depends on the size of the town."

Stern: "Alright, let's say Highland Park, for instance."

Keane: "My understanding is Highland Park, the whole municipality was a TIF and I also...my understanding..."

Stern: "The whole business district is."

Keane: "...is that Highland Park go over 2 million of the 10 million dollars that we appropriated last year for the TIF or 20 percent...20 percent of the money and the last time I drove through Highland Park, it wasn't a blighted area."

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Stern: "Well, if I may be permitted to...Highland Park was one of the very first municipalities to take advantage of the Tax Increment Financing legislation and it was at that time a blighted area in the downtown, Mr. Keane. We had closed doors up and down the main street."

Keane: "I'm talking about the whole town. The whole town was a TIF."

Stern: "I believe it's the business district, not the whole town."

Keane: "No."

Stern: "In any case, I...I was going to say something warm and...congratulatory about the whole concept. I think the TIF concept has been very successful for a town whose business district is running down. It has been a boon to Highland Park whose business district was, at the time it began, a blighted area. My only objection as a resident and Representative of such a municipality is that the rules have changed midstream and you may say that that was because we took advantage of the legislation that was there, correct advantage, sensible, appropriate advantage. And that is all true. My vote will be a protest, not against the system and not even against the concept of limiting the amount, but against changing the rules on my town midstream which I think has been to our disadvantage. Thank you."

Keane: "To answer the..."

Speaker Breslin: "No, that was not a question, Representative Keane. You can relate your comments in your close. The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Will the Sponsor yield, please?"

Speaker Breslin: "He will. Representative Keane."

Tuerk: "Well, you've partially answered the question I had with your previous answer, but, in effect what you're saying,

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Representative Keane, is this corrective legislation will take care of situations that did occur such as the Highland Park TIF district. Is that correct?"

Keane: "That's exactly correct. The...I wanted to refine my comments of my answer of the previous question. When I said that it took in the whole town, it took in the whole commercial part of the town and really the reason that we have this legislation is because of Highland Park's inordinant percentage that they took out of last year's TIF appropriation."

Tuerk: "Now, as an extension of a question Representative Brunsvold asked relative to the small TIF districts, this, in effect, will help the larger TIF districts, is that the other side of the coin that he is afraid that it's going to hurt the small ones, actually, the larger ones will be benefited to some extent?"

Keane: "No. Actually, the way we structured this was to protect those small ones because if you have a population greater than 12,000, only 25 percent of the sales tax can be included. If you're under that, 35 percent can...if you're under 12,000, 35 percent. So that's a benefit for the small TIFs. In terms of the popula...in terms of the property value, if you're over 12,000, only 20 percent of the property value in that...in that municipality can be included in the TIF. If you are under 12,000, you can put in 30 percent and in terms of land area, if you're over 12,000, the larger TIFs, they can only put in 25 percent of their land area where the small communities under 12,000 population can include 35 percent of the land area. So we really are protecting the...40 percent of the TIFs are small communities and we are protecting them."

Tuerk: "One further question. Relative to the issuance of the bonds, now you mentioned a ten year period and a fifteen

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year period. I'm just a little bit confused about that. Take Peoria, for example, where I come from. We have a number of TIF districts. We can issue fifteen year bonds, is that correct?"

Keane: "No, you can actually...if...if you do it within the next three years, you can issue 20 year bonds."

Tuerk: "20?"

Keane: "But, we will...it'll be a hundred percent...you know, you'll be in the TIF for a hundred percent for the first fifteen years in the sixteenth year. You'll be down to 90, the seventeenth year. Down to 80 and out to the twentieth year when you're in only for 50 percent. But you can issue 20 year bonds and in Peoria's case, people have signed off on it."

Tuerk: "When...when does that 20 year period begin?"

Keane: "The three years...the three years to get those bonds out begins...it starts at the effective date of the signing of the Bill."

Tuerk: "Thank you."

Speaker Giglio: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Frederick: "Representative Keane, how would the second review process apply to Highland Park, for example, should they be found not in compliance in the second review? Does that mean they would be decertified and the TIF district would be abandoned?"

Keane: "No, they would have to...if they didn't meet...if they didn't mean tier one, they would go into tier two. And then what they would have to do is if the Department of Revenue said that they do not meet the definitions of blight, they would have to redraw their TIF to meet those

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requirements."

Frederick: "But supposing even then they could not meet the definitions of blight, then what?"

Speaker Giglio: "Representative Keane."

Keane: "The...the Department would draw...in tier two, the Department would bring them in and indicate to them that the...if they did not have areas of blight in their TIF, they would redraw based on the recommendations of the Department and then be in compliance."

Frederick: "Okay. In addition, what about communities that are just now seeking to form TIF districts? Are they going to be able to tap into the state..."

Keane: "They don't qualify...those communities do not qualify for sales tax TIFs."

Frederick: "Okay."

Keane: "They can get a real estate tax TIF and that's a different matter."

Frederick: "Okay. Thank you."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Homer: "With regard to the treatment of the existing and new bonds, Representative Keane, is there any distinction made for a GO versus Revenue Bonds?"

Keane: "No. That's...that's in existing bonds. There's no difference at all."

Homer: "There's no difference in the treatment under the...under the Bill."

Keane: "That's correct."

Homer: "There is a provision for existing bonds for supplemental payments in years 11 through 20. Is there any similar kind of provision for new bonds in years 15 through 20?"

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Speaker Giglio: "Representative Homer, are you finished, Sir?"

Homer: "Well, I asked a question."

Keane: "I didn't...do you...I was distracted. Will you please ask the question again?"

Homer: "Alright. The question is, the...I understand that with regard to existing bonds there's a provision for supplemental payments in years 11 through 20. Is there any similar provision for supplemental payments for new bonds in years 15 through 20?"

Keane: "There's no supplemental payment. Is that your question? Is there a supplemental payment for existing bonds? No."

Homer: "Well, I...I understood that there is a supplemental payment in years 11 through 20 to meet debt service if needed."

Keane: "That's for existing bonds now...the new bonds will not get a supplemental payment if they're issued now."

Homer: "Even...even if there's a shortage..."

Keane: "Even if there's a shortage in year 15 to 20 because they know before hand."

Homer: "Alright, thank you."

Keane: "But the existing ones will."

Homer: "Thank you."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, has an agreement been worked out reasonably so with those existing TIF districts relative to the repayment of those general obligation bonds with a phase down after ten years by 10 percent, with the provisions that you have now, are they pretty much in agreement with this?"

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Keane: "Yes. The TIF Association is in agreement with it and we also protect them because in the event during the phase out periods, in using all their various funds, they can't make it, they can then come in and petition the Department for additional funds."

Ropp: "What is the potential maximum amount of money that the state would have to come up with to help pay those districts?"

Keane: "It depends on us because all of this is subject to appropriation. One of the reasons we put the Bill in was we looked at under the existing law what our obligation could be and it could be just out of sight. You know, a hundred million or more a year. One of the things we want...the reason for this Bill is to sort of get a hand on it. But even getting a hand on it, we still have said we want to appropriate it every year."

Ropp: "Okay. So I would assume, then, that we will be pretty much on target to what they request because that's why we're down here."

Keane: "Right. Well, what's going to happen is that we've also set up the special fund and the money's going to go into that fund so we'll have an idea about how much state monies the TIF is generating."

Ropp: "Okay. After the 20 year period, then, that should be somewhat the phase out of the entire program. Is that..."

Keane: "Exactly right."

Ropp: "Is there a possibility that we might, in our wisdom, extend that or create a new one at the end of 20 years?"

Keane: "If one of the...I have no problems in...you know, with this. I think it's a great, great ability of us of the state, especially since the Feds have gotten out of it, to help provide economic development. I think at the present time the TIF districts, and I was the House Sponsor of much

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of that legislation, a lot of people are very uncertain as to what's going on. With the Department of Revenue standards and with what's in this Bill, I think the investors in things...in TIFs will feel a lot more comfortable. I think with the Department of Revenue policing it very, very closely, that we may find in three or four years that all of a sudden it's got a great reputation and we can implement the program and help people out, help communities out throughout the state."

Ropp: "Okay, to the Bill. I...I think you've done an excellent job in bringing this Amendment to this posture because there was some major concern by a number of cities who are already committed in...at some point in time they thought maybe they were going to lose that support and commitment by the state. I think you've addressed those concerns and I commend you for it and I urge all people to support this Amendment."

Speaker Breslin: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker and Members of the House. Will the Sponsor yield for a question, please?"

Speaker Breslin: "Representative Keane will yield for a question."

Regan: "Representative, who makes up the TIF Association?"

Keane: "It's an association of cities...it's a voluntary association of cities that have come...issued TIFs or are thinking of issuing TIFs and have come together. The chairman is...the president is the City of Rockford."

Regan: "So there is representation, then, of the people that have TIF in their districts, in their cities, in their municipalities, and they've come to an understanding and then compromised and accepted it?"

Keane: "Yes. Yes. And they've signed off on this."

Regan: "When you mentioned blighted area, I have a community that

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had a blighted shopping center and it's the only shopping center, really, in the whole town, it's in the middle of the town. It was blighted at the time. Now, with the TIF help, it's not blighted any more. So if we go into a...a review situation, with this particular town, it's prospering now because of the TIF."

Keane: "We would use the situation as existed at the date the TIF was established."

Regan: "The...one more question. The land area involved, you also mentioned Highland Park, it's whole business community is in the TIF and you've said that in a negative manner. The same thing exists in Park Forest, almost I'd say 99 percent of their businesses are in this plaza. It falls within the geographical area of 25 percent, in other words, the town is a hell of a lot bigger than the shopping center. So would that affect them in any way just because all of their businesses are in this TIF?"

Keane: "No. I'm familiar with what you're...the area you're talking about and I think in the shopping area that you're talking about, all of the businesses are in much the same state whereas in Highland Park, there were some outstanding new business...new areas that were brought in to expand the TIF. They have noth...there's absolutely no comparison between the two."

Regan: "Alright. Final question, the hearing...hearing mechanism would be, let's say that their bonds are in place, the 80, 60, 40 formula puts them in an economic bind even though it's 80 percent, they're losing 20 percent. Can they ask for a hearing to get additional aid during the 80, 60, 40 time period?"

Keane: "No."

Regan: "It's just beyond the ten years."

Keane: "It's...it's in the event they can't meet their...when we

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start...when they get beyond their tenth year and we start phasing them out. If they have used all of the income and they still need help in meeting their debt service on the bonds, then you can come in and ask..."

Regan: "After ten years."

Keane: "You're always...you're always subject to the 80, 60, 40, but in terms of meeting bond obligations, once you get to the tenth year...eleventh year and that point out, you can come in and petition the Department."

Regan: "In other words, when it drops to 70 percent."

Keane: "Yeah. You can come in for supplemental."

Regan: "Thank you."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. Last year when we worked on this...this TIF program and so forth, there was quite some concern about how much we should be funding and so forth and that's the reason for the Senate Bill this year. I think the Tax Increment Finance Association with all the cities and municipalities that were involved in this, the Department of Commerce and Community Affairs, the Department of Revenue, they've worked long and hard. And it's not going to be a...this...this Amendment is not an Amendment that's going to please everyone which probably makes it a pretty good Amendment. I've been very interested in this because it affects my community and so forth. We didn't get everything we want. Highland Park didn't get everything they want and I'm sure many other communities did not. But it's a reasonable compromise and I think we ought to support this Amendment. I think it's a good...good Amendment and we ought to move on."

Speaker Breslin: "The Lady from St. Clair, Representative Younge."

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Younger: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will."

Younger: "Representative Keane, how many TIF districts are in compliance...once the Amendment is law?"

Keane: "We don't know. The Department of Revenue has to go out and do an evaluation."

Younger: "Isn't that, in a way, getting the cart before the horse. In other words, how many TIF districts are there now?"

Keane: "136."

Younger: "Is it possible that more than half would be out of compliance as a result of this Amendment?"

Keane: "The reason...one of the reasons that we have this Amendment is we don't know how many are in compliance and how many are not. The standards that we have set up with the Department of Revenue...hopefully they will go out and within a short period of time tell us how many, what kind of compliance there is out there."

Younger: "In other words, it is possible that if a person votes 'yes' for this Amendment, that their TIF district or 75 percent of the TIF districts in Illinois would be out of compliance as a result of that vote. Is that possible?"

Keane: "It's...that's very high. It's also possible that it's as little...we don't really know what's out there. It's also possible that we have smaller, maybe under 20, 25 percent. I don't know. However, one of the things that we do have is if we want to...if we want to continue the funding of TIFs above the ten million dollar appropriation level that we've given them, we're going to have to have a better idea of what's out there. I don't think the General Assembly, I for one would not support any...any appropriation over ten million as long as this Bill exists unless we have an idea of what is out there. Nobody knows what it is, Representative, and I...I'm sorry I can't tell you that."

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Younger: "Alright. What about the ten largest TIF districts. Are...would the...this Amendment make them out of compliance?"

Keane: "Not necessarily."

Younger: "I mean, the fact is, you don't know whether it would or not. Is that correct?"

Keane: "Nobody knows. That's why we have the Bill."

Younger: "..Representative, has it occurred to you that rather than just passing a Bill that in which standards are set, that we're really rule making and that it may be that there is too much specificity in this Amendment and in this Bill, and that really what your really doing is put a straight jacket on the TIF theory to such an extent to stifle the usefulness of TIF Districts. Has this occurred to you?"

Keane: "I was the Sponsor of the TIF legislation that passed. So I think I'm generally considered as a friend of the TIF's. Right now the TIF funding by the state practically is limited to about ten million dollars. That will not do the job as I see it. What we're going to have to do is get substantially more tax increment revenue, and the only way to do that is to improve the membership, the General Assembly's Members, their confidence that we are doing a good job. Right now we don't know what's happening out there. This Bill will begin to tell us through the Department of Revenue what is the situation. And hopefully because of this Bill we can increase our appropriations and help TIF's out all over the state."

Younger: "Thank you. Madam Speaker, to the Bill. Of course no one would doubt Representative Keane's good intentions, but I think that it really it is not to the interest of the people of the State of Illinois to get in the middle of the stream and change the rules and not know whether or not we are putting in compliance or making illegal the TIF

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Districts that has been established at this time. Nobody can vote 'yes' for this Bill and be comfortable as to whether or not their particular TIF District is in compliance or is out of compliance. I believe that it is an infringement and I think it is a burden that is being asked upon us to vote on a forty page Amendment, a forty page Bill of highly technical nature at the very last moment without giving us an opportunity to analyze it and to think about it and to decide whether it is best for the constituency that we represent. I don't ..."

Speaker Breslin: "Your five minutes are up. Bring your remarks to a close, Representative."

Younger: "Thank you. I don't believe that there is any urgency or any emergency which would call for this action and I believe that what we're doing is rule making when we ought to be just merely setting guides or policy standards, and I think this is a good example of how there can be an imbalance between the executive and the legislative branches of Government. And when you have the department and the executive part of Government having too much influence on the legislative branch, you come up with bad law. And for that reason, I think that we ought to vote this down."

Speaker Breslin: "Representative Keane to close."

Keane: "I think the Bill has been well explained and the questions were very good. I ask for adoption of Amendment #1."

Speaker Breslin: "The question is, 'Shall Floor Amendment #1 be adopted?' Representative Flinn. No. The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Flinn, one minute to explain your vote."

Flinn: "Madam Speaker, I rise in opposition to this Amendment."

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This past week Belleville got a low blow by the Heileman Brewery announcing they were going to close the only Brewery left in the State of Illinois and the loss of 250 jobs. This is the second low blow for Belleville. This really does them an injustice and I would suggest that we really think long and hard before we vote for something of this sort. I think most of the people voting 'aye' have no idea what their voting for."

Speaker Breslin: "Have all voted who wish? The Lady from Sangamon, Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Madam Speaker. Springfield is an example of a community who has done everything correct under the legislation to create TIF Districts, and now I think Springfield is going to be punished in part because other communities have not done so. I really feel that it's unfair, not only to Springfield but to other communities who have worked hard to stay within the confines of the law, and also because it will, I believe in the long run hurt small communities. I vote 'no'."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 87 voting 'aye'... 88 voting 'aye', 20 voting 'no', 6 voting 'present'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Keane now ask leave for immediate consideration of this Bill on Third Reading. I guess we don't need leave, so the Bill is called on Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1534, a Bill for an Act in relation to tax increment financing. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you. I'd ask for the same Roll Call."

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Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1534, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1534 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 95 voting 'aye', 18 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ropp, for what reason do you seek recognition?"

Ropp: "Yeah, Madam Speaker, I was on the phone, I'm sorry. Had I...and I didn't get to vote the last time, but I would like to have voted green."

Speaker Breslin: "I see. Representative Ropp wishes the record to reflect that he would have like to have voted 'aye' on Senate Bill 1534. While we're on that order, I would like to..the record to reflect that I would like to be recorded as having voted 'aye' on Senate Bill 1470. I was here, and I voted at the podium, but it was not recorded, so I would like to have been recorded as voting 'aye' on Senate Bill 1470. Representative Giglio, is Representative Giglio in the chamber, or in the building? We would ask him to come to the podium please. Representative Matijevich, for what reason do you rise?"

Matijevich: "Madam Speaker, I would like to introduce a former Member, a Republican who's here on the Democratic side of the aisle talking to Sam Wolf, Ben Harpstrite, a former Member, Ben Harpstrite."

Speaker Breslin: "Welcome, welcome, nice to see you. The Chair wants to recognize the Governor of the State of Illinois, Governor Thompson. Welcome. Ladies and Gentlemen, we're going to the Order of Speaker's Table on page 5 on your

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Calendar appears SJR 139. Representative Giglio, on page 7. Before we go to that we will go to the Motion on SJR 139, to discharge the Executive Committee from further consideration and advance it to the Order of the Speaker's Table. So Representative Giglio moves that the Executive Committee be discharged from further consideration and advance SJR 139 to the Order of the Speaker's Table. And on that question, is there any discussion? Hearing none, the question is, 'Shall the Motion prevail?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Executive Committee is discharged from further consideration of Senate Joint Resolution #139. The Bill is on the Speaker's Table and the Bill is called at this time. Mr. Clerk, are there any Amendments filed on this Resolution?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Giglio."

Speaker Breslin: "Okay, Representative Giglio."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 just changes some technical language instead of having a Illinois Committee Post for Post Secondary Adult Education it's changed to Creative Legislative Advisory Board to the Illinois Community College Board, for the purpose of making recommendations to apprentice training and vocational training. I would ask for your favorable support."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to SJR 139, is there any discussion? Hearing none, the question is, 'Shall the House adopt the Floor Amendment #1 to SJR 139?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Giglio is recognized to present the Resolution."

Giglio: "Yes, Madam Speaker, Ladies and Gentlemen of the House. The Amendment becomes a Resolution and I would ask your favorable support to create a legislative advisory board to the Illinois Community College Board for vocational training in education."

Speaker Breslin: "The Gentleman has moved for the adoption of SJR 139 and on that question, is there any discussion? Hearing none, the question is, 'Shall the Senate Joint Resolution be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and Senate Joint Resolution 139 is adopted. It should be noted that that last Resolution SJR 139 was adopted by the use of the Attendance Roll Call. Representative Levin. Is Representative Levin in the chamber?"

Speaker Giglio: "Is Representative Black in the chamber? On Motions, on page 7 of the Calendar appears Senate Joint Resolution 136, Representative Black. Mr. Clerk."

Clerk O'Brien: "A Motion. I move to discharge Executive Committee from further consideration and advance to the Order of Speaker's Table."

Speaker Giglio: "Representative Black moves to discharge the Executive Committee and advance to the Order of Speaker's Table. Does the Gentleman have leave? Hearing none, the leave is granted. Representative Black."

Black: "Thank you very much, Mr. Speaker, I believe I filed an Amendment to SJR 136 and Senator D'Arco has agreed to the Amendment if the Clerk could enter that Amendment into the record."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Black."

Speaker Giglio: "Representative from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to SJR 136 does have the approval of the Senate Sponsor, Senator D'Arco. It simply substitutes language putting the Department of Commerce and Community Affairs and the Illinois Commerce Commission as the primary administrators of what the Senator is trying to do in 136. I'm not aware of any major opposition of this Amendment. I would move your favorable concurrence on Floor Amendment #1 to SJR 136."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', those opposed 'nay'. And the Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Representative Black on Senate Joint Resolution #136 as amended."

Black: "Thank you very much, Mr. Speaker."

Speaker Giglio: "Representative Black, proceed."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. SJR 136 as amended simply encourages the development of plans to review present conditions and formulates strategies to offset the decline of Federal Funding to help meet the energy needs of low income Illinois families. We do have some concerns about the ..SJR 136, the Senate Sponsor has indicated to the Community Action Association that those concerns could certainly be worked out. At this point, I would move your favorable consideration of Senate Joint Resolution #136."

Speaker Giglio: "You've heard the Gentleman's Motion. Does the Gentleman have leave to hear this by the Attendance Roll Call? Hearing none, leave is granted. Now the Gentleman

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moves that the House Joint... Senate Joint Resolution 136, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Motion unanimously use the Attendance Roll Call. Hearing none, the Motion carries. On to Concurrence on page 3 of the Calendar appears on House Bill 3767. The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur in Senate Amendment #1 to this Bill. The purpose is to put it in a Conference Committee so that we can add the Bears proposed Agreement in Conference Committee. I move to nonconcur."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House moves to nonconcur in Senate Amendment #1 to House Bill 3767. Representative ...Page 3 of the Calendar, Senate Bill, Second Reading appears Senate Bill 1862, Representative Keane...Representative McCracken, for what purpose do you rise, Sir?"

McCracken: "Motion on 3767 was not acted upon right?"

Speaker Giglio: "It was a nonconcurrence. The Motion prevailed. Representative Keane on Senate Bill 1862. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1862, a Bill for an Act in relation to taxes. This Bill has been read a second time previously. Amendment #2 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Barnes, Capparelli, McAuliffe and Terzich."

Speaker Giglio: "Representative Barnes. Is Representative Barnes

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in the chamber? Mr. Keane."

Keane: "I move to table Amendment #3."

Speaker Giglio: "The Gentleman moves to table #3 and on that question, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, not on this question but now is the time for a Republican Conference. We'll be tied up in conference for an hour or so."

Speaker Giglio: "The Gentleman ...Representative Tuerk has moved that the Republicans now have a Republican Conference in Room 114...118, excuse me. Room 118 immediately for approximately one hour. The House will stand at ease until 1:00 o'clock. Representative Leverenz."

Leverenz: "Mr. Speaker, I have a small inquiry of the Chair."

Speaker Giglio: "Proceed."

Leverenz: "We were working on our trivia contest back here and one of the questions was, what are we doing now?"

Speaker Giglio: "We're doing the same thing we did just before we adjourned. We're awaiting for the Republicans to come back from Caucus."

Leverenz: "Do we have to wait for the Republicans?"

Speaker Giglio: "Yes, we do."

Leverenz: "They said one hour and they criticized us last time when we ran a few minutes over. We would not want to criticize them today but I thought at least if we started talking about something, someone down there might hear about it and they'd all come rushing up here to work with us. If we could just let them know that the camera man is coming back in the gallery up here they'd probably all rush up from conference."

Speaker Giglio: "Well I'm going to discuss this situation with Representative Kulas who is head of that famous organization and he'll relay the message."

Leverenz: "He's head of the mushrooms, the royal order of the

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mushrooms and we haven't received any word for years on anything going on, but the mushrooms did come back with one report. They said that you are a fantastic cook. Did you want to comment on that, Speaker."

Speaker Giglio: "If I did all that cooking there wouldn't be any mushrooms left to talk."

Leverenz: "Well, its a good thing that you've been doing green peppers and Italian sausage rather than mushrooms and steaks."

Speaker Giglio: "Representative Stern, for what purpose do you rise, Ma'am?"

Stern: "Mr. Speaker and Members of the House, I thought in the absence of any other good news, I would share with the Body the birth of a new grandson this morning in Washington, 8 pounds, 5 ounces. I know you'll all be delighted."

Speaker Giglio: "I'd like to make the announcement that the Republicans are returning back to the House floor. Those Members that are in their offices, the House will be reconvening very shortly. Please come up to the House chambers. The House will come to order. On page 2 of the Calendar, under Senate Bill, Second Reading appears Senate Bill 1257. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1257, a Bill for an Act to amend the Illinois Public Labor Relations Act. This Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton on Amendment #1 to Senate Bill 1257."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This specifies that the General Assembly is and has always been excluded from the provisions of the Illinois

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Labor Relations Act and it's necessary to preserve the anatomy of the legislative branch of Government. I move for its adoption."

Speaker Giglio: "You heard the Gentleman's Motion, any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1257, a Bill for an Act to amend the Illinois Public Labor Relations Act. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, the Amendments the Bill, I would move for the passage of the Bill."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed 'nay', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', 3 voting 'no' and none voting 'present', and Senate Bill 1257, having received the Constitutional Majority... Representative Lou Jones, 'aye'. On this question there are 112 voting 'yes', 3 voting 'no' and none voting 'present', and Senate Bill 1257, having received the Constitutional Majority, is hereby declared passed. Senate Bill, Second Reading appears Senate Bill 1862, Representative Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1862, a Bill for an Act in relation to taxes. This Bill has been read a second time previously. Amendment #2 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Barnes, Capparelli, McAuliffe and Terzich."

Speaker Giglio: "Representative Barnes. Representative Keane."

Keane: "This Amendment was previously tabled."

Speaker Giglio: "You made the Motion, Sir, we read it.. we went..the Republicans went into Caucus, we didn't take any action on it. Do you want to make a Motion? Representative Barnes. Representative Barnes withdraws Amendment #3. Withdraw Amendment #3. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Bowman."

Speaker Giglio: "Representative Bowman on Amendment #4."

Bowman: "Withdraw Amendment #4 please."

Speaker Giglio: "Withdraw Amendment #4. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder on Amendment #5. Representative Keane on Amendment #5."

Keane: "I move to table."

Speaker Giglio: "The Gentleman moves to table Amendment #5. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and Amendment #5 is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Churchill."

Speaker Giglio: "Representative Churchill withdraws Amendment #6. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Ewing."

Speaker Giglio: "Representative Ewing on Amendment #7. The Gentleman from Livingston, Representative Ewing on

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Amendment #7, 1862. The Gentleman moves to withdraw
Amendment #7. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative
Ewing."

Speaker Giglio: "Representative Ewing on Amendment #8. Amendment
#8."

Ewing: "Withdraw."

Speaker Giglio: "Withdraw Amendment #8. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative
Churchill."

Speaker Giglio: "Representative Churchill, withdraw Amendment #9.
Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative
Tate."

Speaker Giglio: "Representative Tate on Amendment #10.
Representative Keane."

Keane: "Move to table."

Speaker Giglio: "Gentleman moves to table Amendment #10. All
those in favor signify by saying 'aye', those opposed
'nay'. In the opinion of the Chair the 'ayes' have it.
Amendment #10 has been tabled. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative
Ewing and Churchill."

Speaker Giglio: "Representative Ewing on Amendment #11."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.
Amendment #11 becomes the Bill. It has within it the sales
tax reform legislation which I think has been agreed to by
all of the parties that have working on that issue. In
addition, it has a waste water program which would be
funded by tax on photo processing. And this waste water
program ...would, this tax would raise approximately twenty
two million dollars. Of that, seventy million would be
used for matching federal funds and we would hope to get

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three hundred and fifty million from the Federal Government and that would be for a loan program and then we would have a grant program of a hundred and thirty million to help the two hundred communities in Illinois who have a terrible problem with their waste water. There is no provision in here as in the Bill for any affordable housing. This is just the waste water and the sales tax reform."

Speaker Giglio: "Any discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative Ewing, with this Amendment becoming the Bill now, what effect does that have on home rule units like Bloomington and Normal relative to their ability to impose a tax if they so desire?"

Ewing: "It has the same limitations, Representative Ropp, that were in the Bill 1862 on Home Rule Power. It does preempt certain Home Rule Powers, not Home Rule Powers but only certain ones in regard to the sales tax, and I believe that the Municipal League and other interested groups have agreed that they can live with this sales tax reform as included in this Amendment."

Ropp: "In other words, they are generally agreed and there should be no major concern. Because there were about a million dollars potential loss in my particular district, as a result of the previous discussion and I assume that they have worked out all their differences that the Bill is in good shape then."

Ewing: "Well, Representative Ropp, I don't want you to go home and find out that...I don't want to mislead you in any way. The certain communities, maybe your communities are currently assessing a second set of tax on food. They will be giving that up within a three year period. But the

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figures show that most of these communities will not have a loss. They will in fact, end up as winners and those figures where they were talking about a million dollars loss in your community just aren't probably so. Now they're not maybe happy about having to give up this one set, but that is in the Bill."

Ropp: "Well then, whenever a local area with home rule would ever choose to have additional revenues because of sewer projects or economic development that they'd want to choose. Are they by this Bill now limited as to what they may or may not request in additional taxes?"

Ewing: "They can put on additional sales tax on items other than foods but it must be in quarter set increments."

Ropp: "For an example, you mean like, could they do it on farm machinery?"

Ewing: "Could not do it on farm machinery. They can't now."

Ropp: "I didn't understand, what is the differentiation as to what they may or may not be able to assess?"

Ewing: "Well, one of the goals of the Bill was to standardize the base on which the taxes applied. And while we couldn't standardize the rate in to just one rate in the state, we have required that home rule units when they add to their home rule tax do it in quarter set increments to try and make the rate more standard. But say it's on a suit of clothes or on an automobile, they could increase the tax on that. There's no limit on that; there's no cap on it except they must do it in quarter set increments."

Ropp: "Okay and they cannot do it on food, is that what you said?"

Ewing: "That's right, they cannot do it on food."

Ropp: "Okay, thank you."

Speaker Giglio: "The Gentleman from Madison, Representative McPike."

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McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. Not because I don't agree with the underlying sales tax reform, because as Representative Ewing indicated, all the groups that were interested in that has signed off on that Bill. I rise in opposition to the Amendment because it does not provide enough funding for waste water. As we all know for the last eighteen months we have been trying to come up with enough funding to do two things. Number one, provide a revolving loan fund. We need seventy million dollars for that and already captured three hundred and fifty million dollars from the state. This Amendment does that. What this Amendment does not do is address the second half of the problem. The second half of the problem is two hundred and twenty six communities in this state that are not in compliance with the Federal Clean Water Act as of tomorrow, and all those communities will be facing fines from federal EPA and state EPA. They will all be in court for noncompliance with Federal Law. What we have been trying to do is to come up with enough money so that we can provide these communities with a seventy percent state grant. A seventy percent grant. Representative Ewing's Amendment comes up with enough for about a twenty five or thirty percent state grant. We needed over three hundred million for this program. Representative Ewing has come up with a hundred and thirty million for the program. So to those of you that have these communities in your district, that you hope to go back and say, we've solved your problem. For the last eighteen years, since 1970, we have provided to all the communities in Illinois, seventy percent grants. And to those of you who are the last ones to receive your money, we have provided you with a seventy percent grant. When you go home tomorrow, you can tell

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those communities that the best we could do was to provide you with a twenty five percent grant. In the following Amendment, as everyone knows, we have put into the following Amendment, a tax on computer software. That is Representative Keane's Amendment, Amendment #12. In Amendment #13, Representative Ryder's Amendment. I intend to stand in support of Representative Ryder's Amendment, so that we will have computer software and a tax on photo processing in the Bill when it gets to Third Reading. And that is the only two taxes that we have been able to come up with that have a chance of passing. But we are kidding ourselves and we are kidding our communities back home if we put only one tax in this Bill and try to fund..and try to come up with the necessary money to solve their problems. We haven't done it. So if you expect Amendment #11 to go to Third Reading as the Bill, you haven't solved anything. And for that reason I stand in opposition to this Amendment."

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

McCracken: "Well we are debating Representative Ewing's plan, we're not yet talking about Amendment #12. But let me tell you, Amendment #12 sets up a revolving loan fund and for those communities that have already started projects have already incurred their own debt, a revolving loan program is of little practical value. Very little practical value. As a matter of fact, each of you may have a community that has already undertaken its responsible clean ups by use of its own bonding authority. These low interest loans may jeopardize in some instances any particular Federal Loan or grant availability. Now by that, I mean this, a lot of these loans which your cities have gotten already are probably not going to be a lot different that a state loan.

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But in any event, their bonds by which they financed earlier waste water treatment activities have to be retired as a part of the loan program. Now if you can not retire them, if they are not callable, if they have to be out in the market place for their ..for their life then there is no Bill... there is no ability to comply. We have gone back to our locals since last year and we have asked them, does the loan program make sense, does the loan program help and for those of you who have communities that have already begun, the answer is a resounding no. We are talking about grants. There are so many communities in this state that have already undertaken this by use of their own bonding authority that we are talking about the necessity of having some degree of grant programs. There is no way to avoid that. You have to have grant programs. Amendment #11 does it up to the tune of about a hundred thirty million dollars, also makes loans available to some communities where it would still be an attractive proposition. There is absolutely no reason to think that Amendment #12 is anything more than what it was last year when the Governor Vetoed it. It was a revolving loan fund last year that was vetoed and I believe that the Governor will not look upon Amendment #12 favorably. I think you should go for #11 because your communities need the help."

Speaker Giglio: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker Giglio: "Representative Ewing, yes, he indicates he will."

Mautino: "Representative Ewing, Amendment #11 does two things. It does not only address home rule counties and cities it addresses nonhome rule, cities as well and villages, does it not?"

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Ewing: "Yes, it does."

Mautino: "Let me ask you then, your Amendment automatically increases by one percent those cities and villages that are not home rule if in fact the only tax they imposed today is the state sales tax of five percent. Your moving that, your increasing that to six percent are you not?"

Ewing: "Yes, if your saying that a community that is not now taxing food..."

Mautino: "Yes."

Ewing: "...in their grocery store, would then be taxing food in their grocery store. We're standarizing the base, where ever possible."

Mautino: "What your doing is, your raising the tax rate from five percent to six percent state wide."

Ewing: "Actually it's six and a quarter but it's five and a quarter now."

Mautino: "If in fact, if in fact the county has imposed a quarter cent tax?"

Ewing: "Yes."

Mautino: "Okay, and some counties have not done that?"

Ewing: "That's right, I think almost all counties have. Four counties haven't imposed it."

Mautino: "Okay, let me give you an example. I have a village in Bureau County, the name of that village is Hollowayville. They have a five cents sales tax and a quarter percent county tax, that's five and a quarter. They currently are one of the largest sellers and distributionaries of motor fuels and diesel fuels in this state, because Chicago's rate is eight percent, which is a currently a two and three quarter percent differential. Your Amendment reduces that differential for that village would it not from five and a quarter, it would move up to six and a quarter and Chicago would stay at eight. Is that correct?"

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Ewing: "That's correct, it would reduce the difference between the counties."

Mautino: "To the Bill, Mr. Speaker."

Speaker Giglio: "Proceed."

Mautino: "I hope my downstate colleagues understand exactly what is occurring here. If you have an area that is very competitive and low taxes in that area, your raising those taxes and in some cases taking away the incentive and the competitiveness between one area, geographical area and another. If in fact, in a ..in the Cook County area or Collar County area if it's an advantage to come downstate and to sell products, your taking that away with this Amendment. Your raising the sales tax so that Union and Pope and Bureau and the small counties of this state will be on the same basis as DuPage and Cook. Now if you think that's fair then I recommend you support this Amendment. But if you want to go home and protect the people you're sent here to represent then you would allow those individuals to provide that incentive. If they want to maintain it at five percent it should be maintained. Don't take that competitive advantage away from those smaller cities and counties that have not taxed themselves to the hilt and oppose this Amendment."

Speaker Giglio: "The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I rise in opposition to the...this Amendment. I would also like to clarify what a previous Speaker said about the waste water treatment. The Amendment #12, which is my Amendment which will be coming up next, both is a revolving loan fund and a grant fund. It is not limited, it is both revolving loan fund and a grant fund for waste water treatment. I would also agree with what Representative McPike mentioned earlier that this Bill lacks adequate funding for waste water treatment. It

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doesn't do the job. We need, in order to put out the bonding and to meet the needs of downstate waste water. We need appropriate amount of money to do that and for that reason I would urge you to vote against this Amendment and for the next one."

Speaker Giglio: "The Gentleman from Livingston, Representative Ewing to close."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. Several things I'd like to answer and the last Speaker was talking about the next Amendment. Ladies and Gentleman, I don't believe that Amendment #12 has a grant program in it. It only has a loan program in it. But the point is you could put this Amendment on, the next Amendment could take it off. But if the next Amendment doesn't get on then you have a program. And I'm suggesting you should consider that. The issue has already, also been raised about small towns. Very, very, very few small towns in this state have no sales tax. Most of them have no retail business to collect the tax. And the particular town that was brought to our attention is quite famous because their taking tax dollars out of the City of Chicago and out of Cook County, and something I'm sure this Legislature will be addressing at another point. And I'm not sure that you want to protect those type of people who are really taking needed tax dollars from the city and ciphering them out to a rural community. And finally, Ladies and Gentlemen, this is the best program going. This program provides both grants and it provides both loans. And we better take the responsibility of helping these small communities with their waste water treatment problem. And I would ask for a Roll Call Vote on this Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of Amendment #11 to Senate Bill 1862 vote 'aye',

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those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Representative McCracken. Seeking recognition? Amendment #11, the House is voting on Amendment #11. Mr. Clerk, take the record. On this question there are 41 voting 'yes', 72 voting 'no', 2 voting 'present'. And Amendment #11 to Senate Bill 1862 fails. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Keane. Representative Keane."

Keane: "Thank you, Mr. Speaker. House Amendment #12 to Senate Bill 1892 deletes everything after the acting clause and becomes the Sales Tax Reform Bill. It preserves most of the provisions of the Bill as they came over from the Senate. Subject to certain exceptions, the Amendment would establish uniform statewide sales tax base. Establish a simplified sales tax rate structure and centralize the administration and enforcement of sales tax. As a result, the sales and used tax collections from currently existing sources are expected to increase by about sixty five million dollars. In addition, computer software would be added to the sales tax base, home rule units would be preempted from expanding their tax base of home rule sales taxes and would be preempted from imposing gross receipts tax that is limited only to selected items of personal property. Let me cover the major new features of Amendment #12. On computer software, off the shelf, canned computer software would be included within the uniform sales tax base. Although neither customized computer software nor custom computer software would be included within the uniform base. This provision would generate approximately twenty five thousand dollars in new revenue annually or twenty five million dollars in new revenue annually and

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could be used for waste water treatment and affordable housing. The second part of this Bill has already been discussed is the waste water treatment. The Amendment would create both a revolving loan fund and a grant fund for waste water treatment. These funds would be administered by the Illinois Department ofthe Illinois Development Finance Authority in cooperation with the Illinois Environmental Protection Agency. The Amendment would allow twelve million dollars annually in sales tax revenues for these two funds for twenty years. The revolving loan fund is intended to be used to obtain up to three hundred and fifty million dollars in Federal matching funds for waste water treatment loans to municipalities. And as Representative McPike discussed when we considered Amendment #11, there's another Amendment coming up which would add even more funds to waste water treatment. On affordable housing, in response to urgent needs for housing for low income and very low income housing throughout the state. This Amendment would establish an affordable Housing Program to be administered by the Illinois Housing Development Authority. The Amendment would allocate thirteen million dollars annually in sales tax revenue to this program. Some of the various other revisions as a result of extensive negotiations among interested parties including the municipal league, the northwest municipal conference, the DuPage Mirrors and Managers Conference, the Retail Merchants Association, the Department of Revenue. The Taxpayers Federation, Associated Beer Distributors and a number of others... a number of revisions would be made to the version of the Bill that passed the Senate. For example, this Amendment would grant home rule units an extra year before they are preempted from including grocery, food and drugs within their home rule sales tax

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base. It would add clarifying language to avoid disturbing municipal and county obligations under existing bond issues and other contracts which are secured by a local tax revenue screens. It would hold Metro-East Mass Transit District harmless from losses that would otherwise have suffered as a result of the imposition of uniform sales tax base and the application of the retailer discount. It would continue existing law regarding the taxation for alcoholic beverages. It would simplify the procedures pursuant to which home rule units could impose or a use tax on motor vehicles, boats and aircraft which are registered or titled to persons residing within such home rule units. Finally, it would permit certain non home rule units to continue to impose certain existing taxes. I would welcome any questions you may have regarding Amendment #12."

Speaker Giglio: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Would the Sponsor yield for a few questions?"

Speaker Giglio: "Yes."

McGann: "Representative Keane, I've been asked to ask you whether you would be willing to ask the Sponsor a couple of questions, if you would be glad to clarify. The clarification relates to an Amendment to Chapter 120 paragraph 439.33 which amends the definition of tangible personal property to include canned computer software. The result of this Amendment will be authorized a taxation of the sale of can and computer software. IBM is not opposed to the taxation of the sale of canned computer software however, it is important to clarify during your House debate that the new language only applies to canned, not customized. Computer software and that with tax imposed by this Bill can be imposed only on the sale, not the lease of canned computer software. So I would ask you, calling your

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attention to the proposed Amendment to Chapter 120, specifically that section which includes canned computer software as tangible personal property. Would you clarify two issues? First, is the corrected customized computer software is not included under this Amended definition of tangible personal property?"

Keane: "Yes, you're correct."

McGann: "Second question, isn't it also true that the tax imposed pursuant to that Section applies only to the sale of canned computer software and does not apply to leases of any kind?"

Keane: "That is also correct."

McGann: "Thank you. Going on with my question, Mr. Speaker, Members of the House.."

Speaker Giglio: "Proceed, Representative McGann."

McGann: "...will this Amendment affect the ability of local governments to impose taxes that are expressly authorized by other state statutes?"

Keane: "No, the preemption and for purposes of legislative intent, the preemption provisions would prohibit a home rule unit from imposing pursuant to home rule powers, a gross receipt tax on the sale of use of tangible personal property other than is expressly permitted in this Amendment. This is necessary in order to preserve the uniformity of the sales tax base. Taxes which are imposed pursuant to express statutory authority would not be affected."

McGann: "Thank you. It is my understanding that the preemption provisions only apply to taxes which are calculated as a percentage of the gross receipts from the sale or use of tangible personal property. Would a gross receipts tax on real estate transfers be preempted?"

Keane: "Real Estate is not a tangible..is not tangible personal

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property, so such a tax would not be preempted."

McGann: "Thank you. How about a gross receipts tax on leased property?"

Keane: "The tax..the taxes which would be preempted must relate to the sale or use of tangible personal property, as those terms are used in the various sales tax statutes. So therefore a gross receipts tax on lease property would not be permitted...preempted."

McGann: "Thank you. Would a gross receipts on hotels and motels be preempted?"

Keane: "Since that would not involve the sale or use of tangible personal property a tax on hotels and motels would not be preempted."

McGann: "Thank you. So the term use is only to be given the limited intrepretation of the use tax statutes?"

Keane: "That is correct. It refers to the use of tangible personal property incident to a sale or other transfer of ownership."

McGann: "Now, I..thank you. I believe, you said earlier that the Amendment would continue existing law regarding the taxation of alcoholic beverages?"

Keane: "Yes, that is an exception to the general rule that gross receipt taxes on tangible personal property would be preempted. A home rule unit would be free to impose a gross receipts tax or any other Constitutional form of tax on alcoholic beverages."

McGann: "Thank you, and to the Amendment, Mr. Speaker and Members of the House."

Speaker Giglio: "Proceed."

McGann: "I think that Representative Keane has done an exemplary job and all the staff on this Amendment #12. It certainly deserves all of our support. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Bureau,

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Representative Mautino."

Mautino: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Mautino: "Representative Keane, Amendment #12 has the same provisions that were embodied in Amendment #11 as it pertains to sales tax do they not?"

Keane: "That's my understanding."

Mautino: "It raises the sales tax statewide.."

Keane: "To six and a quarter."

Mautino: "Six and a quarter. If you enacted the quarter percent that was included in Representative Ewing's Amendment and I stand in opposition for the same reasons that were presented in opposition to Representative Ewing's Amendment because it does take that competitive edge away from the Rural areas, the villages, the cities and those counties that do not enact the additional taxes that are enacted in the collar and the metropolitan areas."

Speaker Giglio: "Further discussion? Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

O'Connell: "Representative, would there be any restrictions on a home rule units authority to impose a tax based on unit measurement such as certain existing taxes on cigarettes, motor fuel and jet fuel?"

Keane: "In order to develop a legislative intent, no. Only gross receipts taxes are preempted. For example, home rule units would remain free to impose taxes on a package of cigarettes or on each cigarette. Home rule units would also remain free to impose gallonage taxes on motor fuel and jet fuel."

O'Connell: "Well, would a home rule unit be able to impose a gross receipts tax on grocery store food, drugs and medical appliances?"

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Keane: "Until September 1, 1991, home rule units would remain free to impose gross receipts taxes on foods, on food which is to be consumed off the premises where it is sold, other than alcoholic beverages, soft drinks and foods prepared for immediate consumption. Prescription and nonprescription drugs and certain other medical items, on and after September 1, 1999 these taxes would be preempted."

O'Connell: "What about restaurant taxes?"

Keane: "The Amendment would not preempt restaurant taxes which are defined as taxes on food prepared for immediate consumption and on alcoholic beverages sold by a business which provides for onpremises consumption of said food or alcoholic beverage. This would be a continuation of existing law and is another exception to the general rule that gross receipts taxes on the sale of tangible personal property are preempted."

O'Connell: "Does this mean that after September 1, 1999..strike that, September 1, 1991, a home rule unit would be prohibited from imposing a gross receipts tax on prepared food sold by a grocery store?"

Keane: "Yes, provided that the grocery store does not provide any seating, tables or the like, anticipating that the purchaser may eat or drink the prepared food on the premises of the grocery store."

O'Connell: "Suppose that a restaurant has both seating and a drive up window, could a home rule unit impose a gross receipts tax on the sale of the food at the drive up window?"

Keane: "Yes, all of the sales of food could be taxed if the establishment provides both in restaurant and carry out services."

O'Connell: "How would a home rule units be able to tax motor

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vehicles?"

Keane: "With one exception, home rule units would be prohibited from imposing a gross receipts tax on tangible personal property which is titled or registered with the state, such as motor vehicles, boats and aircraft. Home rule units would be allowed to impose the use tax on these items, which would apply when the purchaser lives in the home rule unit. But the home rule unit would have to collect, at this..the tax itself. Let me give you an example. If Springfield imposed this use tax, it would only apply to Springfield residence. Springfield could require auto ..automobile dealers to collect the tax whenever they sold the car to a Springfield resident. But it would be up to Springfield to collect the tax from Springfield residence who bought their cars outside of Springfield."

O'Connell: "How does Springfield know that a car was purchased outside of Springfield?"

Keane: "They could buy a listing from the Secretary of State's Office or they can obtain a free listing from the new car dealers."

O'Connell: "I too, would like to commend Representative Keane...well premature. I've got a couple more questions before I compliment you. It takes a long time to think up these questions. How would this Amendment affect home rule amusement taxes?"

Keane: "So long as an amusement tax is not a tax on tangible personal property that is measured by gross receipts, selling price or purchase price, it would not be preempted."

O'Connell: "Okay, some question has been expressed regarding the effect on outstanding bond issues and other agreements pursuant to which units of local government have pledged or assigned their local sales tax revenues. Has this concern

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been addressed?"

Keane: "Yes, the Amendment addresses that concern. It provides that those ...these agreements are to be construed so that references to the local taxes shall be deemed to include the replacement revenue to be distributed to units of local government by the Department of Revenue."

O'Connell: "I believe that there's a Bill pending in Congress that relates to interstate catalog sales. This related to the Bella Hess case. Would your Amendment be affected by this?"

Keane: "It is possible that if both this Bill and the Federal Legislation regarding catalog sales do pass, Illinois might receive a greater share of the Federal Tax Revenue because its uniform rate would be six and a quarter rather than five and that Bella Hess Legislation is moving forward through Congress."

O'Connell: "I too would like to commend Representative Keane and Senator Netch and their staff, the respective staffs for a truly outstanding piece of work and I would urge support of this Amendment and the Bill itself."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "There's been some confusion whether this Amendment contains a grant fund or a loan fund or exactly what it does. Let me ask you this Representative, is all of the language regarding a grant fund located on pages 324 to 326 of the Agreed Amendment."

Keane: "Yes, through those pages."

McCracken: "Alright, now is there anywhere that amends the Housing Development Authorities ...Authority to increase its bond level? Is that in this Amendment?"

Keane: "No."

McCracken: "Is any direction made in this Amendment to transfer

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from any other portion of our Government or our treasury money into the grant fund?"

Keane: "Authority but not obligation."

McCracken: "Okay, so what this is, is a grant authorization Amendment as to that particular part. You authorized the creation of a grant fund but you don't fund it is that correct?"

Keane: "We will be providing additional funds?"

McCracken: "You don't ...you don't fund it in this Amendment, correct?"

Keane: "That will be in the next Amendment."

McCracken: "I'm talking about Amendment #12, half your aisle came over here and said you had a grant fund in here. All you've got is grant fund authority. You didn't put a dime in the grant fund in Amendment #12. Is that yes..is that right or wrong?"

Keane: "It's wrong because if you..."

McCracken: "Okay where is it? Tell me where it is? Tell me where it is in this Amendment?"

Keane: "Can I tell you now?"

McCracken: "It's in the next Amendment right?"

Keane: "Can I tell you now?"

McCracken: "Okay, but this Amendment provides no money for a grant program, does not raise bond issuance for a grant program. In fact, some portion of the twenty five million dollars from the computer software goes into and only into the revolving loan fund, also created in Amendment #12, is that right."

Keane: "Depends on where the appropriation Bill sends the money."

McCracken: "Alright, but, but..to answer my friends, we were mistaken, we didn't think this language was in here. We apologize for that. However, in the economic and fiscal commission letter dated June 29th today, addressed to both

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you and Representative Ewing. It states that page 2, that your proposal does not incorporate any grant funding, is that correct?"

Keane: "Well first I didn't see it, so you must have more..."

McCracken: "Alright do you want to see it? Page 2?"

Keane: "No, I don't need to."

McCracken: "Let me read it to you. The Majority proposal would retain the revolving loan program and establish an interest rate buy down program. However, the three hundred million dollar grant program would be eliminated. The state would provide twelve million dollars annually from the proposed tax on computer software to provide revenue for debt service and interest buy downs. So this Amendment makes no provision for grants, doesn't fund grants. Merely authorizes the department to create and administer a grant program. But there's no money there and there's no financing in Amendment #12 for grants."

Keane: "You are correct in that there is no bonding in the Bill. However there is a fund in the Bill to which monies can be appropriated. And that is the general..."

McCracken: "But there is no money appropriated."

Keane: "Hold on."

McCracken: "In this Amendment, is there any money appropriated in Amendment #12?"

Keane: "It's not an appropriations."

McCracken: "And is Amendment #12 sponsored by a Democrat or a Republican, tell me that?"

Keane: "I think it's in my name."

McCracken: "Amendment #12 is in your name? Is that right?"

Keane: "We are on Amendment #12."

McCracken: "I'm sorry your right. #13, is 13 the Amendment you keep referring to?"

Keane: "When I..when a Bill comes up on the board I can tell you

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the Sponsor of #13 is but I think what your talking about, Representative, is #16."

McCracken: "Okay Amendment #16 is not sponsored by the Majority or by a Member of the Majority, is it?"

Keane: "I don't know."

McCracken: "Okay, you don't know. Alright, thank you."

Speaker Giglio: "Representative Keane to close."

Keane: "I want to thank the Members for their patience while we did the legislative intent. But there was an agreement that we do that with the parties that were involved and I would ask for a favorable Roll Call on Amendment #12."

Speaker Giglio: "All those in favor of Amendment #12 say 'aye', those opposed 'nay'. It's difficult to hear up here with all the shouting. Representative Keane, do you wish to Roll Call on this?"

Keane: "Yes."

Speaker Giglio: "All those in favor of the Amendment vote 'aye', those against will vote 'no'. The voting is open. Have all voted who wish? Representative Hicks. Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. I do have a conflict of interest in the Bill, I am voting 'present'. Thank you."

Speaker Giglio: "Gentleman from Cook, Representative Ronan, one minute to explain your vote."

Ronan: "Alright, thank you, Mr. Speaker. I may have a potential conflict on this vote and in that case, having stated it, I like to vote my conscience."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 35 voting 'yes', 78 voting 'no' and 4 voting 'present', and the Amendment fails. Are there further Amendments?"

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Clerk O'Brien: "Floor Amendment #13, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder on Amendment #13. Out of the record. Withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #14, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder, withdraw Amendment #14. Further Amendments?"

Clerk O'Brien: "Floor Amendment #15, offered by Representative Braun."

Speaker Giglio: "Representative Braun. Representative Braun. Representative Keane on Amendment #15. The Gentleman moves to table Amendment #15. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #16, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder on Amendment #16. The Gentleman from Morgan."

Ryder: "Thank you, Mr. Speaker, this Bill, I'm sure that I've talked with most of you about it. It changes a quirk in the law and makes photo finishing a manufacturing rather than a service as such it would have a tax. It was and it still is my intent for this tax which we believe would net about twenty two million dollars to the State to be used for waste water treatment."

Speaker Giglio: "Any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Inquiry of the Chair?"

Speaker Giglio: "Proceed."

Homer: "Is this Amendment in order?"

Speaker Giglio: "Representative Homer."

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Homer: "Yes. Mr. Speaker, the Amendment #16 pertains to Amendment #12 which was defeated. I would submit that it's out of order."

Speaker Giglio: "Your point is well taken. The Amendment is not in order. Further Amendments?"

Clerk O'Brien: "Floor Amendment #17, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder on Amendment #17. Withdraw Amendment #17. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #18, offered by Representative Braun."

Speaker Giglio: "Representative Braun. Representative Keane moves to table Amendment #18. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #19, offered by Representative Turner."

Speaker Giglio: "Representative Turner, withdraw Amendment #19. Further Amendments?"

Clerk O'Brien: "Floor Amendment #20, offered by Representative Giorgi."

Speaker Giglio: "Representative Giorgi, withdraw Amendment #20. Further Amendments?"

Clerk O'Brien: "Floor Amendment #21, offered by Representative Johnson."

Speaker Giglio: "Representative Johnson on Amendment #21."

Johnson: "Amendment #21, I could just have one second to make..Floor Amendment #21, gives us probably the only opportunity we're going to have this Session to adequately fund the needs of elementary education and higher education in the State of Illinois. It's a subsequent Amendment that dedicates the proceeds from this Amendment solely to those

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two purposes in approximately two to one ratio. I guess that Amendments is not before us now, it will create a special fund. But everybody knows what their doing if they vote on this Amendment. This Amendment restores the sales tax that we took off a number of years ago on food and medicine, back to the rate that it was at the time we took it off, and my staff tells me that it would generate somewhere in the neighborhood of seven hundred to seven hundred and fifty million dollars in new revenues."

Speaker Giglio: "Representative Keane, for what purpose do you rise, Sir?"

Keane: "Parliamentary inquiry, is this Bill...is this Amendment in order?"

Speaker Giglio: "Would you explain, Representative Keane, why you feel this is not germane to the Bill?"

Keane: "No, but I was wondering whether it's based on...if it's based on Amendment #11 or Amendment #12 it would obviously be out of order and rather than consider it and then find it was out of order and adopt something that was not correct, I feel that it might be better that if it is out of order we should find out now."

Speaker Giglio: "So rule."

Keane: "And I also would like to keep the Parliamentarian busy."

Speaker Giglio: "If Representative Johnson wants to continue to discuss the Amendment while the Parliamentarian is looking to see...."

Johnson: "I'm not...I'm not sure what the point of order is. The point of this Amendment is that for reasons that are probably best not discussed because I don't think any of us want to be in a position to pointing fingers. We haven't had one Roll Call, one opportunity, this entire Session other than simply deferring Representative Curran's Bill for a week and then, I guess for another week to address

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the crying problems of education in the State of Illinois. The needs of the school children of Illinois and the needs of the higher educational system in Illinois for adequate funding to maintain and enhance our position as a competitive state nation wide in the attraction of quality faculty and the retention of quality faculty and nonacademic personnel to institutions of higher education in this state and to address the severely deteriorating state of elementary and secondary education to address those and enhance those in a way that only this Amendment now given the posture wherein can do. We don't have an opportunity to vote on an income tax. We don't have the opportunity to vote on a number of other things because that opportunity has been denied us. This is the one opportunity we have. We took the tax off a number of years ago. It's a tax that some would argue is paid by everyone and paid by everyone in a sense that comes down heavily on anyone. It allows all the taxpayers of Illinois, in some form or another to take pride in saying that this Session, 1988 is hard of a vote as it was, we were willing to restore a tax that we had in this state for many many years simply for the sake of better schools, for the sake of adequate funding for teachers and for school children and for institutions of higher education in the State of Illinois. This is the one opportunity, Mr. Speaker and Ladies and Gentlemen of the House. The only opportunity people are going to have to speak to that issue and I would respectfully request a 'yes' vote on Floor Amendment #21."

Speaker Giglio: "The Parliamentarian informs the Chair that Representative Keane's request that the Amendment is not in order is correct. The Amendment refers to Article I, of the Bill and there is no Article I in this Bill so the Amendment is not germane. Are there further Amendments?"

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Clerk O'Brien: "Floor Amendment #22, offered by Representative Johnson."

Speaker Giglio: "Representative Johnson on Amendment #22, Representative Keane."

Johnson: "Editorials around the State of Illinois..."

Keane: "Same inquiry, is this Bill ...is this Amendment out of order?"

Speaker Giglio: "Representative Johnson."

Johnson: "Let me address that. The criticism has been in my local paper and otherwise that educat...or Legislators concerned about education haven't been willing to adequately address or speak out on this issue, and the criticism has been that we have been cut off by Parliamentary maneuvers and other mechanisms from being able to adequately discuss the issue.."

Speaker Giglio: "Representative, excuse me, Representative Johnson, you, Representative Keane has inquired about the Amendment and the Amendment is out of order because this addresses Article II of the Bill and there is no Article II. If you want to address that issue you can at a later date. The inquire was whether or not the Amendment was germane, the Parliamentarian informs the Chair that it's not germane and it's not in order. It's properly drafted Representative Johnson. If you want to over rule the Chair you may move to do so. It refers to Article II of the Bill and there is no Article II of the Bill. Representative Johnson, you may appeal the ruling of the Chair if you so desire. Put Representative Johnson's light on."

Johnson: "...discuss the issue. Are you going to let me discuss your ruling?"

Speaker Giglio: "Proceed."

Johnson: "Make an inquiry of the Chair?"

Speaker Giglio: "Proceed."

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Johnson: "I think it's unfortunate that if all the people, the twelve million people of Illinois think that a Parliamentary Ruling of questionable validity is going to choke off debate on the most important issue of this Session. I don't think the Speaker wants that and I don't think you want that."

Speaker Giglio: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, I respectfully make the point of order, and I say respectfully, Representative Johnson, because you are going beyond the bounds of discussing the Parliamentary Ruling. You have now only the action to appeal the ruling of the Chair. There is no room for the debate on the issue and therefore, Mr. Speaker, I would suggest that we go on to the next order, either another Amendment or whatever the order of business is but that's all he's got left is to appeal the ruling of the Chair."

Speaker Giglio: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #23, offered by Representative Turner."

Speaker Giglio: "Mr. Clerk, hold on. Representative Johnson, for what purpose do you rise, Sir?"

Johnson: "Inquiry of the Chair then would be this. As a matter of comity and in the spirit that Representative Matijeovich kindly set. There is an Amendment that has been drafted and then once redrafted because of various rulings. It should be ready shortly that would allow us to discuss this issue. My inquiry of the Chair is in light of your rulings I'm not going to disrespect the Chair by moving to over rule. I'm asking if you're willing to hold this Bill, I suppose I should ask Representative Keane as well until we have an Amendment that's in the appropriate form that creates the fund for Elementary and Secondary Education the foundation of the state to hold the Bill until we have that

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Amendment distributed in the proper form so we can have a vote on the issue. If you'd be willing to do that, that's my question in light of fairness, in light of comity, would you be willing to do that on my behalf and behalf of the school children of Illinois and the colleges of Illinois and the people of Illinois who want an opportunity to have this issue heard in all fairness."

Speaker Giglio: "Representative Keane, have you heard Mr. Johnson's remarks, would you care to comment? Representative Keane."

Keane: "Yes, and because of the lateness of the Session, lateness of the day and behalf of the people of Illinois I will be happy to hear any Amendment that's on our desk and available as we run through this Bill. But I do not want to hold up this Bill for an indefinite time awaiting Amendments. I would like to move ahead and take what other Amendments there are and move the Bill to Third Reading."

Speaker Giglio: "Representative Johnson."

Johnson: "My subsequent inquire, as I'm trying to be fair. I simply want an opportunity for people to have a chance to discuss and vote on this issue. My subsequent question would be, I don't want to hold the Bill up either. If Representative Keane would move the Third Bill to Third Reading and then be willing to move it back when that Amendment's been printed and distributed so that we can meet your Parliamentary dictate and still have an opportunity to discuss this issue. Would he be willing to do that?"

Speaker Giglio: "Representative Keane, have you heard the remarks of Representative Johnson, would you care to respond?"

Keane: "Yes, and I'm not willing to give that kind of commitment, unwilling to give that kind of commitment."

Speaker Giglio: "Further Amendments, Mr. Clerk?"

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Clerk O'Brien: "Floor Amendment #23, offered by Representative Turner."

Speaker Giglio: "Representative Turner on Amendment #23."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Amendment #23 allows this Body one last chance to deal with the issue of affordable housing hear in the State of Illinois..."

Speaker Giglio: "Excuse me, Representative Turner. Representative Keane, for what purpose do you rise?"

Keane: "I'd like to inquire the Parliamentarian that this Amendment is out of order?"

Speaker Giglio: "Parliamentarian informs the Chair that this Amendment refers to Article III, there is no Article III. This Amendment is out of order. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #24, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder on Amendment #24. Withdraw Amendment #24. Further Amendments?"

Clerk O'Brien: "Floor Amendment #25, offered by Representative Johnson."

Speaker Giglio: "Representative Johnson on Amendment #25."

Johnson: "Good, I appreciate that Representative Keane is not going to object and he's going to give us an opportunity to talk about education in the State of Illinois."

Speaker Giglio: "Representative Keane."

Keane: "I'd like to inquire the Chair if this Amendment is in order?"

Speaker Giglio: "Mr. Clerk. Parliamentarian informs the Chair that this Amendment refers to Article 2, therefore this Amendment is out of order. Representative Johnson."

Johnson: "The question that's raised in a recent editorial in a downstate newspaper indicates that we have been choked off

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and that we're ineffective in bringing this issue before the people of the State of Illinois."

Speaker Giglio: "Representative...Representative Keane. Representative Keane."

Keane: "Did I hear the Chair rule or the Parliamentarian rule the Amendment out of order?"

Speaker Giglio: "The Amendment's out of order."

Keane: "Can we get on to the next one please."

Speaker Giglio: "Representative McPike. The Amendment's out of order. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1862, a Bill for an Act in relation to taxes. Third Reading of the Bill."

Speaker Giglio: "Out of the record. On Supplemental Calendar #1 appears House Bill 3297, Representative Steczo. Representative Matijevich, for what purpose do you rise, Sir?"

Matijevich: "Speaker, before we go on to that could I ask leave of the House in use of the Attendance Roll Call? I have mentioned to Representative Hallock that after the Sales Tax Bill that the Rules Committee would meet as it was supposed to but the Republicans were in Caucus so leave of the House in use of the Attendance Roll Call so that the Rules Committee can meet while the House is in Session. The Bills and Resolutions have been posted and we would meet in the Conference Room."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Rules Committee will now meet while the House is in Session. Representative Goforth, for what purpose do you rise, Sir?"

Goforth: "Point of personal privilege."

Speaker Giglio: "Proceed."

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Goforth: "Thank you, Mr. Speaker. Ladies and Gentlemen, could I have your attention just for a second here? You know, hey, just a minute here. You know, all of us says how much we are doing for the kids of Illinois, I want to make a little announcement here. The members of the Cadet School for the American Legion for the Illinois State Police is up in our audience. This is something that we need for all of our children. We welcome you to the City of Springfield, kids. God bless you all."

Speaker Giglio: "House Bill 3297 on Supplemental Calendar #1. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3297, a Bill for an Act to amend an Act to require prompt payments by the State of Illinois. With First Conference Committee Report."

Speaker Giglio: "Gentleman from Cook, Representative Steczo."

Steczko: "Okay, Mr. Speaker, Members of the House. I would move to adopt the First Conference Committee Report on House Bill 3297. The report provides that the House concur in Senate Amendments #1 and 2 which were requested by the Comptroller's Office that the Senate recede from Senate Amendment #3 which dealt with civic centers so we are receding from that Amendment. In addition to that the report provides language relating to the supercity concept which Representative Brunsvold was the Sponsor of and also provides a provision regarding condemnation and quick take for a...an area of 50 acres or more near the Illinois River. I would answer any questions or have the designated Legislators answer any questions and would move for the adoption of the report."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Did I understand, Representative Steczo, on your

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explanation of the Bill that this has some quick take powers in it?"

Steczo: "Representative Hultgren, at the request of some individuals, and I think Representative Homer might be here to expound on this more, there's a sight specific area where land is needed for the construction of an industrial harbor railroad port. And the sight specific language provides that the land acquired is less than 50 acres and adjacent to the Illinois River in Pekin and Tazwell Counties."

Hultgren: "The answer to my question is, yes."

Steczo: "Mr. Speaker. Mr. Speaker."

Speaker Giglio: "Proceed."

Steczo: "The Gentleman can't hear my question."

Speaker Giglio: "Will you please give the Gentlemen your attention, please."

Hultgren: "The answer to the question, Terry, is yes, it does contain quick take powers."

Steczo: "Representative Hultgren, the authority currently has condemnation power and they are asking for quick take in this one instance."

Hultgren: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt...Representative McDonough. Excuse me, Representative Slater from McDonough."

Slater: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield for a question or two?"

Speaker Giglio: "He indicates he will."

Slater: "Representative Steczo, does this incorporate the entire contents of Senate Bill 1761?"

Steczo: "Representative Slater, I believe so but let me defer that question to Representative Brunsvold."

Speaker Giglio: "Representative Brunsvold."

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Brunsvold: "Thank you, Mr. Speaker. Representative Slater, yes, the substitute language in 1761 is contained in here and I think we have worked out the problems, most of the problems, not all of the problems that were involved with that particular Bill."

Slater: "But isn't it true, Representative Brunsvold, that the substitute language which we have in this Bill before us in this Conference Committee is exactly the same as the substitute language which we had in Senate Bill 1761?"

Brunsvold: "That's correct."

Slater: "Thank you very much. To the Bill. I rise in support of the Bill. Some of the concerns that we've had over whether or not this legislation is good legislation or not have been addressed only in the form of negotiation. They have been addressed in the idea that there's an ordinance required to be adopted by each and every one of the different municipalities, and then that ordinance, Representative Brunsvold, Representative DeJaegher, and Senator Jacobs have indicated they're going to address their concerns as it relates toward representation. And also, hopefully, the concerns as it relates to what the people are really going to get if they get supercity in the Quad Cities. I rise in support and urge a 'yes' vote."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I rise in opposition to House Bill 3291. The previous colleague stated that the concerns were met concerning...concerning Senate Bill 1761 in this Conference Committee. It has not been met. The people in the area concerning in the Quad City area, are not satisfied with the adding on of Senate Bill 1761 and to this Conference Committee Report. I understand that there were several meetings where both sides were supposed to

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work out their problems but they chose to select a certain people to attend this meeting. And I feel that's the violation of the...of the proc...of due process. Elected officials in the Quad City area were not, have not signed on to this piece of legislation. Their concerns were not meet. And I...and talking to the Gentlemen who carries this piece of legislation, they could not answer certain questions that I had; as to how much revenue would be enhanced, as to how many jobs would be enhanced if this legislation passed, and for a piece of legislation to affect as many people as it will affect if it's passed, these answers ought to be or questions that should be answered first. The media in that area has tried to make it an issue of minority, but the issue is not of minority, it's a economic issue. It's not a Democratic issue. It's not a Republican issue. It's an issue of the 'haves' and 'have nots'. And I think it is time that we or those that are down here to just protect the interest of the 'haves' better start protecting the interests of the 'have nots' in their district. Because we talk about how our kids are not being raised right, how our kids are not being raised with moral values, with honest values, with fair values, but how can we ask our children and our grandchildren to be...to become citizens of this society when we cannot conduct ourselves in fairness and in honesty and in morality. I ask for a 'no' vote on House Bill 3297. Thank you."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Wojcik: "Representative Steczo, is this not going to be done with a front door referendum?"

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Steczo: "Representative Wojcik, if you're talking about the supercities provision, yes it will be done with a front door referendum."

Wojcik: "Alright. Then we also are discussing the disagreements that we had and we have come to an accord in the Quad City areas?"

Steczo: "I will refer to Representative Brunsvold on that...on that question, Mr. Speaker."

Speaker Giglio: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Representative Wojcik, yes, we met a Monday morning with the Republican County Chairman and we have addressed his concerns. We met also with the Black Caucus at length and we had some people here from Rock Island talking to them. They are still concerned. But I want to make a pledge right now to you and to the Black Caucus that I would support their concerns and their representation in all efforts on the question to the people and on their concerns dealing with representation on the council should a unified city occur. I would...I pledge that to the Black Caucus and would work for that effort."

Wojcik: "Representative, I have to commend you for the hard work you have put in this and for being forthright in trying to make harmony develop within this proposal and I rise in support of it. I think what you're going to do there is you're going back to home...back to your home area. You're going to have a front door referendum. I think we should let the people decide where this question is, and I therefore support the proposal."

Speaker Giglio: "The Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of this Conference Committee Report. And I've been involved in some of those

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discussions and some of the work going that's going on in trying to represent the concerns of the minority in Rock Island County, the minority of the Republican party in Rock Island County. We've been given assurances by Representative Brunsvold that he will work with us and meet with us so that we can work together with the Unification Task Force that's been working on this proposal for some time. I have complete confidence in the ability of that task force to consider some alternatives here that will allow for the representation of a variety of special interest groups as we map out the aldermanic districts that form that first council, that first city council for the supercity. Now unification is a very important issue to the Quad Cities. Certainly there are concerns by a variety of groups. But those concerns are involved in the mechanics, in the mechanics of the consolidation ordinance and those mechanics are still being worked out in preparing that consolidation ordinance that will be presented to the voters to be voted on this fall. It truly is an issue that should be decided in the Quad Cities and not in Springfield. This is, as Deere and Company said, this is an opportunity for the Quad Cities and we must move forward on it. There's a real spirit of revitalization in the Quad Cities that's going to mean more jobs for Republicans for Democrats, for blacks, for hispanics, for people surrounding the greater Quad City area. This is an important issue and I urge a 'yes' vote on this House Bill 3297 Conference Committee Report. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Parcells."

Parcells: "Thank you, Mr. Speaker. I was one of the chief opponents of this Bill when it was brought up before, Mr... Representative Brunsvold's portion of this Bill, but I have since studied the Bill and talked with him to great extent

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and I think many of, all of my concerns have been alleviated. I think the previous speakers who were concerned about the drawing of a map being either politically or racially wrong should not only have Representative Brunsvold's assurances that that won't happen, but I don't think anyone of these cities want to go through the lawsuits that have been going on. We know of the lawsuit in Springfield. Springfield spent millions of dollars defending the apportionment. And Danville had a case. I don't think they would be foolish enough to draw a map that would end up in court. And I think the ordinance with which Representative Brunsvold showed me was as fair as you can be. There will be a referendum. The people will decide, and in that particular case, if all three of the large cities don't vote in favor, it doesn't happen. So I was concerned that maybe several small ones and one large one would end up in a strange configuration. But it is as fair a document as you can have and it does give them the right to do this. It may not pass, but they now have the right and I don't think anyone should be concerned about the fact that there would be a map drawn that would not be fair both politically, racially, and in every other way, and I also support the Conference Committee Report on House Bill 3297."

Speaker Giglio: "The Gentleman from Cook, Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. I think the issue has been debated fully and I see that there now is a consensus that we're being...we're heading towards on the issue. And therefore, Mr. Speaker, I would ask for the adoption of the first corrected Conference Committee Report on House Bill 3297."

Speaker Giglio: "You heard the Gentleman's Motion. The question

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is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3297?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 95 voting 'yes', 15 voting 'no', 3 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 3297, and this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 appears House Bill 3425, Representative Peterson. Mr. Clerk, read the Bill. House Bill 3425, Representative Peterson."

Peterson: "Thank you, Mr. Speaker. The First Conference Committee Report on House Bill 3425 has been drafted to address the concerns expressed by Representative Breslin and Representative Black regarding the Bill that was presented before and was defeated. The report now is limited to Cook County. The language was suggested by the Northwest Municipal Conference to address its proposed garbage collection plan. And I move for passage of the First Conference Committee Report on House Bill 3425."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3425?' And on that question, all those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no', 2 voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 3425, and this Bill, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar #1

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appears Senate Bill 1958. Representative Parke.
Representative Parke on Senate Bill 1958."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Remind you that 1958 allows the Illinois Environmental Protection Agency to issue an administrative citation for certain violations at landfills which have obtained an IEPA permit. The Bill also allows a number of Northwest Municipal Conference Communities to stay in their solid waste plan and not have to go into anyone elses. Also, the basis of the Conference Committee was that there was a need for clarification of what debris would be allowed to be put into the program and in essence it provides an only public utility construction debris that is due to the construction and installation of underground pipes, lines, conduct, and wires, off the premissis of the utility may be deposed...disposed in an abandoned quarry without local approval. I ask for approval of this Conference Committee Report."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The question is, 'Shall the House adopt Conference Committee Report to Senate Bill 1958?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 116 voting 'yes', none voting 'no' and none voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 1958, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saltsman, for what purpose do you rise, Sir?"

Saltsman: "Mr. Speaker, I was absent this morning when Senate Bill 1534 was passed and I want to it be read in the record

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that I would have voted in favor of Amendment #1 had I been here."

Speaker Giglio: "Let the record so indicate. Page 3 of the Calendar on Concurrences, appears House Bill 3380, Representative Capparelli."

Capparelli: "Thank you, Speaker. I move to concur with House Amendment #1 to House Bill 3380 and House Amendment #2. House Amendment #1 is a technical Amendment on the disclosure and Amendment #2 changes the effective date from 7-1-88 to 1-1-89."

Speaker Giglio: "Any discussion on the Gentleman's Motion? The question is, 'Shall the House concur on Senate Amendments #1 and 2 to House Bill 3380?' And on that question, all those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'yes' and 1 voting 'no', 12 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 3380. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I'm waiting for you to go to the next Bill, House Bill 3512, on Concurrence, the Order of Business we're on."

Speaker Giglio: "Thank you, Representative McCracken. Representative McCracken."

McCracken: "Representative Frederick took this Bill out of the record in order to honorary request or a commitment she had previously made and was told that the Bill would be called today."

Speaker Giglio: "Well, there's still a lot of time for the remainder of today and we will..."

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McCracken: "Well, why not do it now? It's next on the Calendar.

Why don't we try something new for a change. Let's follow the Calendar. We'll see what it's like."

Speaker Giglio: "Chair will take your comments into serious consideration. Representative Mulcahey, for what purpose do you rise, Sir?"

Mulcahey: "No, take it out of the record. Never mind."

Speaker Giglio: "In Concurrences on page 3 of the Calendar, at Representative McCracken's request, House Bill 3512. Representative McCracken."

McCracken: "Let me express my amazement. It's going to be a lot of fun to see what this is like."

Speaker Giglio: "The Lady from Lake, Representative Frederick."

Frederick: "Yes. Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am speechless, I guess. I, I move the House to concur with Senate Amendment 2 on House Bill 3512. As I explained to you the other day before I took the Bill out of the record, this Amendment has three provisions. One is a local taxing reimbursement, the second is a home equity program, and the third is an insurance program which will set up a escrow fund to compensate owners for any damages that are not covered by the home equity program. This...this Amendment tries to deal a measure of protection against damages for property owners in the area of the superconducting supercollider. And it's a very important Amendment. I move concurrence with Senate Amendment 2 and House Bill 3512."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Panayotovich. Your light is blinking, Sir. The Gentleman from Cook, Representative McNamara."

McNamara: "Will she yield for a question, please?"

Speaker Giglio: "She indicates she will."

McNamara: "In regards to Amendment #2, who pays, this is home

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equity for the supercollider site? Is that correct? Is that what the Amendment does?"

Frederick: "It is paid for by the state. It's a five year program and it attempts to reimburse for the difference between, for example, if there is a property that is sold and it will cover 80 percent of the value of the difference between the original value and the selling price."

McNamara: "What is the cost of this program to the state?"

Frederick: "It is about 4 million dollars."

McNamara: "And that's 4 million dollars that will come out of appropriation out of General Revenue Fund."

Frederick: "Yes."

McNamara: "For a home equity program for just that area. Is there a local match program?"

Frederick: "Pardon me, I have...I shouldn't answer that, it may not cost 4 million dollars, I'm told. It depends on how many people qualify for the program. So..."

McNamara: "How do you qualify for the program?"

Frederick: "Pardon me."

McNamara: "How do you qualify for the program?"

Frederick: "It...it is very possible that the value of the property may not drop at all. In fact, there's an expectation that property values may increase. And so...they must be appraised before the program begins so that there is a real appraisal of the value of the property in order to compute it correctly."

McNamara: "Is there a local match of these dollars from the county or from the municipalities around or is the state picking up the full amount of the home equity program?"

Frederick: "Yea. If...if there is a cost it is the state's obligation."

McNamara: "State's completely?"

Frederick: "Yes."

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McNamara: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. I'd like to just elaborate a little bit on the questioning that the Representative asked. This Bill is designed to alleviate any fears that the people in the district where the SSC might be located that if in fact, their homes are not assessed or given the fair market value, they do have some leverage. As far as the insurance fund goes, we would also set that up, hopefully, and the real estate people in the area do not feel that there will be anything less than fair market value offered. We also...the insurance fund is to take care of any damage done to homes. It is the opinion that there would be no damage and if there is why they would be reimbursed. I think it's a good Amendment and I think we should vote 'yes' for it."

Speaker Giglio: "Representative Frederick."

Frederick: "At the request of the Speaker and with the assurance that we will get back to this Bill very shortly I will take it out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk."

Speaker Breslin: "Representative Breslin in the Chair. Committee Reports."

Clerk O'Brien: "The Committee on Rules has met pursuant to Rule 29(c)3. The following Bills have been ruled exempt on June 30, 1988: House Bills #2034, 4295, 4296, 4297. House Resolution 1661. House Joint Resolutions 207, 29 and 130. Signed, John Matijevich, Chairman."

Speaker Breslin: "Approval of the Journals. Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. I move that we dispense with the reading of the Journal, and

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that the following Journals be approved. Journal #105 of May 17, 106 of May 18, 107 of May 19, 108 of May 20, 109 of May 24, 110 of May 25, 111 of June 1, 112 of June 2, 113 of June 7, 114 of June 8 and 115 of June 9, 1988."

Speaker Breslin: "You have heard the Gentleman's Motion. Representative Piel on the Motion."

Piel: "Madam Speaker, has he gone over these with our side of the aisle yet? Do you know?"

Speaker Breslin: "All in...Representative Matijevich in response to the question."

Matijevich: "Could he repeat the question."

Speaker Breslin: "His question is, 'Have you gone over these Journals with the other side of the aisle?'"

Matijevich: "I understand when it came over...usually when it comes over from here, that's been done. I...really went over it with a fine tooth comb and brush and all that, Bob, but I am looking for Tony Leone up... I don't see him there."

Piel: "Yes, they have gone over them."

Speaker Breslin: "Representative Mulcahey on the Motion."

Mulcahey: "Madam Speaker, I object to the Motion. I think the Journals should be read."

Speaker Breslin: "Mr. Clerk, read the Journals. Representative Mulcahey."

Mulcahey: "I was just kidding. I don't...I withdraw my objections."

Speaker Breslin: "A wise man. The question is, 'Shall Representative Matijevich's Motion be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, and the Motion carries. Representative Matijevich."

Matijevich: "Madam Speaker, I did say I went over them with a fine tooth comb and I read them all and Representative

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Mulcahey's name wasn't in any of them."

Speaker Breslin: "Supplemental Calendar Announcement."

Clerk O'Brien: "Supplemental Calendar #2 has been distributed."

Speaker Breslin: "We couldn't hear that, Mr. Clerk."

Clerk O'Brien: "Supplemental Calendar #2 has been distributed."

Speaker Breslin: "Thank you. Representative Laurino, are you seeking recognition? Representative Leverenz, for what reason do you seek recognition?"

Leverenz: "I have an inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Leverenz: "Now?"

Speaker Breslin: "Not now."

Leverenz: "Thank you."

Speaker Breslin: "Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 160, offered by Representative Ropp. House Resolution 1688, Ewing. 1690, Ewing. 1692, Mays. 1695, Ryder. 1697, Black. 1698, Curran. 1699, Lang. 1700, Hicks. 1702, Barger. 1704, Petka. 1705, Speaker Madigan. 1706, Bowman. 1707, Goforth. 1708, Breslin. 1709, Flowers. 1711, Stephens. And 1713, LeFlore."

Speaker Breslin: "Representative Matijeovich."

Matijeovich: "Madam Speaker. I...if someone asks me are we adjourning because we are on Agreed Resolutions. We are not adjourning, but we have examined the Resolutions. I move the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman moves the adoption of the Agreed Resolutions. Is there any discussion? Hearing none, the question is, 'Shall the Agreed Resolutions be adopted?' All those in favor say 'aye', opposed 'nay'. In opinion of the Chair the 'ayes' have it. The Agreed Resolutions are adopted. Representative Novak, for what reason do you seek recognition?"

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Novak: "Point of personal privilege, Madam Speaker."

Speaker Breslin: "What is your point?"

Novak: "I'd like to introduce a former colleague to the House of Representatives, a fine friend of mine back from Kankakee County, Representative Jack Beaupre."

Speaker Breslin: "Ah, Jack. Welcome. General Resolutions."

Clerk O'Brien: "Senate Joint Resolution 111, Hasara. And House Resolution 1712, Curran."

Speaker Breslin: "Committee on Assignments. Representative Hasara, for what reason do you rise? For what reason do you rise?"

Hasara: "Do I need to ask for a vote on 111?"

Speaker Breslin: "No, 111 was sent to committee. I see, you have a Motion for me to consideration that will be on Supplemental. That will be coming up."

Hasara: "Thank you."

Speaker Breslin: "Death Resolutions."

Clerk O'Brien: "House Resolution 1696, offered by Representative Anthony Young, with respect to the memory of Willie Tucker. House Resolution 1701, offered by Representative Currie, with respect to the memory of Jean F. Block. House Resolution 1703, offered by Representative Matijevich, with respect to the memory of Nora Morris. House Resolution 1710, offered by Representative Virginia Frederick, with respect to the memory of Herbert J. Wilkinson, Sr."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, on the Death Resolutions would I have leave to have all Members be included on Resolution 1703 which is the death of Representative Saltsman's sister, leave with all Members be included on that and with that leave I would move for the adoption of the Death Resolutions."

Speaker Breslin: "Very good. The Gentleman asks leave. Hearing

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no objection, the Gentleman has leave. All Members will be added as Cosponsors. The Gentleman moves the adoption of the Death Resolution. All those in favor say 'aye' opposed 'nay'. In opinion of the Chair the 'ayes' have it. The Death Resolution is adopted. Ladies and Gentlemen, we are going to proceed now on Supplemental #2, Representative Flinn has been waiting for this. It is on the Order of Conference Committee Reports. The first Bill is House Bill 589. Representative Flinn."

Flinn: "Thank you, Madam Speaker. I move to adopt the Conference...First Conference Committee Report on House Bill 589. The...there was one minor change from the original Bill, one of two minor changes. The main one was where our contention was that local governments should have some control over the hours that landfills operated their trucks to and from a landfill because it was disturbing the neighbors and because of some resistance we had to change that down to affecting only Madison and St. Clair County. I know of no opposition to the Conference Committee Report and move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of the First Conference Committee Report on House Bill 589. And on that question, is there any discussion? Any discussion? The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 589?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and 2 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 589. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2034, Representative Madigan...Giglio.

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House Bill 2034, Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to accept the Second Conference Committee Report to House Bill 2034, and what it does it puts in the language prepared by the Lieutenant Governor for the revitalization of the Chicago Port District in Section 1. Section 2 puts in the last which would...which would take in House Bill 3320, and it refinances the Chicago Port District...and creates the Alexander Pulaski County Court District."

Speaker Breslin: "The Gentleman has moved the adoption of the Second Conference Committee Report on House Bill 2034. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker. Would the Gentleman yield?"

Speaker Breslin: "He will. He will."

Mautino: "Representative, in Section 3 there's language that provides for an airport anywhere in LaSalle County. The, for the record, individuals from that county have contacted, for example, my office in opposition to that language as it appears in Section 3 of Conference Committee 2034. There's a concern since there are two airports in LaSalle County now and that language provides for anywhere in LaSalle County that there is, for the record, opposition to that provision under the Seneca Port Authority."

Giglio: "It's my understanding, Representative Mautino, that this airport is not a threat to the two existing airports. And what it is is a takeoff of House Bill 3320."

Mautino: "Yes, I understand that and I know that the current Speaker is the Sponsor...the current sitting Speaker before us is the Sponsor of that specific Bill that appears in the Conference Committee. I'm aware of that, and I discussed it with her. We have a difference of opinion on what that

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language does and the individuals who live in that area are still opposed to that provision that provides for anywhere in LaSalle County. And for that reason I will have to stand in opposition to that provision unless someone can tell me exactly what that does other than what the way I read it."

Speaker Breslin: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Wojcik: "Representative, in reading line 20 on page 36, it says to acquire, erect, construct, maintain, and operate aquariums, museums, and other edifices for the collection and display of objects pertaining to natural history or the arts and sciences. Is this referring to our museums in the City of Chicago or do you know what this is referring to?"

Giglio: "My understanding is that this does it for Jackson Union County and extends the same...same facilities in the same operations for the...what they have in Joliet and does not apply to the City of Chicago."

Wojcik: "So they can erect a museum or what have you in the City of Joliet. Is that what this is for? Or Union County?"

Giglio: "Some of the provisions that are in the Joliet Port District pertains to museums. Okay? And what this does, it gives the same language to the Union Jackson County as what's in the port district and for Joliet."

Wojcik: "Okay, fine. Now, another question. At one time there was a Bill that was going to create Chicago as a Port District. Does this have that in this package?"

Giglio: "I...I didn't hear the first part. It creates a new Port District for the city?"

Wojcik: "Yes, there has been a Bill circulating that was going to do this and I was wondering if this was in reference to

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that."

Giglio: "No. No."

Wojcik: "Right. Thank you very much."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Point of order. Pursuant to Rule 79(e), it is a requirement that any House Bill not acted upon as a Conference Committee before the end of Spring Session be tabled and not further considered. This Conference Committee is a Second Conference Committee. The first of which was enacted before the Spring Session, or the end of the Spring Session in 1987, never adopted. Pursuant to that rule, this matter has been tabled and it has not been taken therefrom and I ask the Chair to so rule."

Speaker Breslin: "We'll look at the history of the Bill. You might be quite correct, Representative. Thank you for drawing it to our attention. Representative Matijevich."

Matijevich: "This Bill was exempted. I...I was doing something else but I thought that the issue came about on this Bill. This Bill has been exempted."

Speaker Breslin: "Representative McCracken, the record reflects that the Bill was taken from the table on November 12, 1987...November 4, 1987 with a record vote of 116 to nothing. So it appears that that has already been taken care of. Do you wish to speak to the Bill itself, Sir?"

McCracken: "Yes. Thank you. I am advised that although Lieutenant Governor Ryan had an interest in this Bill because of his responsibilities under our trade program, apparently the things that he wanted are not included in here. I guess some of them are, some of them are not. Now, on that basis particularly in a Conference Committee where he could have been accommodated and has not been

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accommodated, we stand in opposition to this Bill. There's absolutely no reason to have have left it out. It's not reform. It's just some aggrandizement of power for the various port districts included. The creation of a new port district and there's just no reason for us to be supporting it. And I ask for a 'no' vote."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm. No. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Breslin: "He will."

Wennlund: "Does any portion of this Conference Committee Report affect the Joliet Regional Port District?"

Giglio: "No."

Wennlund: "It does not delete the referendum requirement with respect to expansion of runways that was passed by this House in 1986?"

Giglio: "It...it doesn't deal anything with Joliet."

Wennlund: "Thank you."

Speaker Breslin: "No one further seeking recognition, Representative Giglio to close."

Giglio: "Yes, Madam Speaker. I think the questions were adequately addressed and I think with regards to Lieutenant Governor Ryan though he did have...he did have his Representatives in the Conference Committee. We accommodated Lieutenant Governor and with that and everything else that's in the...in the report, I would ask for your favorable support."

Speaker Matijevec: "Representative Giglio has moved for the adoption of the Second Conference Committee Report on House Bill 2034. Those in favor signify by voting 'aye', those opposed by voting 'no'. The Lady from LaSalle,

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Representative Breslin to explain her vote."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. For purposes of legislative intent and in response to the questions raised by Representative Mautino, I want to make it clear that in that provision dealing with the...giving the Seneca Port District the authority to establish an airport outside its corporate boundaries. An Amendment was added that specifically provides that in no instance could this port district use this authority through eminent domain or condemnation proceedings go out and establish an airport. The...instead, they would have to buy it as as any individual would and where there is zoning they would have to comply with local zoning. Once they have met those qualifications then the Airport Zoning Act would apply assuming they had status to establish their airport. So in that respect, this was an agreement between those who were the proponents of the airport and those who are the opponents of the airport. That agreement is being honored in this legislation and it is offered to you for your consideration. Thank you."

Speaker Matijeich: "Representative Breslin in the Chair."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative McCracken. Representative McCracken requests a verification of the Roll Call, should it receive the necessary majority? Only vote your own switches. Have all voted who wish? The Clerk will take the record. On this question there are 64 voting 'aye', 53 voting 'no', none voting 'present'. Poll the Affirmative, Mr. Clerk."

Clerk O'Brien: "Berrios. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Homer. Huff. Jones. Keane. Krska. Kulas.

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Lang. Laurino. LeFlore. Leverenz. Levin. Martinez.
Matijeovich. McGann. McNamara. McPike. Morrow.
Mulcahey. Novak. O'Connell. Phelps. Preston. Rea.
Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw.
Steczo. Stern. Sutker. Terzich. Turner. VanDuyne.
White. Williams. Wolf. Anthony Young. Wyvetter Younge.
And Mr. Speaker."

Speaker Breslin: "Do you have any questions of the affirmative,
Mr. McCracken?"

McCracken: "Representative Sutker?"

Speaker Breslin: "Representative Sutker. Cal Sutker. Is the
Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Terzich?"

Speaker Breslin: "Representative Terzich. Bob Terzich. Is the
Gentleman in the chamber? How was he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Homer? Oh, he's here. Representative
Huff?"

Speaker Breslin: "Excuse me, Representative Terzich has returned
to the chamber. Add him to the Roll Call voting 'aye'.
Who was that next one?"

McCracken: "Representative Huff."

Speaker Breslin: "Representative Huff. Doug Huff. Is the
Gentleman in the chamber? Doug Huff. How is the Gentleman
recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Keane?"

Speaker Breslin: "Representative Keane. Jim Keane. He is in the
chamber."

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McCracken: "Representative Leverenz?"

Speaker Breslin: "Representative Leverenz is in the chamber."

McCracken: "Representative Morrow?"

Speaker Breslin: "Representative Morrow is in the chamber."

McCracken: "Representative Phelps?"

Speaker Breslin: "Representative Phelps is in the chamber."

McCracken: "Representative Ronan?"

Speaker Breslin: "Representative Ronan. Al Ronan. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative..."

Speaker Breslin: "Representative McCracken, Representative Cullerton and Representative Shaw ask leave to be verified."

McCracken: "Yes."

Speaker Breslin: "May they leave? Yes. Any further questions?"

McCracken: "Yes, Representative DeLeo?"

Speaker Breslin: "Representative DeLeo. Jim DeLeo. He is in...he is in the chamber."

McCracken: "Representative Brunsvold?"

Speaker Breslin: "Representative Brunsvold. Representative Joel Brunsvold. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "The Gentleman is in the chamber. Representative Ronan has returned to the chamber. Add him to the Roll Call voting 'aye'. Representative McCracken, Representative Berrios asks leave to be verified. May he have leave?"

McCracken: "Yes."

Speaker Breslin: "You may."

McCracken: "Representative Turner?"

Speaker Breslin: "Representative Turner. Art Turner. How is the

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Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call. Excuse me, Representative Turner is in the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli is in the center aisle."

McCracken: "Representative Jones?"

Speaker Breslin: "Representative Jones. Lou Jones is in the chamber."

McCracken: "Representative Flinn?"

Speaker Breslin: "Representative Flinn. Monroe Flinn. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Richmond?"

Speaker Breslin: "Representative Richmond. Bruce Richmond. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Hicks?"

Speaker Breslin: "Representative Hicks is voting 'no'."

McCracken: "Oh. Representative Hannig?"

Speaker Breslin: "Representative Hannig is in the chamber. Representative Huff has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Krska?"

Speaker Breslin: "Representative Krska. Bob Krska. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call. Representative Levin asks leave to be verified, Representative McCracken.

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You do have leave, Sir."

McCracken: "Representative Granberg?"

Speaker Breslin: "Representative Granberg. Kurt Granberg is in the chamber. Anything further?"

McCracken: "Representative Williams?"

Speaker Breslin: "Representative Williams. He's in the chamber."

McCracken: "Nothing further."

Speaker Breslin: "On this question there are 60 voting 'aye', 53 voting 'no', none voting 'present'. The House does adopt the Second Conference Committee Report to House Bill 2034. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3007. House Bill 3007, Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The First Conference Committee Report on House Bill 3007 does four things. First, it gives to small business the advantage of not having to take an attorney into the Department of Revenue when they're appealing a Department of Revenue Hearing in the informal hearing stage. This Bill...what part of this Bill does is sets up an informal hearing stage where they can take their accountant and not necessarily have to have the expense of taking in an attorney. For those also second provision, for those of you who have mobile homes in your districts, the second provision is that the mobile home park owner cannot say to the mobile home owner itself that you got to own the mobile home or you've got to buy a mobile home from the park owner in order to stay in that mobile home park. It doesn't allow that kind of pressure on the mobile home owner. Third, a minor thing for this district and, I guess, Representative Hasara's District, probably the only two affected in the state, it simply says that if there's a property tax increase during the first year of an

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involuntary annexation that that property tax increase would be abated for the first year only. And finally the fourth provision is that there is interest on grant funds achieved through a grant from either a Federal Agency or some other third party that the interest on that grant fund, those grants goes to the original source of the purpose of the grant and doesn't have to be sent back. It's just a little clarification that allows those granting...the grantee agencies to receive the interest. And so I move for the adoption of Conference Committee Report #1 on House Bill 3007."

Speaker Breslin: "The Gentlemen has moved the adoption of the First Conference Committee Report on House Bill 3007. On that question, is there any discussion? Any discussion? Hearing none, the question is, 'Shall the First Conference Committee Report on House Bill 3007 be adopted?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 93 voting 'aye', 24 voting 'no', none voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3007. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3264, Representative Matijevich and Giorgi. Excuse me, Representative... Okay. Proceed, Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. This is the Conference Committee Report on House Bill 3264. It refers to the Social Workers Registration. It reduces the number of regulated categories of social workers from three to two: Licensed clinical Social Workers and Licensed Social Workers. Licensed Social Workers can be either masters level social workers or bachelor level

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social workers with three years of supervisor experience. The group that has been omitted are persons with bachelor's degree other than social work. No one is grandfathered in. Persons currently registered under the Social Worker Registration Act can apply for a license within a designated time periods if they meet the educational and experience requirements of the new Act or if they take the departments examination and pass. The two Social Workers Acts have been combined into the Clinical Social Work and Social Work Practice Act. There's no opposition to the Bill...to the Report and the psychiatrists, in other words the Illinois Medical Society, has signed off on the Bill. In asking for your vote for this Conference Committee Report I appreciate the work of the Representative Krska, the Chairman of the committee, Spokesman Don Hensel, Senator Emil Jones, Chairman of the Senate Committee, Julie Hamos, who is the lobbyist for the social workers, Dick Locart and also Molly Lash, from the agencies. I appreciate your support."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on House Bill 3264. On the question, is there any discussion? Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3264?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no', 2 voting 'present'. Representative Curran votes 'aye'. There are 115 voting 'aye', none voting 'no', 2 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3264. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. On Supplemental #1 under Conference Committee Reports appears House Bill 3653, Representative Steczo. Clerk, read the Bill. Excuse me, Representative Steczo on the Conference Committee Report."

Steczko: "Thank you, Madam Speaker, Members of the House. I would move that the House adopt the First Conference Committee Report on House Bill 3653. The Bill, as it left the House was a Bill that dealt with changing deadlines for municipalities to file tax levy ordinances and the Senate adopted two Amendments. One which clarifies the language dealing with accounts...with...which must be filed by municipalities with the Clerk that was recommended by the Comptroller. Amendment #2 would permit counties with a population of more than 100,000 but less than 3 million and contiguous to a county with a metropolitan area of more than 1 million to have a 90 day lapse period. So that the counties we are talking about in this report or in Amendment #2 are...are DuPage County, Kane County, Lake County, McHenry County, and Will Counties are the...well the report says that we should recede from that...the Senate should recede from that Amendment. It is picked up in the Conference Committee language. In addition to that, Madam Speaker, the...we have included in the Report of many local government provisions that passed this House and were not let out of Senate Rules and a few other items. Among those we amend the Coroner's Act to permit a coroner who is a pathologist to perform an autopsy in another county is requested to do so by that county coroner. This language is necessary since current law prohibits a coroner from performing any autopsy of this type. We also clear up an antiquity in the Election Code which removes township assessor from the make of the township board and replaces it with the township trustee elected in the township who

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has the longest term of continuous service. In many town...in smaller townships there is no township assessor. We provide a provision dealing with county treasurers who will pay tax installment at...instead of at 30 day due dates on an annual basis. This provision is noncontroversial codifies current law. We provide that in the case of road districts that they can levy at a higher percent up to .94 with a front door referendum and I would like to reiterate a front door referendum. We provide that township officials who are not eligible to vote on the appointment for the board of trustees of a fire protection district may be appointed to the board because many small townships can't find parties to be able to do that. We had...we had a front door referendum Bill that dealt with Mosquito Abatement Districts and that's included in this Bill and that levy must be by front door referendum. We provide that townships with an assessed valuation of under 10 million may extend the rate up to .65 if approved by front door referendum. We added a provision by Representative Peterson with regard to allowing townships to provide for insurance for group life, health, accident and hospital or dental, for their employees or officials. And lastly, Madam Speaker, we provide that park districts under 500,000 in population with control over an aquarium or museums that we allow them to increase their tax levy from .03 to .07 subject to back door our referendum. I would answer any questions, Madam Speaker, and if there aren't any I would move for the adoption of the report."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 3653. And on that question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Madam Speaker, will the Sponsor yield?"

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Speaker Breslin: "He indicates he will."

Hultgren: "I've been unable to find in the Conference Committee Report the provision which you referred to in your explanation with regard to the township trustee with the longest, continuous service in member of the canvassing board rather than the township assessor. Could you refer me to the appropriate Section?"

Steczo: "That is Section 3 of the Conference Report."

Hultgren: "On page, Sir?"

Steczo: "The bottom of page 3, Representative, top of page 4."

Hultgren: "Terry, with regard to the trustee with the period of longest service, this applies statewide. Is that right? Not just in counties over a certain size."

Steczo: "It...it's for the canvassing board. And I believe what happened, Representative..."

Hultgren: "But...but...does this change apply to townships statewide?"

Steczo: "Right. We have taken out the township assessor because the change made in the law last year provided for the township assessor to be placed on this canvassing board. What has come to the attention of the township officials and the State Board Elections is that some townships do not have assessors. So..."

Hultgren: "I understand the reason you're making the change. That's not the direction I'm headed."

Steczo: "If it applies, statewide. Yes, it does."

Hultgren: "Okay. That's not the direction I'm headed. You replace the assessor with the township trustee who has the longest term of continuous service. Is it not conceivable that there could be two or even more trustees who have identical terms of service?"

Steczo: "Well, Representative, since this...this codifies other provisions that left the Election Code to make those

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consistent, I would presume maybe that that problem was taken care of there, and I am sure that there's a method by which that a trustee can be appointed."

Hultgren: "But what...township trustees aren't appointed, they are elected. Right?"

Steczo: "Well, who would serve, I should say, is then the member of the canvassing board?"

Hultgren: "You're...you're saying that the...this language trustee that the longest term of continuous service is a term of art that is further defined in the Election Code?"

Steczo: "This language appears in the Election Code because not including this provision was an oversight last year when changes were made to the Election Code relating to canvassing boards and other election authorities for the township."

Hultgren: "But the reason it occurs to me that there may be a problem here, in my own home township all four trustees were newly elected at the same election. So all four trustees are both the, those with the longest term of service and the shortest term of service, they have identical terms of service. And my question is...if they ask me which one of those four trustees is in fact the member of the canvassing board, how do I respond?"

Steczo: "Representative Hultgren, I...I really don't know how to respond to that question except to say that they language that that we have included in here came at the request of the Township Officials Association and they have worked on this language with the State Board of Elections. I would imagine that in cases where trustees or anybody else are appointed or service members of a board with continuous service, length of continuous service being the...being the requisite, I would think that there are provisions that would determine who will...which...what will be...what will

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decide whom will be the person chosen."

Hultgren: "Thank you, Terry. And Madam Speaker, to the Bill. I'm not hostile to what they are trying to do here in fact, I understand why this is proposed and the problem that it's intended to resolve. My concern is that it resolves one problem and creates another. I would respectfully suggest that what we might want to do here is to reject this Conference Committee Report and ask them to go back and not delete this but rather to add some clarifying language so that we don't attempt to solve one problem and in the process create another. Thank you."

Wojcik: "Speaker. Speaker."

Speaker Breslin: "The Lady from Cook. Representative Wojcik."

Wojcik: "Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Wojcik: "Representative Steczo, I noticed in this Conference Committee Report that you have covered the interest of townships very well which I have elated about. However, I see another area in the Conference Committee Report that is pertinent to Park Districts. Can you give me some information on the proposal or what your proposing in the Conference Committee."

Steczko: "Yes, Representative Wojcik, I can, but, Madam Speaker, if I might respond first to Representative Hultgren. I have been informed that the State Board of Elections has said that where there is a number of trustees with continuous service that the way to break that tie is by lot. They draw lots to determine who will be the Representative on the canvassing board. Now, Representative Wojcik, to you..."

Wojcik: "Yes."

Steczko: "We have provided that Park Districts and areas under 500,000 of which I believe there are 68, I know 24

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basically would come under this, would be able to by back door their referendum levied for museums and aquarium...aquariums...aquaria...by back door referendum from .03 to .07."

Wojcik: "Is this the normal practice, Representative? Is this how the Park Districts handle their levies?"

Steczo: "They have...this is just the museum levy. There...there are...there have been times when the...when the park districts were with relation to the museums have come to Legislature and have said would you please considering allowing us to do this, by back door the referendum and then we have, in the past, said yes."

Wojcik: "So, what you're saying is that the City of Chicago is not in this proposal."

Steczo: "Could you repeat your question, please."

Wojcik: "The City of Chicago, what status would have in this proposal?"

Steczo: "They are not in this."

Wojcik: "They are not in this proposal."

Steczo: "They...they have had their levy increased in past years."

Wojcik: "I remember that from last year. I was just wondering if they are asking for more. Alright. Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Panayotovich. Does the Gentleman seek recognition? He does not. The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "He will."

Parcels: "Representative, along the line that Representative Wojcik was asking, I noticed, I think it looks like a good Bill, and in two or three places you have a front door referendum and I wondered why you choose to have a back door referendum on the one area which was the park district

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from .03 to .07?"

Steczo: "That was the request, Representative Parcels, and that has been the tradition in the past in the House to address this issue in that manner."

Parcels: "I didn't...I didn't hear your answer because there was noise over here."

Steczo: "The...in response once more, the...that was the request that was made to the conferees and traditionally that's the manner by which this request has been handled in the House before."

Parcels: "Park districts often do this. Is that what you're saying? The park districts handle it this way."

Steczo: "I can't hear you, Representative Parcels."

Parcels: "Park districts often use a back door rather than a front door referendum?"

Steczo: "Let me...let me...I think you're question was, do all of them use..."

Parcels: "Is it customary? Because I noticed everything else was front door and this particular one was back door."

Steczo: "Let me...let me indicate to you that this is specifically only for those that have museums or aquariums, and that is not many. So this is a...this is not all of them."

Parcels: "Thank you."

Speaker Breslin: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Mulcahey: "Terry, you may have answered this already, this will take the...it from three cents to a seven cents with a back door referendum."

Steczo: "For park districts that have aquariums and museums."

Mulcahey: "Alright. If this were to pass, would this

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automatically eliminate the three cent provision without referendum or would that still be in place if one chose to do so?"

Steczo: "The park board would still have to adopt the ordinance. They would not... "

Mulcahey: "Well, could they adopt a three cent ordinance with...without referendum as opposed to going to a seven cent referendum?"

Steczo: "Yes. Yes."

Mulcahey: "Okay. Thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Madam Speaker. I move the previous question."

Speaker Breslin: "That won't be necessary. Representative Steczo is recognized to close."

Steczo: "Thank you, Madam Speaker, Members of the House. The conference report is quite a lengthy one and quite frankly we had to address many many issues, especially many many township issues and Collar County issues that were kept in the Senate Rules Committee. I think this is a balanced...balanced report. It helps many local governments. It's...it's a fair report and I would encourage it's adoption."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3653?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Martinez, one minute to explain your vote. The Gentleman indicates he does not wish to explain his vote. Have all voted who wish? Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. I'm one of the hyphenated Cosponsors of this Bill, and I don't need to tell you it's not the practice for any of us to vote 'no' on a Bill of which we are the Cosponsors. But one of the things that is inc...one of the things that is included in this Conference Committee Report is a tax increase with a back door referendum. That's better than no referendum at all. And consequently, if you are not philosophically opposed to that kind of thing, I would suppose you would feel alright to vote 'yes'."

Speaker Breslin: "Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On the question there are 62 voting 'aye', 44 voting 'no', 10 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3653. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Supplemental #2 on the Order of Conference Committee Reports appears House Bill 3810, Representative McAuliffe. Representative McAuliffe."

McAuliffe: "Yea. Madam Speaker, Ladies and Gentlemen of the House. I would move for a concurrence with Senate Amendment #1...adoption of Conference Committee Report."

Speaker Breslin: "Can you tell us why, Sir?"

McAuliffe: "This is the Secretary of States Annual Vehicle Code and Administration Clean Up Bill. Secretary of State has no problems with reduction and notary fees added in the Conference Committee."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 3810. And on that question, is there any discussion? The Gentleman from McDonough, Representative Slater."

Slater: "Representative McAuliffe, does this...are you moving for concurrence? You're moving for the adoption of the Conference Committee."

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McAuliffe: "Adoption of the Conference Committee Report."

Speaker Breslin: "Yes, he has moved to adopt the Conference Committee Report, Representative."

Slater: "Well the Conference Committee Report raises the commission fee for a notary public..."

McAuliffe: "Decreases."

Slater: "Decreases it. Thank you very much."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3810?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question...Representative Rea votes 'aye', there are 116 voting 'aye', none voting 'no' and 1 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3810 and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4116, Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Conference Committee to 4116 the First Conference Committee entails three provisions that have been agreed upon that in general terms address terminating rights, regard to child abuse cases, the addressing of entitlements against the state for disabled persons, and provisions for conditional gifts in regard to disabled persons. I move to adopt Conference Committee Report, First Conference Committee Report 4116."

Speaker Breslin: "The Gentleman moves to adopt the First Conference Committee Report on House Bill 4116. On that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt First Conference Committee Report on House Bill 4116?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open."

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This is final passage. The Gentleman from Cook, Representative Huff, one minute to explain your vote."

Huff: "I don't want to explain my vote, Madam Speaker. But I wish the Sponsors of these Bills would just take a few minutes to explain what in the hell these Conference Committees do if they want my vote."

Speaker Breslin: "Okay, Representative Phelps would like one minute to explain his vote so he can explain it a little bit better. Ladies and Gentlemen, if you would lower the noise level on the House floor it would certainly help all Members understand these Bills."

Phelps: "Thank you, Madam Speaker. Hopefully to avoid being repetitious for Representative Huff. I did address the three provisions if you were listening, terminate the rights in regard to child abuse cases, the address entitlements against the state for disabled persons and provisions for conditional gifts in regard to disabled persons. Now it passed the Senate overwhelmingly, I don't exactly remember 40 some votes, Representative Huff, and we're just back here asking for adoption."

Speaker Breslin: "Representative Huff, we are on the Order of explanation of votes. The Roll Call has begun. You were already recognized on that Order. On this...Mr. Clerk, take the record. On this question there are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 4116. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1563, Representative Phelps."

Phelps: "Thank you, Madam Speaker. Once again this provision passed out of the House overwhelmingly after the Agreed Amendments went on. We have essentially two...main provisions here. The math and science academics that uses

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the universities to summer programs as an alternative. It also adds the Amendment of the minimum level funding for education. The Conference Committee did add one other provision to include higher education in that minimum funding level as well as secondary elementary education level. It also changes the effective date of that minimum funding level from FY 89 to FY 90. I ask to adopt First Conference Committee Report to 1563."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 1563. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield please?"

Speaker Breslin: "He indicates he will."

Cowlshaw: "Representative Phelps, does this Conference Committee Report provide that the Governor must meet these minimum levels in the budget that he prepares and submits to the General Assembly?"

Phelps: "Yes it does, Representative. Starting fiscal year 90."

Cowlshaw: "I understand that alright. It also provides for the General Assembly must appropriate this minimum level for elementary and secondary education and also for higher education from the General Revenue Funds. Is that correct?"

Phelps: "Yes."

Cowlshaw: "Very good. Finally, there is a phrase that is used in this legislation to determine what that minimum level is, which I will read to you from the Conference Committee Report and I would much appreciate it if you would tell me what does it mean? It says that the state budget shall contain a recommended appropriation to be made by the General Assembly from General Revenue Funds that is not less than an amount equal to the product of the total

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anticipated General Funds Revenues for the ensuing fiscal year multiplied by a fraction the numerator of which is the total amount appropriated by the General Assembly from General Revenue Funds for education for fiscal year 1987. And the denominator of which is the total amount of general funds appropriations made by the General Assembly for the fiscal year 1987. What does that mean?"

Phelps: "I'll take a stab at the way I understand it. I believe that is getting down to the 26 percent of the total budget based on 1987 is what we're shooting at for the minimum funding level. Now the higher education part that was incorporated in this Conference Committee Report as an addition had...does not have 26 percent, but their proportional percentage according to the funding formula that we use in the state. McNamara could probably explain that further, it was his Amendment. But that's in general terms what it means."

Cowlshaw: "Thank you, Representative, you've been most helpful. Madam Speaker, to the Bill please."

Speaker Breslin: "Proceed."

Cowlshaw: "Those three items that I just mentioned I would like to address briefly. First, it is really not proper for the General Assembly to be making the budget for the Governor. That is the Governor's function and he should be left as free as possible to do that. That is in fact a constitutional function of the Governor with which we ought not to interfere with the possibility that in fact what we would be doing would be unconstitutional. Secondly, the element about requiring that the General Assembly appropriate certain amounts from the General Revenue Fund, indeed we do commit future General Assembly's to certain obligations. But we do not and traditionally have not committed future General Assembly's to

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expenditures of any specific amounts or percentages from General Revenue Funds. And finally if our goal is to benefit education I am sure that you have noticed that it is most typical that whenever we set a minimum for something it very soon becomes the maximum. Because of the fact that that is most likely to happen in this case, I don't think this Bill is good for education, let alone constitutional. And for those reasons I stand in opposition to this Bill."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, what this Conference Committee Report and the knowledge that we have in fact allotted the lottery money to be used to fund part of the Common School Fund and replace general revenue, is that taken into consideration with this report?"

Phelps: "Not to my knowledge nothing has changed there from the general formulas as followed."

Ropp: "Well no, does this mean that the lottery money is in addition to the general revenue money as you have indicated that's established with a certain percentage of the total General Revenue Fund. Then we would almost have to assume then that the lottery money would be in addition to, is that correct?"

Phelps: "I'm not sure that would be the right assumption according to the way this Conference Committee Report is written. I would agree that maybe we as Legislators should take that question on in another year, perhaps before this fiscal year 90...this is implemented, we could possibly challenge that question."

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Ropp: "Well if this says a certain percentage of general revenue it doesn't deal with the lottery money at all. Isn't that correct?"

Phelps: "Well the general revenue is benefitting supposedly more than we were before the days of the lottery and if that percentage is...if we hold the state's budget's commitment to 26 percent to education in this case, then the lottery is helping us reach that commitment."

Ropp: "But the lottery is separate from the General Revenue Fund, is to currently replace General Revenue Fund and would it be your understanding that the lottery whatever that would be would replace the portion of the 26 or 28 percent of the General Revenue Fund according to this..."

Phelps: "It's my understanding, Representative Ropp, that this Amendment, and I'll refer to Representative McNamara if I cannot satisfy you with this, is the fact that whatever revenues we are depending upon to fund education now, we are just saying that we the Legislature and the Governor should look upon the budget as not funding any less than 26 percent of the budget for secondary and elementary. Now for higher education it's a different percentage. But that's what this is, whether it's lottery or whatever funds it fund education."

Ropp: "According to your earlier explanation it doesn't sound that it is very clear, because general revenue is a bit different than lottery money and I think that we ought to give that some consideration prior to the..."

Phelps: "Well this is not exclusive General Revenue Fund or whatever else feeds the commitments to education is what we're saying. Presently the formula instated, which is broken down in 1987. Representative McNamara could possibly give you some details."

Ropp: "Okay, I'll wait for a response from Representative

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McNamara."

Phelps: "Have we..."

Speaker Breslin: "Okay, the Gentleman from Cook, Representative
McNamara. Representative McNamara."

McNamara: "Thank you, in response to Representative Ropp. Lottery money is General Revenue Funds. This formula is coming from the general revenue, it includes the lottery money. It sets a minimum level of funding at the 26.6 because this is the 1987 level before the cuts of the Governor. The 1988 fund was at 25.5 percent, so it means it fell below this minimum value. What it would mean in this Resolution or this Bill right now is that if it were in place today it would mean 250 million dollars additional to primary and secondary education this fiscal year if it were in place. In order to give the Governor and the budget enough time in order to implement it correctly we have extended the date to 1990. I think that will answer your question that the lottery money is included in it because it is a General Revenue Funds. Also, when it...when the previous Speaker said that it's not proper for the General Assembly to pass the budget that's totally incorrect. It is proper, it is right. We have heard all of this Session about how the General Assembly must take control and give the dollars. I read in all of the papers that it says that the General Assembly is being accused of not funding education. This is an opportunity for this General Assembly to take control of their lives and start funding education adequately the way it should be. It's a way of doing it right off the top without any problem. The second thing is, is that it is a minimum funding level. What we have seen in the past that there were other minimum funding levels, the State of Illinois in the budget presentation has dropped dollars in the past. This does

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not say that this General Assembly cannot pass more dollars. It merely says that those dollars must be at a minimum of these dollars this is what is right, what is justified, what is...if we have a number one priority in this state for education this is our opportunity to show the State of Illinois, the educators, the kids of this state that we are willing to fund, we are ready to take charge of our destiny and we will do it now. This is a very reasonable Amendment, a good Conference Committee Report. It's perhaps the only opportunity we will have in this General Assembly to take charge of education and to do it now. I urge your approval."

Speaker Breslin: "The Gentleman from Cook, Representative Morrow...excuse me, the Gentleman from McHenry, Representative Klemm was first. Proceed, Sir."

Klemm: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Klemm: "I noticed in your presentation that both you and Representative McNamara gave us, you indicated secondary, elementary and secondary education. But I see no place that that is mentioned in the Conference Committee Report and that the Conference Committee Report only refers to higher education both on lines...page 2, lines 6, 11, 12 and 16. Therefore, how and why are you entering the element of elementary and secondary education in your debate when it's not part of this Conference Committee Report?"

Phelps: "Representative Klemm, the higher ed part was the only portion that was included, put in addition to what we passed out of here as the regular Bill."

Klemm: "Alright, that is in the House Amendment #1?"

Phelps: "Yes."

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Klemm: "Does that say the same as what you're doing here for higher education?"

Phelps: "Yes, except the percentages differ according to the formula for higher ed."

Klemm: "Alright on line 20 you indicated that the general funds...the term general fund appropriations, means all appropriations made from the General Revenue Fund. Is that correct?"

Phelps: "Yes, I believe so."

Klemm: "If in fact what I think what we tried to do this year was to have some General Revenue Funds set aside to pay back taxpayers that tax refunds. Those dollars are used to pay something else, but you're using those dollars in the formula that you're trying, because that's part of the General Revenue Funds. Would that be correct?"

Phelps: "This just sets a priority and if there is language or laws that passed that designate funds, they'll have to be honored according to what the law mandates."

Klemm: "Well priority, but you're also setting priority of a percentage of funds that are used for something else. Let me give you another example. If we owe the bank a couple hundred million dollars in order to do some of the funding we did before, that would be prepaid from the General Revenue Fund. Again those would be dollars we don't have that are ear marked for something else, but you're including that to raise the percentage more than we normally would. Wouldn't that be true?"

Phelps: "Whatever we fund education now, this is just saying the same with the percentage in mind, the same line of logic to be followed. However we pass money to education the same line of reasoning shall be followed for whoever's authority to disperse that money after all this is in consideration of the new laws or whatever we change. The 26 percent is

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whatever would be left of all the other commitments.
Previously this law...this would..."

Klemm: "But I believe...alright. To the question then, Madam Speaker. I believe really we have a confusion. It seems to me that I can understand the intent of the Sponsors of trying to get a sane percentage or more for education and I certainly don't fault them for that. But it seems to me when we start looking at all the appropriations made from General Revenue Funds, I think we in the Appropriations Committee have taken into effect and the fact that we have repayments of loans and obligations and we use that and we subtract that from the appropriations rather than including that as a percentage. So I think this would be not the fair way to handle it and I would urge its defeat. Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Morrow: "Representative Phelps, it shows here that there are going to be 6 sites for these math and science academies for summer months?"

Phelps: "Yes, the Bill calls for 6 sites to be geographically dispersed or spread out through the state to fairly accomodate those universities within range of the general population of this state. And that's to be decided on by a board that would be formed."

Morrow: "So you're saying that those sites have not at this time been named?"

Phelps: "No they have not."

Morrow: "Thank you, Madam Speaker."

Speaker Breslin: "The Gentleman from Kane, Representative

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Kirkland."

Kirkland: "Thank you, would the Sponsor yield?"

Speaker Breslin: "He will."

Kirkland: "Do you think this is a good process as precedent for other state budgets as well? Other areas of funding? Is there any reason we shouldn't set percentage minimums for corrections or percentage minimums for public aid or whatever..."

Phelps: "Well I think if this Body agreed that we had priorities from one to ten or whatever they might be, yes. But it seems as though the general consensus of education is top priority. So I think that's why we're addressing this issue. Now if we have other priorities we all can come in agreement on, possibly that could be followed in that way."

Kirkland: "And do you think this kind of percentage is as important as figuring out in fact what the adequate number of dollars should go to education and making sure we get that amount of money into education rather than setting some percentage no matter what the budget is, no matter what the total amount of money in the budget is?"

Phelps: "Well that possibly could be considered, but it's not very practically looking at today's needs and demands."

Kirkland: "Okay, well to the Bill, Madam Speaker. I think this would be a terrible precedent carried to its extreme. We'd eventually set percentage minimums on all sorts of important budgets we have and nobody disagrees that education is one of our most important. But I think this General Assembly with that approach may eventually come up with percentages that add well above 100 percent and I think our only opportunity here really is to fool the people into thinking that we adequately support education and want to adequately support it when we don't have the courage to do so. And I recommend against the Conference

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Committee Report."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To fear that I may be redunant let me just emphasize that having been involved in the educational appropriation process this year, and having been involved at one time or another over the last 22 years that I've spent in the General Assembly, I will tell you that the adoption of a program like this will bring about once again even in greater intensity the attitude on the part of the public that Members in the General Assembly speak with forked tongue. That's not good. One should not speak with forked tongue. The fact of the matter is we pass legislation and then don't come up with the money. We mandate programs and say we're going to pay for them and we don't do it. People have a real reason to be cynical, this only will intensify that feeling. We do ourself an injustice, we do the public an injustice, we do the process an injustice by supporting legislation like this. And I believe there's a wisdom in this House to think beyond the surface in which we are functioning today, and to recognize that in our long run interest as a Body is an institution this kind of an approach will only bring greater damage and tarnish to our institution. And I rise in opposition to this Conference Committee Report in all due respect for the Speaker."

Speaker Breslin: "Representative Phelps to close."

Phelps: "Thank you, Madam Speaker. In all due respect to all the previous Speakers that I respect their positions on, I...especially the...just the previous Speaker I don't know what tribe he belongs to to speak forked tongue language, but it seems as though that the state and we as a group are

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speaking with forked tongues if we don't do something about education. And this is the reason for this piece of legislation. But I'd only tell you just in closing that this Bill as well as McNamara's Amendment passed out of here already and the only reason it's come back for us to look at including higher education, and to the minimum funding level consideration. I ask to adopt First Conference Committee Report."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1563?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Satterthwaite, one minute to explain your vote. Representative Satterthwaite, do you wish to explain your vote?"

Satterthwaite: "Madam Speaker and Members of the House, I rise in support of this legislation. We have been deluged with lobbying by the education community to indicate that we have not been providing a sufficient portion of our budgets for the education programs. This is a way that we would establish the budgets from the very beginning, setting aside the...at least a minimum amount that would be available to them. And I'm happy to see the votes up there for it."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 34 voting 'no', 3 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 1563. Representative Goforth votes 'aye'. Representative McAuliffe votes 'aye'. There are 81 voting 'aye', 33 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2147, Representative Granberg. Out of the record. On

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Supplemental 2 under Conference Committee Reports appears Senate Bill 2147, Representative Granberg."

Granberg: "Madam Speaker, Ladies and Gentlemen of the House, Conference Committee Report to Senate Bill 2147 at the time we passed Senate Bill 2147 there were 2 Amendments. One of which was opposed by the Senate, we therefore receded to that Amendment. The other Amendment was sponsored by Representative McNamara regarding certificates for those teachers who have been...had been teaching where they would not have to be recertified. It was proposed by...it was in support or was supported by the State Board of Education and the IEA. If there are any questions I think Representative McNamara is ready to answer any and all questions."

Speaker Breslin: "Representative Granberg has moved the adoption of First Conference Committee Report on Senate Bill 2147. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Breslin: "He will."

Cowlshaw: "Representative Granberg, as I understand this, you...this no longer contains anything that was in House Amendment 1 is that correct?"

Granberg: "Representative Cowlshaw, that is correct."

Cowlshaw: "Very good, I appreciate that. It does provide however that a perspective teacher may be issued a teaching certificate even though that person has had no student teaching if the teacher presents evidence of five years of successful teaching experience on a valid certificate prior to July 1, 88. And what the only change there is that date is now 1975. Is that correct?"

Granberg: "Yes, Representative Cowlshaw, that is correct."

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Cowlshaw: "And finally, could you please tell me whether the original provisions of this Bill, when it was unadorned and unamended are still contained in this Conference Committee Report?"

Granberg: "Representative Cowlshaw, I believe they are, but I think they were obviously pretty innocuous. The main..."

Cowlshaw: "That...those are the provisions about the school boards not being required to file with the regional superintendent, the record on adoption printed instructional material. Is that..."

Granberg: "That is right, Representative Cowlshaw. That was one of mandates I believe."

Cowlshaw: "Fine, and that is still contained in this Conference Committee?"

Granberg: "Yes, Representative."

Cowlshaw: "In that event, Madam Speaker, I stand in support of this legislation. It provides just a change in a date and a very sensible thing that relaxes some unnecessary requirements for school boards and certainly we all ought to be for that. Thank you very much."

Speaker Breslin: "Very good. Okay, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2147?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no', none voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 2147. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Goforth, for what reason do you seek recognition?"

Goforth: "I was wondering since our leadership is keeping us in

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here, I wonder if you could suggest to them since it's 6:00 o'clock that maybe they would buy us dinner like they used to a couple of years ago. You reckon you could call back there?"

Speaker Breslin: "I'll make that suggestion Representative Goforth. You're thinking. Representative Mautino. Supplemental Calendar Announcement."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker Breslin: "Representative Rice, for what reason do you seek recognition?"

Rice: "Madam Speaker, good Baptist ministers need to eat at a certain time. Representative Goforth suggested that. Is the Speaker available?"

Speaker Breslin: "I don't know, but I'm trying to find out. I'll tell him you have a union stomach when I find him okay?"

Rice: "Please, please inform him, please inform him."

Speaker Breslin: "Okay. Ladies and Gentlemen, Supplemental Calendar #3 has been distributed. It has...it contains Conference Committee Reports. We will go to those Bills on the Order of Conference Committee Reports under which have been distributed for one hour. Representative Rice, Representative Goforth. Gentlemen, we have learned that the Speaker and Minority Leader Daniels are planning to order supper. It should be here. It is chicken, it should be here by 8:00 o'clock. I'm sorry it's not sooner but it will be here by 8:00. The Membership should be prepared to work at least until midnight. Okay, so that you have an idea of...so that the mushrooms know where we're going. Okay. First, Representative Goforth."

Goforth: "Now see, if the Members... see what we can do if we all stick together and not worry about the Leadership. Let's tell the the Leadership what to do, not them tell us."

Speaker Breslin: "Representative Rice."

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Rice: "I'm going to be a little more humble, I'm going to say let the church say Amen."

Speaker Breslin: "Representative Hultgren."

Hultgren: "Madam Speaker, you made reference to a Supplemental Calendar #3. We don't have that Calendar."

Speaker Breslin: "It has been distributed."

Hultgren: "No it has not."

Speaker Breslin: "Has it been distributed? They're all waving it at you, Representative Hultgren. He's not wrong very often, Ladies and Gentlemen, but this time he's wrong. The Gentleman from Saline, Representative Phelps, for what reason do you rise?"

Phelps: "Thank you, Madam Speaker. Being a good Baptist and agreeing with Reverend Rice, I like chicken, but it leaves a fowl taste in your mouth."

Speaker Breslin: "Oh, bad. Okay, Supplemental Calendar #3 under Conference Committee Reports appears House Bill 3739, Representative O'Connell. Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. The Conference Committee Report on House Bill 3739 contains a list of issues, criminal law related issues, that I'll try to go through and itemize for you. The first issue amends the Unified Code of Corrections to renew the requirements that the offender be at least 17 years of age before an extended term can be imposed. This only applies to juveniles ages 15 through 17 who are tried as adults. The Bill also contains a measure which amends the Code of Corrections and directs the Department of Corrections to establish a parent and child reunification program in those institutions and facilities where 50 percent of the inmates were single parents who had custody of their minor child or children prior to incarceration. The reunification program would allow inmates to reacquaint themselves with their children

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over a 6 month period of time prior to their release from the department and would help to foster a strong family environment. I believe this was Representative Lou Jones' Bill during the course of this Session. The Bill also contains a provision that provides that a person is guilty of home invasion if he enters the dwelling of another and remains there in wait for someone to enter and in fact commits a felonius assault on that person. Presently the law is such that if a person enters a home and there's no one present there is no method in which that person can be charged with home invasion even if the person lies in wait for an individual to return home. This corrects that deficiency. It also provides to allow the Code of...amends the Code of Corrections to allow the sheriff of any county to contract, subject to the approval of the county board with any certified institution for the housing of defendants who have been committed to a term of periodic imprisonment. This is a proposal by the sheriff of Cook County which has the support of not only the sheriff of Cook County, but the President of Cook County Board and the Cook County States Attorney. This private...privatization if you will, gives the director of the Department of Corrections strike that...the director already has such power to do this, but it provides...also protects the state any unit of Local Government, or the sheriff for actions on the part of the defendant while confined to the institution. And it protects governmental agencies and personnel for any torcherous acts of an officer and an employee. There's another matter that I wish to make clear to the Membership that is requested by the Department of Corrections, it makes investigators for the Department of Corrections conservators of the peace. And gives them full power of peace officers outside of the department

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facilities for which they are acting in the course their duties. It would allow greater protection to the departments investigators when they are faced with critical situations. This was requested by the Department of Corrections. There are several other matters. I will be happy to answer any questions anybody has with regards to the Committee Report."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 3739. On the question, the Gentleman from Lake, Representative Matijeich."

Matijeich: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Matijeich: "Representative O'Connell, I've been looking at the report and I think happily see that that provision which had intended to be in the report regarding allowing peace...investigators in the Department of Corrections to be peace officers with full police powers is not included in the report. Am I correct in that?"

O'Connell: "Representative, it should be included and I believe it is included in this."

Matijeich: "Oh, is this...well I missed that. Well, Madam Speaker, then I missed that, I'm sorry I went through it very quickly. If that is the case then I would hope that the Members would listen to this, Representative Goforth and I and Representative McAuliffe and others had asked that the Conference Committee Report would try to exclude that what is a controversial issue. We don't want to jeopardize the rest of the report. But that is the subject of the Bill that was defeated in the Senate. I think everybody likes to be a cop and we think that anybody who is...has police powers, full police powers ought to have the proper training etc. We are giving police powers to

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too many people, yes I do see now that it is in paragraph 1003-2-2 making investigators for the Department of Corrections conservators of the peace. I would hope the Members of the House would vote 'present' on this report. They can go back in the Second Conference Committee Report exclude that provision of the report and it is...it was opposed by all of the Law Enforcement Organizations. It was opposed by the Speakers Committee...Advisory Committee on Law Enforcement. I think we ought to give a resounding 'no' to allowing any Tom, Dick and Harry to be a police officer with full law enforcement powers. So I would urge the Members and I have nothing against the rest of the Conference Committee Report and I would appreciate cooperation of the Sponsor of the Bill who chairs the Speakers Law Enforcement Advisory Committee. And in fact I would almost ask that he withdraw this...take this out of the record and show the...and ask for a Second Conference Committee Report."

Speaker Breslin: "The Gentleman from Perry, Representative Goforth."

Goforth: "Thank you, Madam Speaker. I'll not...John said exactly what I would have loved to have said myself. I request that from the Sponsor too. Let's take this Bill and send it back to Conference Committee and get this out of here. Thank you very much."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I didn't realize this Bill would engender some controversy. I'm a little surprised. Apparently there was another Bill 3606, which was considered by the House this year. Is that right, Mr. O'Connell?"

O'Connell: "That was not considered by the House. The Bill was

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introduced, it was never heard in committee. It...I don't believe it was even heard in the Senate. Oh I'm sorry it was heard in the House and it did pass the House. It was sponsored by Representative Slater and it was on Consent Calendar."

McCracken: "It passed on Consent and it's in an identical form, is that Bill now the particular portion?"

O'Connell: "That's correct."

McCracken: "And it was requested by the Department of Corrections?"

O'Connell: "That is correct."

McCracken: "And its purpose is to give them authority to react to critical situations which in the course of their duty they sometimes face?"

O'Connell: "That's correct and I might add, Representative, that this is primarily a liability issue. That we are placing these investigators into a hazardous situation and we're not affording them the protection for themselves. It is...these are trained individuals I might add, it is the same powers that we already provide employees of mental health and conservation. So it is not a...these are not untrained parties and it is not as if the...it is not needed. It is clearly needed."

McCracken: "So the departments had some experience which indicates to the department the necessity of doing this?"

O'Connell: "That's correct."

McCracken: "Alright, I understand that we are not..."

Speaker Breslin: "Proceed, Representative McCracken."

McCracken: "We want to be careful whenever we're asked to expand the scope of police powers, but you know, in this case I think it's justified. Remember this Bill had already been considered by the House this year and passed out on consent, it deals with Department of Corrections

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investigators. Really I think the circumstances under which they confine themselves are apparent. I understand the concerns, but I think in this case they are not justified and we should be voting in favor of this Bill which contains many other provisions, important but apparently not controversial."

Speaker Breslin: "The Gentleman from Will, Representative Petka."

Petka: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will. He will."

Petka: "Representative, where in this Committee Report is there reference that home invasion that you were describing during your presentation?"

O'Connell: "That would have been...well, Representative, it's Senate Amendment #2. I'm looking for a copy of the Conference Committee Report."

Speaker Breslin: "Representative..."

Petka: "My question's been answered. Thank you."

Speaker Breslin: "Very good. Representative O'Connell...excuse me, the Gentleman from Cook, Representative Terzich on the question."

Terzich: "Yes, Representative O'Connell, on these investigators other than supposedly a police training what have they been doing previously? Why do they need police powers now that they didn't have before?"

O'Connell: "Representative, they already have police powers. What this is is clarification of the existing statute."

Terzich: "Which is what?"

O'Connell: "That they have the full peace officers status."

Terzich: "Well if they already have it then why do they need it?"

O'Connell: "Well they have it within the prison walls, this is clarification that they will have it outside the prison walls."

Terzich: "Well you know, there's a mention about liability but,

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you know, an investigator is an investigator and we have thousands I guess investigators, public aid investigators, security...all kinds of investigators. And maybe what they should do is just stick to investigating and not the law enforcement."

Speaker Breslin: "The Gentleman from Lee, Representative Olson.
Representative Olson, do you wish to speak on this Bill?"

Olson, M.: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "He will."

Olson, M.: "John, is there any issue here relative to their pensions? And then I will follow it up with a question which would elaborate it. Is there anything here relative to their pension opportunities?"

O'Connell: "No."

Olson, M.: "Alright, the reason I asked that, we sent a Bill over to the Senate to give this same type of authority to fire marshalls relative to the investigation of arson and it was shot down in the Senate because that issue was raised. And I don't expect you to be familiar with that, but maybe Jack Slingerland might have some..."

O'Connell: "No, the issue was also raised with similar provisions for the Attorney General's Investigators..."

Olson, M.: "Attorney General, what happened to that Bill do you know?"

O'Connell: "That...what happened to it?"

Olson, M.: "Yes."

O'Connell: "I believe it passed, but this we've already asked the department whether there's any ramifications as to pension status and there is none."

Olson, M.: "Okay, thank you very much."

Speaker Breslin: "There being no further discussion...excuse me, the Gentleman from Cook, Representative Shaw."

Shaw: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the

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House. I rise in support of this Conference Committee Report. I think it's a good report. I think it's well needed and the Amendment that they're talking about is a good Amendment and these people could find themselves in a hazardous situation and they need the police powers outside of the prison walls. And I think that this report should be adopted. It's a good report and I urge its adoption."

Speaker Breslin: "Representative O'Connell...Representative Shaw, do you still seek recognition? No. Representative O'Connell to close."

O'Connell: "Thank you, Madam Speaker. I certainly respect more than any other field of endeavor the law enforcement field. I am cognizant of some of the arguments that have been raised here in debate. I would suggest however, that in this instance the peace officer status is clearly needed. There's been a substantiation of that need, it does not in any way defray the powers that lie in other Law Enforcement Agencies. It's already within the statute, it is simply a clarification of the fact that investigators also perform their duties outside of the prison walls. It is clearly also a liability issue that could come back to haunt the state if its not...if this clarification is not adopted. The Amendment...the Conference Committee Report also contains a wide array of other valuable assets for our ability to further enhance the Criminal Code. I would ask for a favorable adoption of Conference Committee Report #1."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3739?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Harris, one minute to explain your vote. Is the Gentleman here? No. The Gentleman indicates he does not wish to speak. Have all

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voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 14 voting 'no', 34 voting 'present'. And the House does adopt the First Conference Committee Report on House Bill 3739. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3570, Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House."

Speaker Breslin: "Representative Curran."

Curran: "I move for the adoption of Conference Committee Report #1 on House Bill 3570. This Bill does basically 4 things. The first thing the Bill does is it incorporates the provisions of House Bill 3506. What 3506 says is the Department of Children and Family Services can keep the name of someone on their computer file who has either murdered or seriously physically injured a child. In the State of Illinois now as the law exists, you can murder a child and yet your name can be off the computer list as a child abuser before you get off jail for that murder. This simply corrects that problem. Number 2, this calls for the Department of Children and Family Services to develop a plan to train the mandated reporters as well as attorneys and states attorneys and judges who come into contact with children in the cases of abuse and neglect. This doesn't require them to do the training it just requires them to develop a plan and to submit the plan to us by April 1st. Also incorporates the provision in an Amendment to the Law Enforcement Officers Act to add state employees killed in the line of duty to a special death benefit and that is as a result of that state employee who was killed I believe in Aurora this year, and was murdered...actually murdered by another state employee in the DCFS office. And finally

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this repeals a provision of the Fire Marshall Law that requires physicians and medical personnel to notify the fire marshalls office of burn injuries and then the fire marshalls office would notify the Department of Children and Family Services. The Department of Children and Family Services feels that report should be more direct, simply directly to the Department of Children and Family Services rather than going through the fire marshalls office. Those in favor of this aspect of the Bill are the Illinois State Medical Society, the Fire Marshalls Office, the Illinois Association of Fire Fighters, the Illinois Hospital Association and the Department of Children and Family Services is not opposed to the Bill. So I ask for a favorable vote on this Conference Committee Report."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on House Bill 3570. On the question, the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Dunn: "With regard to the tracking that you mentioned regarding a murder or a serious crime is that tracking triggered by a conviction or triggered by an investigation or a charge of suspicion of one of those serious crimes?"

Curran: "Actually I'm glad you brought that up, as a matter of fact the...there isn't a tracking Bill in here John, what...a tracking part of this Bill. What it says is if you are found guilty of murder or a serious physical injury you can be kept on the department's computer list."

Dunn: "The important thing is a conviction is involved..."

Curran: "Excuse me, but there was a tracking portion."

Dunn: "Before you go into the computer there must be a conviction. Is that right?"

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Curran: "There will be an indicated report, John. But there was a tracking portion of the Bill which we deleted, simply because it was controversial to some people."

Dunn: "But you...but for the tracking to triggered does there have to be a conviction first?"

Curran: "It would have to be an indicated finding which is different than a conviction."

Dunn: "An indicated finding by the department you mean?"

Curran: "That's correct."

Dunn: "Okay, and then...and if there's an indicated finding then you can monitor the family forever. Is that right?"

Curran: "No, John...what's happening here is two things are getting I think confused, one is there was a tracking portion of the Bill, we have taken that out. That was to allow the department to track a family where a child had been killed or seriously injured and the department felt that that family was at risk, and the woman might still have children in the future. That's out. The only new part now it says the department can keep your name on the list of offenders in their state central registry, their computer list if you have murdered or seriously physically injured a child. There is no opposition to that part of the Bill."

Dunn: "Okay, when you say murdered, do you mean you're convicted of murder or you've been charged with murder?"

Curran: "It would be whether...whether abuse results in death or serious physical injury. If you were saying...if you were asking me does this require a finding of guilt in a court of law, I'm saying to you no. It requires the department..."

Dunn: "Thank you, that's...thank you."

Speaker Breslin: "Anything further? The Gentleman from DuPage, Representative Barger."

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Barger: "Thank you, Madam Speaker. There is a Section in this rather complex Bill that refers to the killing of state employees by other state employees. In my district or actually in Representative Hoffman's district an employee of the Department of Children and Family Services went into the main office and she shot her supervisor dead. We are changing...and she injured another party there. So what we are doing is putting this little addition in here that includes state employees with firemen, paramedics and Civil Air Patrol so that in this particular type of an instance the person...the family of the person who has been harmed is capable of receiving remuneration from the state. I think it's a good idea and it includes us in case any of our secretaries decide that something should be done to replace us, I think, doesn't it Charlie? I would appreciate your 'yes' vote for this and I thank you very much."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also rise in support of this for several reasons. I echo the remarks of the previous speaker concerning protection for DCFS workers. That's a good and valuable part of the Bill and one that needs...in of itself...justifies support. The repeal in the change of the Burn Reporting Act also in and of itself makes it worthy for the support of the House. Given that those are the two major parts of the Bill, I would ask and solicit your support and approval of this Conference Committee Report."

Speaker Breslin: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, will the Gentleman yield to a question?"

Speaker Breslin: "He will."

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Wait: "If a person was driving in an automobile...a state employee and was in the line of duty and he was killed in an auto accident, would that be defined as killed in line of duty?"

Curran: "To establish legislative intent, I'm glad you asked that question. The answer is no."

Wait: "No. Thank you."

Speaker Breslin: "Representative Curran to close."

Curran: "Madam Speaker, I think this Bill has been discussed adequately. I think that people understand it. I think the Members understand it. I simply move for the adoption of Conference Committee Report #1."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3570?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', 1 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3570. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2127, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. In the Conference Committee...relax...they asked to receive from House Amendment #2 which was an Amendment that provided a lien for taxes imposed upon conviction of the persons only at the request of the States Attorney. The Conference Committee Report asked to have that Amendment removed. I ask for...what does the Bill do now? I ask that we recede from House Amendment #2."

Speaker Breslin: "The Motion before us, Representative Parke, is that we adopt the First Conference Committee Report. Are

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you indicating that that Conference Committee Report has the House recede from Amendment #2?"

Parke: "Yes."

Speaker Breslin: "House Amendment #2. Very good. The question that the Gentleman presents is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2127?' Is there any discussion? Hearing none, the question is, 'Shall the Conference Committee be appointed...Shall the Conference Committee Report be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no' and none voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 2127. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1532, Representative Steczo. Representative Steczo. Out of the record. Senate Bill 1697, Representative Kulas. Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that the House do adopt the First Conference Committee to Senate Bill 1697. What the Bill originally did it increased the monetary scholarship awards in the Illinois State Scholarship Commission from \$3100.00 to \$3200.00. It now just increases the annual monetary awards for full time students by only \$50.00 from \$3100.00 to \$3150.00. And I would ask for the adoption of the First Conference Committee Report."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on Senate Bill 1697. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield for

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one question?"

Speaker Breslin: "He will."

Cowlshaw: "Representative Kulas, does this Conference Committee Report not also include the new figure for the map awards for part time students as well as full time students?"

Kulas: "The part time students are \$25.00 increase instead of \$50.00 increase."

Cowlshaw: "Very good. I just wanted to make certain we hadn't omitted that in the Conference Committee Report. That's all this Bill does Madam Speaker, is simply to increase those amounts by an amount that is comparable with the amount that was likely to be appropriated. And I think we should support it. Thank you very much."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1697?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Parke, one minute to explain your vote. He indicates he does not wish to speak. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1697. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1856, Representative Williams."

Williams: "Thank you, Madam Speaker. I'd like to move that the House concur with the First Conference Committee...adopt the First Conference Committee Report on Senate Bill 1856. In essence what it does is that there were originally...it set up a requirement that the truancy rate of chronic truancy be included on the local school attendance report card, then they put on a Bill that would have included the composite rate and then in fact after...and they made it

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into a shell. They later went back, took off the composite rate, took off the shell Bill and left it in its original form, which it does nothing more but to add chronic truancy rates as one of the areas to be reported in the school report card. That's basically all it does."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on Senate Bill 1856. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. I am certainly in accord with the fact that what this Bill provided for in the beginning and which it now...is the only thing that it does is certainly very much called for. And it's information we should have had many years before now. And I'm sure will be very useful. However, Madam Speaker, I have an inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Cowlshaw: "Madam Speaker, the copy that I have of the First Conference Committee Report on Senate Bill 1856 says on line 10 to Senate Amendments 1 and 2. I would suggest to you that that is a mistake. That language should say to House Amendments 1 and 2 to Senate Bill 1856. Now, Madam Speaker, if the Parliamentarian would look at that, my records show that those were House Amendments and this is obviously just an inadvertent error. If it is okay to just amend it on its face..."

Speaker Breslin: "It is not okay to amend it on its face."

Cowlshaw: "It is not, okay."

Speaker Breslin: "We will look at it and if it needs to be redone we will have it reissued as quickly as possible."

Cowlshaw: "Representative, I'm sorry but I do believe that that is in error. If you're going to get it enacted you want it to be right."

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Speaker Breslin: "Out of the record. House Bill 36...Ladies and Gentlemen, I'd like both sides of the aisle to look at House Bills 3636 and Senate Bill 1581. The Bills have been on your desk but not for the requisite period of time. So if you would look them over and advise the Chair as to whether or not you would like to waive the rule to proceed on those or not, I would be willing to entertain such a Motion. Representative McCracken."

McCracken: "We're ready to proceed on 3636."

Speaker Breslin: "Okay. Is the other side of the aisle equally ready? Okay. Representative McCracken moves that we waive the rule allowing Senate Bill 18...excuse me, House Bill 3636 to be heard immediately. Are there any objections? Excuse me...Repre...there is an objection. We'll have to wait. Okay we'll get back now to Representative McCracken's Motion again. The Motion is that we waive the rule so that House Bill' 3636 can be heard immediately. Are there any objections at this time? Hearing none, the rule is waived. House Bill 3636. Representative Cowlshaw is recognized."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The First Conference Committee Report on House Bill 3636 has four separate provisions. First, it provides the State Library and Per Capita Grant to public library systems increased from 1.293 Per Capita to \$1.3219 and 45.3944 per square mile to \$46.4583 per square mile. This is a 3 percent increase and it is included in the Secretary of State's Appropriation Bill. It also includes a provision that enables the State Library to direct an office of preservation for the purpose of preserving library and archival resources of Illinois and we are told by the state librarian that that can be done with existing facilities and existing resources. Third, it includes a

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provision that Representative Grace Mary Stern asked us to include in this Bill. It amends the Library Act to allow further elaborations of the contractual powers of the library system to allow individuals and in this instance a military base, Fort Sheridan, that are not included in the systems jurisdiction to utilize that library and its facilities. Representative Stern tells me that right now if we don't get this adopted when there are children who live on Fort Sheridan and want a book from the public library, one of the officers has to go to the library to get the child a book. And finally this Section provides that members of the State Genealogical Society are entitled to use the State Archives during regular hours to keep records and to assist if they are needed as volunteers in archival projects. Madam Speaker, to the best of my knowledge there is absolutely no opposition to this Bill. The only area in which there is cost is a carefully in accord with the Secretary of States Appropriations for this year. And I move its adoption."

Speaker Breslin: "The question is...the Lady has moved the adoption of the First Conference Committee Report on House Bill 3636. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3636?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting...116 voting 'aye', 1 voting 'no' and none voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3636. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on the Order of Concurrence on page 3 of your Calendar appears House

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Bill 3280, Representative Matijevidich."

Matijevidich: "Madam Speaker, Ladies and Gentlemen of the House, on the Order of Concurrence, House Bill 3280. I move to nonconcur with Senate Amendments 1, 2, 3, 4, 5, 6, 7 and 8. This is the appropriation for the State Board of Education. This is so that the Bill can be put into a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1, 2, 3, 4, 5, 6, 7 and 8 to House Bill 3280?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in the Senate Amendments to House Bill 3280. House Bill 3281, Representative Matijevidich. Representative Matijevidich."

Matijevidich: "Madam Speaker, in the Order of Concurrence on House Bill 3281, I move to nonconcur with Senate Amendments #1, 2 and 4. This is an appropriation to the State Board of Education on the categoricals. And I would move to nonconcur with those Amendments again so that the Bill can eventually be put into Conference Committee."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 1, 2 and 4 to House Bill 3280 (sic - 3281)?' All those in favor say 'aye', the opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendments 1, 2 and 4 to House Bill 3280 (sic - 3281). House Bill 3282, Representative Didrickson."

Didrickson: "Yes, thank you, Madam Speaker. I move to nonconcur in Senate Amendments #1 and 2."

Speaker Breslin: "You've heard the Lady's Motion. Is there any discussion? Hearing none, the question is, 'Shall the

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House nonconcur in Senate Amendments 1 and 2 to House Bill 3282?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. And the House nonconcur in the Senate Amendments to House Bill 3282. Representative Giglio in the chair."

Speaker Giglio: "I'd like to make an announcement that the Democrats will now go to Caucus in Room 114 immediately. Representative McCracken, the Republicans will Caucus also in Room 118 immediately. House will stand in recess. The House will be at ease for at least another half hour, 45 minutes."

Speaker Breslin: "Ladies and Gentlemen, the House will come to order. All unauthorized persons please remove yourselves. Gentlemen, all unauthorized persons must leave the floor. Mr. Doorkeeper, please clear the floor of unauthorized people. Representative Matijevich, for what reason do you rise?"

Matijevich: "Madam Speaker, in Chicago it's the 8th inning, the Sox are losing 5 to 3. Here it's 9th inning and the score is tied."

Speaker Breslin: "Mr. Doorkeeper, there are still unauthorized persons on the House floor. On Supplemental #3 under the Order of Conference Committee Reports appears Senate Bill 1532, Representative Steczo. Out of the record. Oh the Gentleman is here, Representative Steczo is recognized on 1532. Out of the record. Senate Bill 1581, Representative Novak."

Novak: "Thank you, Madam Speaker, Members of the House of Representatives. Senate Bill 1581 establishes the Kankakee River Valley Airport Authority. It passed the House by a vote of 95 to 12 I believe and I just want to reiterate what the Amendments are. Senate Amendment #1 or House Amendment #1 authorized 25 million dollars in bonds

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for insulating homes and buildings and industrial areas around O'Hare Airport and Midway Airport. House Amendment #2 defined Kankakee Valley area as Kankakee County. House Amendment #3 included specified Midway Airport and the hospitals and dwellings and schools and other structures situated around that airport. And House Amendment #4 removed the bonding authority for the airport authority. We have a new Amendment that was added on in Conference Committee that I'm asking everyone to support. And I would like to defer to Representative Cowlshaw if I may for an explanation of that Amendment."

Speaker Breslin: "The Lady is not present. The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 1581. On that question, the Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Madam Speaker, Members of the House. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Hensel: "What is a restricted landing area as it's designated in the Conference Committee Report?"

Novak: "Restricted landing area?"

Hensel: "Right."

Novak: "It applies to small private airports, Representative Cowlshaw's Amendment applies to 2 or 3 airports. One in Kane County and 2 in Southern DuPage County. It has to do with air traffic safety hazards."

Hensel: "When you say a small private airport, it's not an airport authority then?"

Novak: "No, it's a private airport and is not a airport authority."

Hensel: "Okay, thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

Piel: "Phil, would be...excuse me, I'm sorry, Madam Speaker,

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would the Gentleman yield for a question?"

Speaker Breslin: "He indicates he will."

Piel: "Thank you. Phil, it would help if we knew the exact wording and terminology and exactly what was included in the Conference Committee Report. Can your staff help you out or can we take it out of the record for a couple of minutes until Marylou gets back?"

Novak: "No, no."

Piel: "So we can find out exactly what..."

Novak: "We concurred on all the Amendments that were on the House, Representative, and the Senate refused to concur. And we're...and the Senate has concurred with all of our Amendments. We want to add this other Amendment on and wish the adoption of the Conference Committee Report."

Piel: "That's what I'm asking. What is the other Amendment? That was the thing that you referred to Marylou Cowlshaw and she wasn't here."

Novak: "The other Amendment I was just explaining to Representative Hensel. It has to do with air traffic safety hazards for small private airports. Three specifically this provision is relegated to, 2 in Southern DuPage County and one in Kane County."

Piel: "What are the airports in question? Do you know their names?"

Novak: "It passed on House Bill 16 last year, and I don't know exactly the names of the airports. But they're small private airports."

Piel: "Thank you very much."

Speaker Breslin: "Hearing no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1581?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Cowlshaw, one minute to explain your vote."

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Cowlshaw: "Thank you, Madam Speaker. The three small privately owned airports that would be protected by this portion of the Bill, one is located just south of Elgin, one is located just south of Naperville and the other just south of Downers Grove."

Speaker Breslin: "Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 3 voting 'no', 4 voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1581. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2028, Representative Hannig."

Hannig: "Thank you, Madam Speaker, Members of the House. The...I would first move that we adopt the First Conference Committee to Senate Bill 2028. This would ask that we...that we concur..."

Speaker Breslin: "Representative Hannig. Representative Hannig."

Hannig: "The Conference Committee request that we adopt all the Amendments. And very briefly the Bill provided for some agreed mandates which we've passed last week. It also had some provisions for alternative fire prevention and safety changes. It included an Amendment by Representative Hoffman which clearly stated that for half day basis...shall be paid for the half...that clearly stated that half days shall be paid for half days proceedings for state reimbursement of extraordinary special education. Amendment #5 was Representative Mautino's for Northern Illinois. Representative Giorgi's Bill was Amendment #6 which we passed out earlier and has to do with regional superintendents. Those are all remaining on the Bill and there was some additional language that the Conference Committee asked that we include, which is to extend the

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current scholarships available to qualified vocational educational teachers. That was Karen Hasara's Bill, expands the eligibility to seek the elective office of regional superintendent. Establishes a seniority list for educational support personnel, which was Granberg's Bill. Creates optional and regional summertime math and sciences academies, Phelp's Bill. And a provision supported by the Illinois State Board which is a clarification of time enlistment for certification of early childhood teachers. And I would...and then the report was signed by all Members of the House."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on Senate Bill 2028. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Cowlshaw: "Representative Hannig, in this Conference Committee Report there is one portion that was not formerly included in this Bill, it appears on page 4 of the Conference Committee Report and it has to do with the making of lists by school districts of noncertified personnel. That portion originally appeared in the Bill sponsored by Representative Granberg and he realized that it was rather controversial and so when he issued his Conference Committee Report he very wisely I think took it out. Consequently this is a controversial portion of this Bill and because I think it is truly important for us to establish the legislative intent of this Section because it refers to educational support personnel. I would like to ask you for the record if in your view as the Sponsor of this original legislation and of this Conference Committee

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Report I am going to read you a definition of educational support personnel and ask you if that is your intention, your legislative intent as to the meaning of that term in this Conference Committee Report. Educational support personnel, definition, a full time employee of a school district who is regularly engaged in educational support services of a nonsupervisory or nonmanagerial nature. Is that definition in accord with your Legislative intent?"

Hannig: "Representative, the underlying Bill is exactly that of Representative Granberg's, Senate Bill, that he sponsored in the House, Senate Bill 2147, and I'm advised that your definition is not what he had in that Bill and what is in this Bill."

Cowlshaw: "That is not your legislative intent."

Hannig: "So the answer is no."

Cowlshaw: "Then what is your definition, in accordance with the provisions of this Conference Committee Report of what constitutes educational support personnel."

Speaker Breslin: "Any further discussion?"

Cowlshaw: "He didn't ever answer the question."

Speaker Breslin: "Representative."

Hannig: "Madam Speaker, for the purposes of this Bill which is Representative Granberg's original Bill, could I defer to the Representative to answer that question?"

Speaker Breslin: "Which Representative?"

Hannig: "Representative Granberg."

Speaker Breslin: "Representative Granberg. Have you been following the discussion, Representative Granberg? Representative Cowlshaw, repeat the question she wants to establish, Representative."

Cowlshaw: "Representative Granberg, for the purposes of these listings of noncertified personnel, educational support personnel, I would like to read you a definition of

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educational support personnel and ask if it is your and Representative Hannig's legislative intent that that is the correct definition of educational support personnel. Here is the definition: a full time employee of a school district, regularly engaged in educational support services of a nonsupervisory or nonmanagerial nature. Is that a definition that fits in your legislative intent?"

Speaker Breslin: "Representative Granberg."

Granberg: "Representative Cowlshaw, my legislative intent does not apply here. It was my understanding when I Sponsored that Bill, I did not put that in the Conference Committee. I deleted that Amendment that was added, that I added on this floor. I did not know this provision was in this Conference Committee Report. I have not seen this language and I have no legislative intent when it comes to interpreting the language in this Conference Committee Report. I was not aware that this language was in here."

Cowlshaw: "Thank you, Madam Speaker. If I may to the Bill. It is very important when we pass anything that is a mandate and this is another requirement placed upon our public schools it is important to understand to whom it applies and to have clarity about the definitions of terms. The Sponsor of the original legislation and the Sponsor of this Conference Committee Report neither one can provide a definition that is clear, concise, and simple as to what is meant by a major term in their legislation and if for no other reason than that Madam Speaker, I think that this Conference Committee Report should be opposed. Thank you."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "He will."

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Black: "Thank you, now which Sponsor am I talking to?"

Speaker Breslin: "Representative Hannig."

Black: "Hannig, okay, thank you. If you would, Representative, on page 5, of the Conference Committee Report, Section 14(a)9, Regional Programs. I believe I know what you are attempting to do and it was fairly debated and discussed in committee. But as I read this it doesn't make any reference to what it says school districts may enter into agreements with accredited public or private universities or colleges, etc. It does not specify that those accredited public and private universities or colleges must be in the State of Illinois. I would assume that would be your intent."

Hannig: "Yes, that's correct."

Black: "So perhaps we should establish that as legislative intent. I believe it takes an interstate agreement or compact to do that but it certainly isn't clear in the language in this Conference Committee Report."

Hannig: "It certainly is my intent and I think this does clarify that, Representative."

Black: "Thank you very much, Representative."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield, Madam Speaker?"

Speaker Breslin: "He will."

Klemm: "Representative Hannig, just for legislative intent, on page 5, lines 18 thru 22. We notice that you say that academies shall to the extent possible be funded from existing state, federal, and private monies available for gifted education programs in mathematics and science. I was wondering if its your legislative intent that they, these academies could dip in or use the monies that have been ear marked for the Illinois mathematics, mathematics

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and science academy that we've established already separately?"

Hannig: "No, they would not and I might point out these are optional programs."

Klemm: "Alright, thank you very much."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2028?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 86 voting 'aye', 28 voting 'no', 1 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 2028, and this Bill, having received the Constitutional Majority, is hereby passed. Senate Bill 153...Representative Leverenz is recognized for a Motion."

Leverenz: "Thank you, Madam Speaker, I would move at this time to suspend the appropriate rule to extend Senate Bill 1836 to December 1st."

Speaker Breslin: "Until what date?"

Leverenz: "December 1."

Speaker Breslin: "The Gentleman has moved to extend the deadline date on Senate Bill 1836, until December 1, 1988. On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "What is Senate Bill 1836?"

Speaker Breslin: "Representative Leverenz."

Leverenz: "A vehicle."

McCracken: "For what?"

Leverenz: "Well, it doesn't have wheels on it yet, so I believe it's an appropriations Bill a Shell Vehicle at this time."

McCracken: "Okay, thank you."

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Speaker Breslin: "Is there any objection? Hearing none, the deadline for Senate Bill 1836, is extended to December 30, December 1st, 1988, by use of the Attendance Roll Call. The next Bill is Senate Bill 15, 1532, it's on page... Supplemental #3, it's under Conference Committee Reports. Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I would move to adopt the First Conference Committee Report on Senate Bill 1532. Senate Bill 1532, contains a lot of municipal provisions, relating to some of the Collar Counties areas and downstate. In addition, Madam Speaker, the Conference Committee has sought to, sought to have the House recede from Amendment #3. Amendment #3, if you'll recall a couple days ago or last week was the provision on unclaimed property from the county going back to the county. Well, we found out where the state would be losing the dollars so we have provided that the House recede from that Amendment. So let me reiterate that the House is receding from that one controversial Amendment. In addition, we adopted language in the conference report recommended by Representative Countryman. Which allows counties to regulate zoning of gravel pits, even when they are connected to agricultural areas. We provide that on allowance to the county to adopt a less stringent set of street and road regulations for the acceptance of private roads in the public and township road systems. With a three-fifths vote of the county board provided that those were planted subdivisions built prior to 1959, we've allowed that a township official can be appointed to a fire protection district if he is not eligible to vote on such an appointment we also provide for a court security fee which will not exceed fifteen dollars this is a provision currently in Lake County that's being applied state wide.

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And we provide an authorization from one to seven million dollars for the botanical gardens. And, Madam Speaker, those are the provisions of the Conference Report. I would answer any questions, and if not appreciate an affirmative vote."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 1532. On the question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will."

Hultgren: "Representative Steczo, you made reference to increasing the embonded indebtedness for the botanical gardens, do I understand correctly then that that would automatically result in an increase in the property tax to retire those bonds?."

Steczko: "To the extent, Representative Hultgren, that those bonds are used in property taxes, would be used to retire the bonds. I would presume that it could result in that."

Hultgren: "In there would be authority to increase the property tax without a referendum to the voters."

Steczko: "We are authorizing an increase in the bond funds, whether or not that would necessitate in an increase in the property tax is unclear."

Hultgren: "I'm sorry, you tailed off with your response. Whether or not it would require an increase in the property taxes, is what?"

Steczko: "This is just the authorization, Representative, it's not clear. My understanding is that when this issue was brought up before somebody indicated that there was enough right now, to retire any current or future bonded indebtedness. So it may not require a property tax increase."

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Hultgren: "I'm looking at page 5, line 26. It indicates that the corporate authorities of the district, I assume that's the forest preserve district, shall provide for the levy of a direct annual tax upon all the taxable property in the district sufficient to pay and discharge the principle of such bonds at maturity. If you increase the bonding limits from a million to seven million wouldn't you therefore have to increase the levy. And are we not then increasing the levy in the forest preserve district?"

Steczko: "You're presuming that the entire seven million dollar levy would be used for one. And secondly, it is my understanding that perhaps there may be enough dollars generated now to be able to handle the debt service and the portions of the bond indebtedness over twenty years to handle that. If that's incorrect, yes, there would probably have to be an additional levy to be able to handle the additional bonded indebtedness."

Hultgren: "Thank you, Terry, for answering those questions. Thank you, Madam Speaker."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House, I rise in support of this legislation. The botanic gardens has waited many months for permission to issue bonds to put in this sewer system which they need. It is a jewel in the crown of the Cook County Forest Preserve and of the State of Illinois and I urge your support."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Point of personal privilege, Madam Speaker. I think it would be awfully nice if the media with kleig lights would confine them to the rear gallery while we're down here late at night. I don't think the Members need to have kleig lights shining in their face from the Speaker's Gallery or the Democrat Gallery or the Republican Gallery. So I wish

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the media would confine their kleig lights to the rear gallery when they shine on our backs. It's late at night and I don't think we have to look into those kleig lights. So I would appreciate there turning them off up there and I wish the Speaker and the Leadership would request them not to turn them back on for the rest of the evening from those galleries. Thank you very much."

Speaker Breslin: "Your remarks will be noted. Is there any further discussion on this Bill? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1532?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 75 voting 'aye', 39 voting 'no', 3 voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 1532, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Capparelli is recognized for a Motion."

Capparelli: "Madam Speaker, I would like to reconsider House Bill 3380, by the vote by which it had passed."

Speaker Breslin: "The Gentleman... the Gentleman has moved to reconsider the vote by which House Bill 3380 passed, having voted on the prevailing side. On the question, the Gentleman from DuPage, Representative McCracken. The Motion is the vote by which Amendment #2 was adopted. Representative McCracken is recognized."

McCracken: "Thank you, Madam Speaker. Representative, do you have intentions for using this for some other purpose? Is that why you're asking us to reconsider the vote?"

Capparelli: "No."

McCracken: "Does someone else have the intention?"

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Capparelli: "Nobody that I know of. I wouldn't allow them to do that anyway."

McCracken: "We hear that the State Treasurer wants to use this for some of his credit card initiatives and that's the reason, because he lost his vehicle."

Capparelli: "Absolutely, false."

McCracken: "Well, then what do you want to do with it? Why do you want us to reconsider the vote?"

Capparelli: "To tell you the truth, I'll tell you why. My dear friend Bob Terzich here, told me that what I had done this morning was anticonsumer. That extending the date for a full year was actually anticonsumer legislation and I want to bring it back to the date 7/1/88 instead of giving it to 1/1/89."

Speaker Breslin: "The Gentleman from Cook... Representative, are you finished?."

McCracken: "I can't think of anything to say now that he has denied the credit cards."

Capparelli: "Thank you very much."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. If this is the only reason that the Chief Sponsor wants to change it, I would have to disagree with him. I am a hyphenated Sponsor on the Bill. The Bill has passed out of here overwhelmingly and I think it's a situation where I've talked to the commissioner of banks and this is not something that just overnight can be instituted. It is something that's going to take, his feeling was six to nine months, to get all the paperwork and everything ready to institute in this piece of legislation. That was the reason that they had 1/1/89 on the Bill and I would ask for a negative vote on the vote to reconsider. I voted for the Bill and the Bill is in good shape right now. The Senate

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Sponsors have no problem with the Bill the way it is right now. And I would ask for a negative vote on the Motion."

Speaker Breslin: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, I rise in support of the Motion to reconsider the vote. Really, we errored. What we should have done was nonconcurrred with Amendment #2 and I'm sure the Senate would have receded from that Amendment because if we don't do that and if we, in effect, delay the implementation for a year, we are really being anticonsumer. So that if you want a proconsumer vote, you would support the Motion to reconsider the vote. So I urge the Members, both on this side of the aisle and on the other side of the aisle, if you are proconsumer oriented, that you vote to reconsider this vote."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madam Speaker, Members of the House. Due to the noise level, I couldn't really hear his explanation. Could the Sponsor again indicate to the chamber why he wants to reconsider the vote?"

Speaker Breslin: "Representative Capparelli, tell us one more time why you wish to reconsider this vote."

Capparelli: "The reason I'm trying to reconsider the vote. I extended the date by one year and I thought it might be anticonsumer. I'd rather have them do it effectively as soon as possible."

Hallock: "Well, Madam Speaker, Members of the House. It seems to me very logical that this Bill, when we passed it, had a lot of merit. We all supported it. Then there is no reason really to reconsider the vote at this point in time. I don't really believe the Sponsor's explanation is sufficient nor does it sound like he really believes it

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himself. In any case, this is a good Bill. We passed it once, let's be done with it. I urge you to vote 'no' on this reconsider Motion."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, if we voted on this Bill earlier today, how come we are doing it again now?"

Speaker Breslin: "The Gentleman has a right to move to reconsider the vote and he has done so."

Ewing: "I understand the parliamentary right, but how long does it take the Bill to fly out of here? I mean, to the next House?"

Speaker Breslin: "Just depends."

Ewing: "Just depends?"

Speaker Breslin: "This is a House Bill and it never left this House, according to the Clerk."

Ewing: "I guess probably it didn't. But I mean usually, could you give us any idea about how long it usually takes for the Clerk's Office to handle this or is this another one of those strange things that happens in the Clerk's Office."

Speaker Breslin: "It takes thirty days before we send it to the Governor."

Ewing: "Pardon?"

Speaker Breslin: "It takes thirty days before we send it to the Governor. Thirty days."

Ewing: "But there have been Bills that have passed this week that the Governor has already signed, that the Speaker probably wanted signed and they're down there and they are signed. I'm just wondering why this one had stranger treatment, Madam Speaker. I think... I won't question you any farther. I understand that you're just doing your job. You do that very nicely, but I would say to the Ladies and Gentlemen of this House, that it's a little late for this

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type of gamemanship. You're trying to do something here you won't tell us what and you expect us to jump through the hoops and reconsider this. This Bill has been passed. It should be on the way to the Governor's desk and I would advocate and ask the people throughout this House, not just on this side, everyone in this House, to stand up for what's right and vote 'no'."

Speaker Breslin: "The Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Madam Speaker, Ladies and Gentleman of the House. It seems to me that if we've already passed the Bill, that if we put this in Conference at this late hour it'll have the effect of really killing the Bill. And I think that is really unfair and I certainly would recommend to the Members of this House that we be fair and not support this Motion."

Speaker Breslin: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "I move the previous question, Madam Speaker."

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed 'nay'. In the opinion of the chair the 'ayes' have it. The main question is put. Representative Capparelli to close."

Capparelli: "I would like an 'aye' vote on this. Thank you."

Speaker Breslin: "The question is, 'Shall the House reconsider the vote by which the House concurred in Senate Amendment #1 and 2 to House Bill 3380?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative McAuliffe, for what reason do you still seek recognition? On this question there are 28 voting 'aye',

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71 voting 'no', 3 voting 'present'. The Motion fails. Supplemental Calendar #6, Conference Committee Reports. Senate Bill 1839, Representative Braun, Berrios and Levin. Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm proud to lead off in presenting the most important single Bill to come before this Body this spring. Senate Bill 1839 brings fundamental and radical reform to the Chicago public schools. It is the calumination of a grass roots movement for school reform in Chicago, which began following the school strike in Chicago last fall."

Speaker Breslin: "Excuse me. Representative McCracken, for what reason do you interrupt?"

McCracken: "I object the consideration of this at this time. It hasn't been on the Member's desk for one hour. It came out about ten minutes ago."

Speaker Breslin: "Representative Levin."

Levin: "I believe that we waived that rule earlier today."

Speaker Breslin: "We have...Representative Levin, we have suspended that rule on other Bills today, but it must be done on each individual Bill. Representative Levin is recognized to make such a Motion."

Levin: "Thank you for correcting me, Madam Speaker. I was in error. I would move at this point that we waive that rule so that Senate Bill 1839 can be heard at this point."

Speaker Breslin: "The Gentleman moves to suspend Rule 79(d) so that this Bill can be heard immediately, in spite of the rule that the Amendment be on your... or that the Conference Committee Report be on your desk for a minimum of one hour. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Before I proceed, point of order. It requires 71 votes to suspend the rule and to the

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Motion."

Speaker Breslin: "It only requires 60 votes. If you wish to address your remarks to that as well, but I'm informed it only requires 60 votes. Proceed."

McCracken: "Alright, this is the Chicago Reform Bill as I understand it. And although I guess we've had a long time to debate it for some reason now there is a rush to consider it. If you were to comply with the rule for one hour you would still have enough time to debate and vote on this matter prior to the 12 o'clock deadline and I would ask you in the name of not only the Members of this body but of the public, the media, parents and school children of the City of Chicago, to give this the deliberation it is due. Don't try to ram this down our throats, Representative Levin, don't pick up your microphone and interrupt, let us have a chance to review this, Let us have a chance to give this its consideration and it's due. Do not ram it down our throats and call it reform, because you will be judged not only by the content of this document but by the means by which it is considered. Do not do this, do not call it reform, Representative Levin, please withdraw your Motion, don't do this injustice to us, we have to consider this Bill in its proper course."

Speaker Breslin: "The Gentleman from Cook, Representative Preston on the Motion. You don't wish to speak. Representative Tate, for what reason do you seek recognition."

Tate: "Thank you, Madam Speaker. On a point of order. Because of the significance of this issue and because of the magnitude of the implications if we continue to conduct the business of this House accordingly. I think it is in the right of any Member to request an oral verified Roll Call and I would therefore request that the Speaker have a oral verified Roll Call on this Motion. And."

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Speaker Breslin: "I would certainly consider that Representative."

Tate: "And I have the sufficient number of Members to join me."

Speaker Breslin: "Very good, that will be just fine. And on the same question the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. To the Gentleman's request, Representative, what you said a while ago is true. This may be one of the more important items we're going to discuss before adjournment, I would submit to you, you're a man of integrity, this Conference Committee Report is ninety three pages long, it deals with one of the more important aspects that we must consider before we leave. It is ninety three pages long, it hit my desk at 10:32 p.m. Now in all that is fair, for the children of the City of Chicago I would hope that you reconsider your request for immediate consideration. I appeal to you to do that, Sir."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Madam Speaker, Members of the House. We've been in Session now, approximately two and a half months and I would say that probably one of the first issues we began discussing back in April when we began the Session was school reform in Chicago. We've debated this back and forth for the past two and a half months. We've had many different proposals, from all different sides and try to look at all the different issues, but to now present before this chamber and ask for a vote within the ten minute time period, this issue is absurd. If this issue is as important as we all believe it is and I think we all really believe that's strongly we ought to have some time to digest this Bill to see what is in it before we debate it a vote on it. If you in all sincerity, Mr. Sponsor want

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to have the support on our side of the aisle on this issue you ought to at least give us some time to look at it and digest it and see if it's in the best interest of our people. And the people of Chicago as well. This is a bad idea. I oppose the Motion."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker. If I may join in the appeal to the Sponsor as as you know and many know here on the floor of this House, I try and keep track of these Amendments and make a conscientious effort to look them over before voting on them. And the Conference Committee Reports, this one as has been pointed out is of some length and there is no way that I am going to have a chance to digest it in the some twenty minutes that its been here on my desk. You give me some time to look it over perhaps I'll be able to join you in supporting the Conference Committee Report, but if I don't have adequate time to review it, I don't have any choice but to oppose it and I really don't want to do that for the children in the City of Chicago. So, I would join some of the others who have pleaded with you, withdraw your request for immediate consideration, give us an opportunity to review this, so that we can join you in supporting it, for the children of the City of Chicago."

Speaker Breslin: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Just to further plea to give us, I've been, give us more time I'm on page 24 now, just a great deal of information to go over and then to digest. It's just unbelievable that you are serious in your attempt to lay this on our desk and then ask us to give consideration to

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what you called one of the most important issues of the day and possibly of the Session and then you don't even want to give us time to consider what it is you've presented us with. It's just a travesty that you've made the Motion to over, to change the rules and now we've had to take further time away from our reading of your Conference Committee Report in order to defend ourselves so that we have more time to read it. So here we are now were going to be left with thirty minutes left to digest what is a very important issue, people are...so let's well you can continue your demonstrations if you wish but the fact of the matter is that this is an important issue and you really don't seem like you want to address it. So I urge the Gentleman to withdraw his Motion so that we can give this some consideration."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker. I too share concern about whats happening in the Chicago schools, being a product of Chicago Schools I certainly know the need for reform obviously. However, to receive a ninety three page Amendment, that pretends to do something that we have no idea what it says I think is really an injustice for all of us. As we look through the Amendment quickly as we're talking because were trying to learn as much as we can about this important issue, I think many questions remain to be asked ourselves before we know what questions to ask. Obviously, I'm looking for some time obviously to review this while I'm standing here because I know that as we go along we certainly have the issues, I think Representative Stephens was, got as far as page 24, he's perhaps a very fast reader, I'm only on page 18. I see on page 18, a number of questions that I would have along with other

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pages, so it really seems that it would be the best interest of educating our children in Illinois and particularly in Chicago if the Sponsor would withdraw his Motion and we could debate this issue more intelligently so that we could perhaps answer some of the questions of the crying needs of our children in Chicago which we are all concerned about. So I would certainly like to ask and employ the Sponsor to withdraw this so that we can debate this with the intelligence and with the time that I think this issue deserves. Thank you."

Speaker Breslin: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker, and Members of the House. I have to tell you that I am absolutely shocked, shocked that we are being asked to look at this and to come up with school reform for the City of Chicago. What have we been doing the past six months, all we've been talking about is school reform, school reform, now you want to ram this right down our throats and were gonna make a decision for what's good for the wonderful children of Chicago. I really, really, am very upset about this, and Representative I would certainly hope that you would take back that Motion."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think if all Members of the House would consider what the Gentleman is asking in what they are exactly looking in. You're talking about what was characterized by the Speaker of the House, by the President of the Senate, and the two minority leaders, is probably the most major piece of legislation this Session. Your talking about a situation to where your given a ninety page Conference Committee, a ninety three page Conference Committee Report and asked to vote on it in the course of ten minutes. I mean even if we happened to be a speed reader there is no

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way that we would have a chance on either side of the aisle and I can ask any of my Members or cohorts on the other side of the aisle you have not had a chance to digest it. I think the Sponsor of this Motion is not being fair to either side of the aisle, Ellis, I mean maybe you've had a chance to read it, I doubt if you've had a chance to read this thing Ellis and I don't think its fair because your talking about the major piece of legislation of this time and you want to ramrod it down the throats of the eleven million people of this state. It's not fair you know it, why don't you withdraw your Motion. We can call the Bill in about forty five minutes and then you can go on with your Roll Call line."

Speaker Breslin: "Representative Capparelli is recognized to close. Representative Capparelli. Representative Levin is recognized to close."

Levin: "Madam Speaker, I think all of the Members of this Body are very, very familiar with this proposal it has been debated and discussed in caucuses it has been discussed and debated for weeks. I would urge that we adopt the Motion."

Speaker Breslin: "The question is 'Shall the rule be suspended so that this Bill Senate Bill 1834, can be heard immediately.' All those in favor vote 'aye' all those opposed vote 'no'. Representative Huff is recognized for one minute to explain his vote. Representative Huff."

Huff: "Thank you very much, Madam Speaker. I believe that with Gabriel, when Gabriel blows his trumpet signaling the end of time and the day of judgement Republicans will still be on page 2 of this legislation. I think it's just so much Republican hiperbalies and postering with regards to this matter, they haven't had an original idea since Lincoln was a boy. They're not gonna vote on this legislation anyway, Ladies and Gentlemen, so I don't see why we should waste

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time and waste twenty minutes when we could have been reading this Bill. Let's get on with the business of the House and approve this rev..."

Speaker Breslin: "Your one minute is up. Representative Hoffman, one minute to explain your vote. Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Gabriel didn't blow his horn, but my understanding is that the Senate has already turned this piece of legislation down and at least at this juncture in time this may be a moved point."

Speaker Breslin: "Representative Hallock, for what reason do you seek recognition. I believe you spoke in debate is that true?"

Hallock: "I did Madam Speaker but on a procedural point, I believe one of our Members asked for an oral verified Roll Call, and was joined by ten other Members and therefore that should be granted."

Speaker Breslin: "We have consulted the rules, the rules provide that an oral verified Roll Call can be called at the direction of the Speaker. I have consulted with the Speaker, and it has been determined that we will use a an electric Roll Call. That is the ruling. The Gentleman. Representative Hallock. Representative Hallock."

Hallock: "Madam Speaker, the rules also call for the provision whereby a Member if he is joined by ten other Members may call."

Speaker Breslin: "Representative Hallock, I think you'd. I think you'd better read the rule again."

Hallock: "Madam Speaker."

Speaker Breslin: "The Gentleman from Will, Representative Regan, one minute to explain your vote."

Regan: "Thank you, Madam Speaker, Members of the House. You talk about school reform here, you expect us to digest this

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thing, the ninety three pages. I wonder if some of the students that were trying to help in the City of Chicago how long would it take them to read this report."

Speaker Breslin: "Okay, Representative Levin you're recognized on a substitute Motion."

Levin: "No, can we take this Out of the Record."

Speaker Breslin: "Out of the Record. Representative Levin, would you come to the podium please. Representative Levin, you are recognized for a Motion. Gentlemen, Gentlemen, Gentlemen please. And Ladies but it's the Gentlemen who are making all the noise. Representative Levin."

Levin: "Yea, Madam Speaker, since I think the Gentlemen on the other side of the aisle was correct that the, this Bill failed in the Senate I would at this point ask for a Second Conference Committee."

Speaker Breslin: "The Gentleman has asked for a Second Conference Committee. And the Second Conference Committee will be appointed. Representative Tate, do you still seek recognition. Representative Ewing."

Ewing: "Madam Speaker, that Bill was taken out of the record, during the middle of a Roll Call."

Speaker Breslin: "Representative, it was taken out during the Motion at the suggestion of one of your leaders saying that it was a moved point since the Conference Committee had already failed in the House. So that was the reason for the action. Representative Klemm, for what reason do you seek recognition?"

Klemm: "Madam Speaker, a parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Klemm: "You had made a ruling from the Chair on a vote that Representative Hallock had asked and I would like to call your attention to rule 55(d) the second sentence in there that does say that prior to the commencement of the vote on

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any question any ten Members may demand a verified Roll Call vote in lieu of the electrical Roll Call vote, upon such demand the Speaker shall order a verified Oral Roll Call. It says Shall, and it does continue from where the Speaker did have a right to ask for one, but it also goes on and gives us Members an opportunity to do that, and I would like to appeal your ruling and ask you again to reconsider that because I believe you are in error. That would be page 20,28 on our ."

Speaker Breslin: "Representative Klemm, the Chair stands corrected you are quite right. The Chair admits error. Representative Ewing."

Ewing: "Yes, Madam Speaker, you now have cut me off and insulted me along with my injury."

Speaker Breslin: "I'm sorry, I thought you were finished, Sir."

Ewing: "It seems to me just a few short days ago, when I tried to take a Bill out of the Record during a Roll Call, that I was told I couldn't do that. Then how come, and I think the real Speaker was in the Chair because he was very polite and nice about it all. And Madam Speaker, I don't understand how this Gentleman could take his Bill out of the record, when I couldn't take mine out of the record."

Speaker Breslin: "The reason that was given was that the issue was moved on which we were voting at that time. That was not the case in the instance you site. Representative Ewing."

Ewing: "Would you ask your directors of the electronics not to keep shutting me off."

Speaker Breslin: "Surely."

Ewing: "Thank you very much, I think that's up to this Body to decide what's mute and what isn't just like its up to this Body to decide whether my Bill would have passed. It seems to me, Madam Speaker, that you've made another error, maybe

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an error judgement, certainly an error in fairness. And what should be fair for that side should be fair for this side and I would hope that you will mark that down in your book. Maybe even in your rule book. Please."

Speaker Breslin: "Ladies and Gentlemen, we are going to go to Supplemental #5, Supplemental #5 contains Conference Committee Reports that deal with appropriations. The first Bill is House Bill 3150, Representative McPike. Representative Leverenz."

Leverenz: "Thank you, Madam Speaker, on House Bill 3150. The Conference Committee Report has three language changes only, without dollar change. And we have done these technical hats before. I vote for the adoption of the Conference Committee Report #1 on House Bill 3150."

Speaker Breslin: "The Gentleman has moved for the adoption of the first Conference Committee Report on House Bill 3150. Is there any discussion? Hearing none, the question is 'Shall the House adopt the first Conference Committee Report on House Bill 3150?' All those in favor vote 'aye' all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no'. This Bill having received, the House does adopt the first Conference Committee Report on House Bill 3150, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3162, Representative Matijevich or Leverenz. Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. This is a, this is the appropriation for the courts and I would, the Conference Committee Report transfers the two million dollar appropriation for mandatory arbitration to Cook County from GRF to the mandatory arbitration fund

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transfers four hundred and fifty thousand in GRF from operation lines to fund mandatory arbitration pilot projects, in Taswell, and Peoria counties. This brings the Supreme Courts FY89 appropriations to one fifty four million seven hundred sixty nine thousand six hundred dollars. I move the adoption of the Conference Committee Report #1 on House Bill 3162."

Speaker Breslin: "You've heard the Gentleman's Motion on the question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "I know there was some concern over the mandatory is that how you pronounce it mandatory, mandatory arbitration, and you made reference to Cook County and non-Cook County. What was the result of that?"

Matijevich: "Cook County is going to be inoperate under the thesis."

McCracken: "Is there mandatory arbitration for Cook County only in this budget?"

Matijevich: "No, there are pilot projects presently. There is a mandatory arbitration project in Winnebago County in Rockford. This Conference Committee Report allows the pilot projects in both Taswell and Peoria Counties and the with regards to the Cook County fund, Cook County rather it transfers a two million dollar appropriation from the General Revenue Fund to the mandatory arbitration fund. Tom, what what it will mean is that in Cook county the arbitration system will be financed through their filing fees. So it will be selfsustaining."

McCracken: "Well, then, I don't understand, what, where does the two million go, it goes from GRF to an arbitration program."

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Matijevich: "No, I guess, I guess I'm miss reading this. It is going to come out of the mandatory arbitration fund which will be financed through the filing fees."

McCracken: "Alright and where does the two million go then?"

Matijevich: "We are not using GRF funds at all in Cook County."

McCracken: "Okay, you said two million, and now I'm confused. Did you take two million out of some other."

Matijevich: "Yea, I think I mistakenly said transfer from GRF, what it means now, we do not use any GRF at all that the arbitration, mandatory arbitration in Cook County will be financed to the tune of two million dollars from the filing fees."

McCracken: "Alright, and so have you gotten an indication from the court, are they ready to proceed with the arbitration program in Cook county. I mean is that on the board or?"

Matijevich: "There is no definite starting date."

McCracken: "Okay, thank you."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you, thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Conference Committee Report, the committee really looked at the mandatory arbitration issue. We believe it is concept that is worth trying but we understand that there are some financial constraints that we have to deal with. So what we did we switched the Cook County fees into, or the Cook County arbitration which was GRF into the fees which will be generated in Cook County and then we also set up a pilot, a second pilot in Peoria and Taswell County, through the cooperation of the courts in determining where the money could come from from that. The bottom line there is a positive change as a result of this report in GR impact available for other purposes such as education and for that reason I would rise in strong support of the budget report

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as the and the Conference Committee report as it is before us currently."

Speaker Breslin: "Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #7 is being distributed."

Speaker Breslin: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Madam Speaker, would the Sponsor yield?"

Speaker Breslin: "He will."

Parcels: "I think I'm in support of this also but I wanted to ask a couple of question because it was one of the budgets that I went over quite closely. Does this leave the courts account something over the fiscal 88 budget. Will they be a slight percent over the 88 budget, with the bottom line figure here."

Matijevich: "About eleven million over the 88 expenditures and virtually all of that I understand is because of are mandatory because of salary increases, I believe that are mandatory for new judgeships."

Parcels: "So that in percentages is that somewhere around eight percent perhaps."

Matijevich: "I didn't hear you."

Parcels: "I said in a percentage is that somewhere five, six, eight percent something like that. Over the previous year."

Matijevich: "About seven percent my staff tells me."

Parcels: "Seven. And then were they able to have the forty new judgeships that they wanted?"

Matijevich: "Yes."

Parcels: "But they did not get the other new positions, they are doing away with the other forty nine positions that they had asked for."

Matijevich: "They are doing away with most of them."

Parcels: "With most of them?"

Matijevich: "Yes."

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Parcells: "And the was the cola cut."

Matijevich: "Was the cola cut, cost of living. Cost of living cut? Yes, it was."

Parcells: "Thank you, very much, I also rise in support of this Conference Committee Report."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker, would the Sponsor yield, for a short question?"

Speaker Breslin: "He will."

Klemm: "Representative Matijevich, I was concerned about the Senate Amendment #1 and in our Appropriations Committee we were doing some adjustments on salaries and I see that in Senate Amendment 1 as I understand it you are allowing for a five percent cola across the board."

Matijevich: "Madam Speaker, could we have a little at least a little order, I am getting older, I can't hear."

Klemm: "Maybe, I'm getting weaker and I can't speak louder."

Matijevich: "That proves it she didn't hear me either. Madam Speaker, could we have a little order, I cannot hear the question at all."

Klemm: "Thank you, Madam Speaker, let me repeat the question please for you. Representative, I'm concerned about Senate Amendment #1 that is I believe part of the Conference Committee Report. And in our Appropriations Committee deliberation I understood that it was actually from your side of the aisle that were reducing any cost of living allowances were making them for blue collar and no salary increases for white collar employees. But I noticed in Senate Amendment 1 from my analysis that your allowing a five percent cola across the board and it appears that if it's in the Supreme Courts budget. I was curious if that's correct and if so why are we allowing, if it is the Supreme

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Courts budget, why are we giving everybody there a five percent increase?"

Matijeich: "Representative Klemm, this was the result of the Arthur Young study and audit on the whole management of the courts study and so to bring it up they wanted to bring up the merit pay etc., so to make up the recommendations of that study that was the reason for the additions."

Klemm: "Well, we've found in testimony at the various Appropriations Committee that some of the home care workers were perhaps not receiving enough dollars for the work they were doing when they go to the homes to help our people. We denied some raises for them, why are we going into the court system, now. I assume were not giving the judges any increases but everybody else a five percent isn't that quite expensive."

Matijeich: "Well, all I can repeat is my same answer, Dick."

Klemm: "Alright, were gonna give it to them and not to many others is that right."

Matijeich: "It was an attempt to try to implement the audit of Arthur Anderson, that's what it was."

Klemm: "Alright, well, thank you."

Speaker Breslin: "The question is 'Shall the House adopt the first Conference Committee Report on House Bill 3162?' All those in favor vote 'aye' all those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there is 113 voting 'aye' none voting 'no' 2 voting 'present', the House does adopt the first Conference Committee Report to House Bill 3162 and this Bill having received the Constitutional Majority is hereby declared passed. The House would make an announcement, that a former Representative is here on the Republican side of the aisle, Representative Harold Adams from Ogal County."

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Welcome Representative Adams. Representative McAuliffe is recognized for a Motion."

McAuliffe: "Madam Speaker and Ladies and Gentlemen of the House. I would like to make a Motion to reconsider the vote by which House Bill 3810 passed. There are some technical Amendments that the staff on both sides of the aisle found were left out and they want to put them back in, a Second Conference Committee Report."

Speaker Breslin: "The Gentleman has moved to reconsider the vote by which House Bill 3810 passed. Is there any discussion? Hearing none. The question is 'Shall the House reconsider the vote by which House Bill 3810 passed. All those in favor say 'aye', all those opposed 'no' in the opinion of the Chair. We have to have a vote. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. This is on a Motion to reconsider. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there is 109, does Representative Daniels wish to vote on this question. We can't lock the board until you make a decision. Okay, on this question there are 110 voting 'aye' none voting 'no' and none voting 'present', and the House does move to reconsider House Bill 3810. Now, Representative McAuliffe moves to reject the first Conference Committee Report on House Bill 3810, and request a Second Conference Committee. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On the question there are 116 voting 'aye' and the Motion carries. And the House refuses the first Conference Committee Report and a Second Conference Committee will be appointed. On Supplemental 4 appears under Conference Committee Reports appears House Bill 3806, Representative Shaw."

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Shaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3806, amends Section 26 of the Voluntary Health Service Plan Act. Which currently renders voluntary health service plan legally immune from any negligence or reckless conduct for their directors for their directors. Also in this Bill it mandates that any person who solicits public aid recipients to enroll them in HMO's must be licensed. Also in the, also in the Bill it prohibits any HMO from engaging in therapeutic substitution. It's, I move for the adoption of the first Conference Report."

Speaker Breslin: "The Gentleman moves for the adoption of the first Conference Committee Report on House Bill 3806, and on that question is there any discussion? Hearing none. The question is, 'Shall the House adopt the first Conference Committee Report on House Bill 3806. All those in favor vote 'aye' all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye' none voting 'no' 2 voting 'present' and the House does adopt the first Conference Committee Report on House Bill 3806 and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2079, Representative Goforth. Representative Goforth."

Goforth: "Thank you, Madam Speaker, at least we get a little attention any how don't we. This is Senate Bill 7, I mean 2079, this was the old Hambletonian Bill it's completely gutted now and is the Hambletonian is no longer in it, it's two Amendments by DOT and also by the Governors office."

Speaker Breslin: "The Gentleman moves the adoption of the first Conference Committee Report on Senate Bill 2079, on the question the Gentleman from Cook, Representative Leverenz."

Leverenz: "Could you just explain the Amendment?"

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Goforth: "Explain there, Sir."

Leverenz: "Pardon."

Goforth: "What would you like me to explain?"

Leverenz: "You just said there were two Amendments, I want to."

Goforth: "No, I'm sorry, I."

Leverenz: "I want to vote for you."

Goforth: "I'm sorry I misinformed you, this was two Bills that the DOT wanted and they are now in this Bill."

Leverenz: "Well, I'm very happy to know that could you tell us for example what they might do."

Goforth: "Well, the first one it says the board of aeronautic advisors shall include among its members at least one person who interested in air commerce, at least one person who is interested in noncommercial private flying and at least one person who is interested in operation and management of airports and at least one person who is interested conducting of schools which have a something for or whatever instructions of persons desiring to learn to operate, repair or maintain aircraft. The Secretary of Transportation shall be a member and Chairman of the board. The head of the division of aeronautics shall be a member and Vice Chairman of that board. I also requested to get on that board and was informed that I could not be on that board."

Leverenz: "Do you have any recommendations for that board?"

Goforth: "That one there, oh, I think that's a heck of a good board."

Leverenz: "Could you explain the second Bill or Amendment."

Goforth: "There we go again, this is the department acting through the Department of Central Management Services shall also have the power to let contracts for the purchase of railroad materials and supplies, I guess that means railroad ties or whatever. The Department shall also have

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the power to let contracts for the rehabilitation improvement or the construction of rail facilities such contracts shall be let after due public advisement to the lowest responsible bidder. I don't know who that would be or bidders upon terms and conditions to be fixed by the Department, with regards to the rehabilitation and improvement or construction contracts. The department shall also require the successful bidder or bidders to furnish good and sufficient bonds to insure proper and prompt completion of such work in accordance with the provision of such contracts."

Leverenz: "My attention was diverted could you just repeat that second part?"

Goforth: "No thank you, I'll bring it over and let you read it."

Leverenz: "So now, Madam Speaker, then."

Speaker Breslin: "To the Bill."

Leverenz: "The first part has wings and we should vote for it. The second part is for trains and we should all get aboard. And vote 'aye'."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker, will the Gentleman yield?"

Speaker Breslin: "He will."

Mautino: "One part of that Conference Committee, Representative, says that the Governor may impose and collect reasonable fees for the use of the facilities, the grounds of the Illinois Executive Mansion and the Hays Home at DuQuoin State Fair Grounds. It also says that that trust fund will be set up as a separate entity outside of the treasury and those funds are not subject to appropriation by the General Assembly, for the purposes of improving and restoring and maintaining the mansion and the Hayes Home. Why are we doing that?"

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Goforth: "He can currently charge for this now, Mr. Mautino."

Mautino: "Are they state funds and why would you not want to have them scrutinized or appropriated by the General Assembly?"

Goforth: "It was the Auditor General's recommendation, I am advised by counsel."

Mautino: "The auditor general recommended a separate trust fund outside of the purview of the General Assembly. What date did he do that and under what report'?"

Goforth: "I do not have that information for you Sir."

Mautino: "I have yet to ever see a report that the Auditor General provided that supported an outside funding without some scrutinization by the General Assembly. Can he charge for the use of the mansion now?"

Goforth: "Well, I'm advised that the report suggested this. I'm inclined to agree with you, I haven't seen such a report either, but my counsel advises that they has been such a report issued."

Mautino: "How much do you think this fund will establish? Because it's not inexpensive to renovate an office and a mansion. I mean how much will this bring in?"

Goforth: "Representative, I don't know how much a mansion brings up there, the Hayes Homes down there we've been going into it free all the time I've been down there so I don't know how much that would bring in. Up here I honestly don't know, Dick."

Mautino: "Do you know how much this fund could possibly create?"

Goforth: "I have no idea, Representative."

Speaker Breslin: "Are you finished, Representative Mautino?"

Mautino: "I've been here a long time and I've never seen the General Assembly establish a fund outside the purview of the scrutiny of the Auditor General and the Appropriations Committee in final vote by this Body. I just find it to be rather unique and different, and I'm not so supportive of

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it to be honest with you."

Speaker Breslin: "The Gentleman from Cook, Representative Keane."

Keane: "With all due respect to the Sponsor I have in my memory I have never heard of the Auditor General recommending separate funds. We usually try to kill separate funds and I also think that its anatima for him to support nonaudited funds. We do always look to audits even the Illinois Supreme Court, and for that reason I would urge my colleagues to vote against this."

Speaker Breslin: "Representative, the Gentleman from Vermilion, Representative Black."

Black: "Thank you, very much, Madam Speaker, would the Sponsor yield."

Speaker Breslin: "He will."

Black: "Thank you, Representative Goforth, as I understand this and as I read it the account or let's just say that the money that would go into this account as I read this would be private dollars not tax dollars. Isn't that correct?"

Goforth: "That's right."

Black: "It's my understanding that if a public or private entity wants to rent say the dining room at the Governor's Mansion for a fund raiser or a to honor the volunteer of the year or what have you. They could currently do that now and I believe could be charged a reasonable fee for that, is that not correct?"

Goforth: "That's correct."

Black: "Thank you, very much, Representative, Madam Speaker, to the Bill if I might, you know Ladies and Gentlemen of the House. As I understand this and I hope I'm not incorrect in my assumption, what we are trying to do is to set up a fund utilizing private dollars, and if you read this very carefully private dollars for the maintenance and purposes of improving restoring or furnishing the Illinois Executive

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Mansion, etc. You know there isn't anything revolutionary about this, friends of the White House have been doing this for I think about ninety five years and if you've taken a tour of the Executive mansion some of the very priceless antiques you will see in there could not be purchased by state tax dollars. It would seem to me to be a reasonable area that we would want to move into at this time and I stand in support of the Gentleman's Motion."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn. The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Madam Speaker, as I understand the debate here it's interesting to note that we are talking about more unaudited funds, Representative Keane mentioned unaudited funds. And I have no problem with having private funds to run the mansion but I would think this would create somewhat of a slush fund in order to be able to operate the Governor's Mansion. If it was an audited account then it would be a different story. But an unaudited account that you can just spend money freely in, I don't think is necessarily a good idea for the people in Illinois want to see this happen. Thank you."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker, I would just like to take exception, strong exception to the remarks that were made by the Gentleman on the other side who referred to the funds as private funds, these quite clearly are not private funds and I think it's important that this Assembly go on record very strenuously as not adopting that terminology. We're talking about fees for the use of the facilities and grounds of the Illinois Executive Mansion. That facility is owned by the public. Fees that are paid for the use of those facilities are hardly private funds they are public

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funds. And I think that we should make that point very clear."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentleman of the House. I too rise in opposition to the Conference Committee Report, there have been comments made about the funds being used to restore and preserve and improve the Executive mansion and I certainly feel that the Executive Mansion is the official residence of the Governor and should be top quality, should be showcase, should be something that everyone in the State of Illinois can take pride in. But to provide that there shall be fees charged for the use of the mansion, and I read the language in the Conference Committee Report and it seems to me clearly to authorize the charging of fees to tour the mansion, that is a use of the mansion, to tour the mansion and we don't charge fees to tour the White House in Washington, we haven't charged fees for the Executive Mansion here in Illinois and further more there were previous there were comments by one of the previous Speaker with regard to the lack of audit of these funds and as another previous Speaker has indicated this is a public place, we don't allow private industry to rent the fleet cars for in Central Management Services, we don't allow private industry to pay and fly on our state planes. We have specific rules about that because they are owned by the taxpayers and since we can't make them available to every member of the public we restrict the use to state employees and the taxpayers seem to think that is a wise policy. With regard to the Executive Mansion, we should keep that open to everyone in the public on the same basis as it has been there of course are reasonable restrictions to protect the privacy of the family of the Governor and to preserve

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and protect the condition of the Executive Mansion so we don't have people trampling through there all the time. But this is a bad, bad Bill, a sorry precedence, something we shouldn't do and I urge a 'no' vote on this Conference Committee Report. With all due respect to the Gentleman Sponsor who is a fine, fine man."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn. Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. The question is 'Shall the main question be put.' All those in favor say 'aye' opposed 'nay' in the opinion of the Chair the 'ayes' have it. Representative Goforth to close."

Goforth: "Thank you, Madam Speaker, there has been a lot of discussion on this Bill and as we tried to do to start with I'm sure one of the Representatives is trying to have a little jest with me and I enjoyed it. There is a lot of good things in this Bill and I agree that this one portion of it may not be the best wrote that it should have been but however, especially down in DuQuoin the Hayes House is a beautiful thing, there is a lot of people would like to rent that to have weddings and everything. They have no problem with paying a fee to do that to protect the house to help furnish it, we've had an on going thing down there a year ago we had a fund raiser, as I think Representative Hicks was there at the time to raise money to furnish the Hays house, we've raised several thousand dollars to bring it back to it original state. I think the public ought to be to see it, I don't think they mind paying any money for it. I'd ask for your 'aye' support on the Bill."

Speaker Breslin: "The question is, 'Shall the House adopt the first Conference Committee Report to Senate Bill 2079?' All those in favor vote 'aye' all those opposed vote 'no'."

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Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take. Representative Pedersen, just push your button the board is open. Have all voted who wish? Representative Wojcik, if you want to vote 'no' vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye,' 29 voting 'no', 12 voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 2079, and this Bill having received the Constitutional Majority is hereby declared passed. On House Calendar, Supplemental #7 under Conference Committee Reports appears Senate Bill 2202, Representative Mautino. Representative Mautino are you presenting this Motion?"

Mautino: "Yes, Madam Speaker."

Speaker Breslin: "Okay."

Mautino: "Ladies and Gentlemen of the House. Senate Bill 2202 which was submitted to the Memberships desks approximately two hours ago is the Conference Committee Report that addresses the Illinois Sports Facility Authority, the White Sox proposal that every Member of this General Assembly has had the opportunity to evaluate. Included in this proposal is the original proposal passed in 86 and the changes that are embodied in this Conference Committee reflect that so called agreement that was presented by the Sports Authority the Administration and the owners of the White Sox. The proposal in this Conference Report provides for no maintenance cost by the Chicago White Sox. It sets up a binding arbitration provision on page 3. It establishes a broad range of management agreements. The news media has presented specifics on that management agreement. In the Conference Committee they are very broad. They establish an attendance factor, timely completion of the stadium with exacting dates, they establish the reimbursement on changes

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in the tax structure, the provisions as it pertains to the paid attendance at the games and the ticket purchases that will be provided by the sports facility. They also extend some existing agreements in revenues and sets up the reserve account on behalf of the tenant, the White Sox. What it also does is to eliminate some provisions that were originally in the 86 legislation. It provides for the quick-take provisions, as it pertains to the location which is spelled out in the legislation. It does two other things of I think extreme importance, increases the bond authorization from 120 million to 150. It also removes the conflict of interest provisions that was established in the 1986 legislation."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report, to Senate Bill 2202 and on that. Excuse me, Representative Mautino."

Mautino: "I have not finished the presentation for the edification of the Membership. Madam Speaker"

Speaker Breslin: "Okay, excuse me."

Mautino: "It establishes as well the five million dollar subsidy by the State of Illinois and the City of Chicago. And establishes a two million dollar straight subsidy for a twenty year period. The Membership in this General Assembly are well aware of the original agreement and the proposal that is being presented here. The, the choice for the Members of this General Assembly as if, if in fact we are going to by this Conference Committee establish a lease agreement for the White Sox Stadium puts me in a very precarious position because I originally opposed this proposal when presented in 1986, and finally find it very difficult to except the fact that professional sports should receive a direct subsidy of two million dollars a year for twenty years which is forty million dollars as

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well as the one hundred and fifty million dollars under the bond authorization, the choice is yours as Membership of the General Assembly. I'd be happy to answer any questions on the Conference Committee as presented."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 2002 and on the question the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Dunn: "Will you tell me please how much liability exposure there is to the taxpayers of Illinois on an annual basis under this proposal."

Mautino: "The taxpayers at this point in time would be providing to the State of Illinois, five million dollars, to the City of Chicago, an additional five million dollars. The subsidy provision is two million dollars a year for the length of the lease which is twenty years that total is forty million dollars. So the bonded indebtedness in the debt service as well as the penalty provisions if the stadium is not completed on the completion date doesn't have a figure but I would assume that it would be in the area of a few million dollars."

Dunn: "So we're talking about five million, five million, two million, two million that's ten, fourteen million dollars a year of annual exposure to the taxpayers of this state, is that correct?"

Mautino: "I think your question and your response to your question is correct."

Dunn: "And exactly what is the guaranteed income to the taxpayers of the State of Illinois under this proposal? On an annual basis."

Mautino: "As I read the Conference Committee Report and the factors involved in it there is no guarantee to the

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citizens of the State of Illinois. There are provisions for a formula which will provide for possible funding that would be beneficial to the state if certain requirements are made in the area of paid attendance, advertising etc."

Dunn: "Thank you. Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, to the Conference Committee Report. Here we are a few minutes before midnight we haven't funded education at a proper level, we haven't funded mental health at a proper level, we haven't funded children and family services at a proper level, we haven't reformed the schools in the City of Chicago, but we're coming back to take care of the White Sox with a deal that will expose the taxpayers of this state to fourteen million dollars on an annual basis with no guaranteed income. I say to the taxpayers of the State of Illinois, don't take this, rise up and revolt, it's time to tell State Government to get it's priorities in order. What in the name of heaven are we doing at this hour with every top ranking politician in this state standing out on the floor of this chamber with a Senate that just passed this Bill, and we can't take care of the children, we can't take care of the poor, we can't take care of the sick, we can't take care of the mentally ill, let's shut this place down and go home and forget the White Soxs, vote 'no'."

Speaker McPike: "Speaker Madigan on the, Speaker Madigan on the report."

Madigan: "Mr. Speaker, and Ladies and Gentlemen. I rise in support of the adoption of the Conference Report. There has been quite a bit of hysteria concerning the report, and the provisions of the report and we've all had an opportunity to be thoroughly briefed on exactly what the proposal provides. What it means is that the sports authority in Chicago would only use the money which was

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dedicated to the authority two years ago. Hotel, motel tax money, a state pledge and a city pledge. That was the legislation of 1986, this provides no change in the tax source it provides no additional money provided to the authority. It simply provides that the authority will use more money than was originally anticipated. It has been argued that the authority would be expected to assume some of the loses. The other side of that business proposition is that the authority will share in the profits. There's been a great deal of discussion concerning the attendance threshold, please understand that only once in the last five years have the White Sox fallen below the attendance threshold, so based upon the history of attendance, based upon the economic performance of this team it's a sound business deal. There are risks but there is an upside. And I would highly recommend the adoption of the report, Mr. Speaker."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2202?' All those in favor of the report vote 'aye' opposed vote 'no'. Representative Daniels to explain his vote."

Daniels: "Mr. Speaker, Members of the House, Ladies and Gentlemen. From the onset of discussions in this Legislative Session concerning the development of a new sports stadium in the City of Chicago, I have asked another two Legislators to take responsibility on our side of the aisle for these matters. I have previously disclosed this to interested parties in the media and wish today to put it in the record. I have chosen to abstain from participation in this matter as I am a close personal friend and business associate of one of the principle owners of the Chicago White Sox, a potential user of such a new Chicago Stadium, in addition the law firm of which I am a general partner

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has represented and continues to represent the White Sox generally. While I do not believe that a prohibited legal conflict exists and no threat to my independence of judgement exists although one could possibly be construed I have and will continue to abstain from action on this matter based on my personal ethical standards and my respect for public confidence in the legislative process. And therefore, I cast a 'present' vote on this issue."

Speaker McPike: "Representative Hoffman to explain his vote."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have no conflict in regard to this issue with the exception that I think far as the people of the State of Illinois are concerned, as far as the people of Chicago are concerned that it's important that we keep the Sox in Chicago and playing in Chicago. I think we overlooked the fact that we spend a lot of money to subsidize McCormick Place, museums, public radio and TV, downstate civic centers, racing purses, county fairs. This is an economic investment for the State of Illinois. It generates significant amount of resources which in turn generate significant amount of jobs. It is, it is in the best interest of the State of Illinois to keep this team in the state. I mean if we can go and encourage people from foreign lands to come to Illinois with tax breaks we can certainly, we can certainly help in support sports facilities and sports programs which generate the same kind of jobs and income for Illinois and I rise in support of this legislation."

Speaker McPike: "Representative McAuliffe to explain his vote."

McAuliffe: "Thank you, Mr. Speaker. I think its a matter of civic pride for the City of Chicago to keep both of our baseball teams, I think it would be an outrage if we allowed the State of Florida to come up to Illinois and

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kidnap one of our baseball teams. It's also a matter of pride for the State of Illinois, people from upstate and downstate in Chicago ought to get together and help save the Chicago White Sox, many other states all over the United States are fighting to get a professional sports franchise. We have two baseball teams in Chicago, we ought to keep them all, if Chicago is truly to be a first rate city we ought to be able to support two baseball teams. I have never attended a Sox game in my life, I'm a Cub fan but it's absolutely essential to have two baseball teams in Chicago. I work two blocks from Comiskey Park, I see on the weekends the cars that are parked around there, they're from Iowa, Indiana, Michigan, Minnesota. People come into Illinois spend their hard earned dollars here and economy benefits from it. It's very, very important to the economy of the City of Chicago and also to the economy of the State of Illinois that we don't allow the State of Florida to come up here and kidnap one of our city treasures and take it away from us. Please vote 'aye'."

Speaker McPike: "Representative Daley to explain his vote."

Daley: "Thank you, Mr. Speaker, and Members of the House. I have the privilege of representing the southside neighborhood which the White Sox Park will hopefully be in. We the vast majority Members in this House, passed a package two years ago and we see part of that package being done today, and it is Arlington Park. Another part of that was White Sox, I believe my main objection initially to the Bill was that the people in the community were being displaced, that has been resolved. Myself, Representative Jones, have worked with the sports authority and we have resolved this problem. I urge an 'aye' vote."

Speaker McPike: "Representative Churchill to explain his vote."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I too rise in support of this fine Bill. The problem that I see here is that we have a difference between perception and reality. The reality is is that the Bill we are looking at right now is a good Bill. Many people have said well this Bill changes things from the 1986 agreement, but it really doesn't. As far as the state is concerned our obligations are exactly the same as they were in 1986. But we have something in addition to what we had in 1986, because in dealing with the Illinois Sports Facility Authority we in a sense become a joint venture partner. What that means is that we have a chance to share in any potential profits from that venture if this becomes a profitable venture and if people come to see the White Sox play in the State of Illinois. Possibly, just possibly in the future the Illinois Sports Facility Authority may spin off dollars that will come back into the General Revenue Fund to help fund other essential state services. That's the reality of the situation. And perhaps it is the perception back home by some of our constituents who do not understand that reality that causes some of the negative votes that we see on the board here tonight. From a historical perspective this team is a team that's been in the City of Chicago for decades, it would be a shame to lose such a fine institution for the City of Chicago. It's a shame that perception can outweigh reality, it's a shame that some of the red votes that are on the board right now are there because of perception. Please do not be fooled by perception. Look at the reality. This is a good Bill. It deserves your positive support."

Speaker McPike: "Representative Panayotovich to explain his vote."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm referring to a report from the legislative

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research unit that came out in eighty, 1987 of April that says professional sports franchises have an economic impact in an area of one hundred million dollars per year. We're talking about a five million dollar investment that we approved, no new monies, no new tax monies to create a minimum of a hundred million dollars in economic growth. The City of Chicago is also number 3 in baseball attendance. The jobs are created, the community needs it, the city needs it and I urge more 'aye' votes."

Speaker McPike: "Representative Turner to explain his vote."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the Assembly. This vote is probably one of the worst votes that I am making here tonight, and I think many of you know and I think one of my colleagues earlier said why. I'm voting 'yes' on this Bill, because I made an early commitment to support this legislation I understand the economic impact and what it will do in terms of bringing new money to this community, but this Legislative Body has not proven that it is willing to do those things that are necessary to help the people. Not only in the City of Chicago but in this state. The issue of affordable housing was voted in this House three times and each time it's voted down. Yet, we are about to pass legislation to put an affordable house for the Chicago White Sox. I'm one of those culprits thats going to vote for this legislation, there are three more sports teams in the City of Chicago, they'll all be here next year looking for monies, they may as well know right now I'll be voting 'no' on that legislation. No more new stadiums unless we do something to help the poor people in the State of Illinois. I'm sorry that I made this commitment early, you've got the green vote now, this is my first and last stadium unless we do something to take care of the truly, needy, people in

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this city. The people that live in my Legislative District not only can they not see the White Sox on television, very few of them go to the games. This vote is strictly a vote that goes with a commitment that was made earlier. But you've got your last commitment from me in this Assembly."

Speaker McPike: "Have all voted? Have all voted? Have all voted who wish? Take the Record, Mr. Clerk. Representative Parke. Representative Parke, would like to change his vote from 'no' to 'aye'."

Parke: "That is correct."

Speaker McPike: "Representative Lang, changes his vote from 'no' to 'aye'. Representative Rea did you wish to change your vote? Representative Rea. Representative Rea. Representative Rea changes his vote from 'no' to 'aye'. Representative Saltsman changes his vote from 'no' to 'aye'. Representative Wolf. Representative Wolf. Representative Wolf. Representative Wolf changes his vote from 'no' to 'aye'. Representative Wolf, Representative Wolf."

Wolf: "Mr. Speaker, I don't believe I changed my vote."

Speaker McPike: "Alright, Representative Wolf, changes his vote from 'aye' to 'no'. Representative Tuerk. Representative Tuerk. Representative Tuerk, changes his vote from 'no' to 'aye'. Is that correct?"

Tuerk: "Who says, hey, at least give me the opportunity to say that."

Speaker McPike: "Representative Tuerk. Representative Tuerk."

Tuerk: "I'll change my vote to 'aye'."

Speaker McPike: "Representative Stange. Representative Stange."

Stange: "Thank you, Mr. Speaker. I change my vote from 'no' to 'aye'."

Speaker McPike: "Representative Stange, votes 'aye'. On this Motion there are 60 'ayes' and 55 'nos' and this Mo...and

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the First Conference Committee Report to Senate Bill 2202 having received the Constitutional Majority is adopted, and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2202, having received the Constitutional Majority at the hour of 11:59 is hereby declared passed. Representative Matijevich moves that the House stand adjourned until tomorrow at the hour of 10 a.m. Representative Matijevich moves that the House stand adjourned until tomorrow at the hour of 10 a.m. All those in favor say 'aye' opposed 'no' the 'ayes' have it and the House stands adjourned."

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00001 HOUSE TO ORDER - REPRESENTATIVE BRESLIN
00001 PRAYER - PASTOR HEMBREE
00001 PLEDGE OF ALLEGIANCE
00001 ROLL CALL FOR ATTENDANCE
00002 AGREED RESOLUTIONS
00002 GENERAL RESOLUTIONS

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00002	DEATH RESOLUTIONS
00094	COMMITTEE REPORTS
00094	APPROVAL OF THE JOURNALS
00096	AGREED RESOLUTIONS
00097	GENERAL RESOLUTIONS
00097	DEATH RESOLUTIONS
00206	ADJOURNMENT

YOUR MAINTENANCE TRANSACTION WAS PROCESSED