

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

127th Legislative Day

July 1, 1988

Speaker McPike: "The House will come to order. The Chaplain for today is Father Hugh Cassidy of the Blessed Sacrament Catholic Church in Springfield. Father Cassidy is a guest of Representative Curran. The guests in the balcony may wish to rise and join us in the invocation."

Father Cassidy: "God our Father we ask of You a share in the faith of our fathers. Give these Members of the House of Representatives, courage to put their lives into Your hands, trusting themselves and those they love, to Your wisdom, providence and love. Guide them in their deliberations, help them to make right decisions so that the world may be filled with faith and love, and may Your blessings come upon them today and always. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by the Gentleman from Cook, Representative Krska."

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

Speaker McPike: "Roll Call for Attendance. Representative Matijevich."

Matijevich: "Mr. Speaker I understand that Carol Braun may still be ill, she's out of the hospital but we're not sure she'll be here today so we'll carry her as an excused absence due to illness. I don't think there's any others. Happy new fiscal year to everybody including Phil Collins here in front of me, former Member."

Speaker McPike: "Yes, Representative Braun is excused and if she does show up we'll have her sign in. Take the record. 117 Members answering the roll, a quorum is present. Representative Leverenz."

Leverenz: "An inquiry of the Chair."

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

127th Legislative Day

July 1, 1988

Speaker McPike: "Is it timely?"

Leverenz: "I don't know, that's why I was asking. The inquiry of the Chair is now?"

Speaker McPike: "Not now."

Leverenz: "Oh, I'm disappointed again. Where do I check in to get my free passes...or is that an oops? Turn me off."

Speaker McPike: "Supplemental Calendar #1. Conference Committee reports. The Chair would correct the first Bill on the Supplemental #1 that says House Bill 1615 should read Senate Bill 1615. Representative Klemm."

Klemm: "An inquiry of the Chair if I may. I noticed we've got a list of Conference Committee Reports that say's State of Illinois Friday but it doesn't say it's a Supplemental Calendar and I was curious if this is what we're suppose to now use or what ever happened to it."

Speaker McPike: "Well I don't know what you have but there is a Supplemental...House Supplemental."

Klemm: "I see. Maybe the top half didn't get printed or something because what's been put on our desk certainly is not a Supplemental Calendar. Okay. Apparently it was not printed and they're sending them out. Thank you."

Speaker McPike: "Sure. Senate Bill 1615, Representative Curran. Representative Curran here? Out of the record. House Bill 2993, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. In light of yesterday's events with the White Sox and note that I didn't say yesterday's events of the White Sox. House Bill 2993 contains provisions for share buy out of the White Sox, I would move that the First Conference Committee Report not be adopted and would ask for a Second Conference Committee Report; or ask that a Second Committee be appointed."

Speaker McPike: "Is there any discussion of the Gentleman's Motion? The Gentleman moves that the First Conference

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

127th Legislative Day

July 1, 1988

Committee Report to House Bill 2993 not be adopted. The Second Conference Committee be appointed. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Second Conference Committee will be appointed. Supplemental Calendar."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker McPike: "House Bill 3085, Representative Cullerton. Out of the record. House Bill 3216, Representative Hoffman. Gene Hoffman. You want to call this Conference Committee Report?"

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report on Senate Bill 3216 was originally the Bill that took the sunset off the reading program which was part of the 85 re...reform education program. It came back from the Senate with two Amendments on both of which I non concurred however after receiving additional information I agreed to concur with Senate Amendment #2 which was an Amendment that had been placed on by Senator Berman and supported by a number of people here including the Department of Public Health which provided that persons who were not properly immunized must may not attend a public or private post secondary education institution but it exempts junior and community colleges and correspondence school. I needed to clear that up and Department of Public Health supported that. We added two other provisions in the Conference Committee, one dealing with a problem that we have in the alternative education program of people taking the GED exam while they're taking the alternative education program which they need to do in order to qualify for certain kinds of programs that follow that at the request of the State Board of Education I included that as one of the exemptions from being 17 years old or having had your high school graduating class or your

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

127th Legislative Day

July 1, 1988

high school class having already graduated. The other Amendment is a Bill that Representative Cowlshaw had which dealt with the issue of sending notification of dismissal of noncertified personnel in the school system by certified mail rather than registered mail. It was just a matter of cost, I think all of these are noncontroversial issues and ones that are supported by a broad based Body in the General Assembly and I move for the adoption of Conference Committee Report #1 on House Bill 3216. I'd be glad to respond to any questions Mr. Speaker."

Speaker McPike: "The Gentleman has moved for the adoption of the Conference Committee Report and on that Representative Hultgren."

Hultgren: "Mr. Speaker, has this one been brought around yet?"

Speaker McPike: "Has it what?"

Hultgren: "Has it been brought around yet?"

Speaker McPike: "Has it been distributed?"

Hultgren: "Yes, is it on our desks?"

Speaker McPike: "Mr. Clerk. Yes. Any discussion? There being none the question is, 'Shall the House adopt First Conference Committee Report to House Bill 3216?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes' and 2 'nos' and the House does adopt First Conference Committee Report to House Bill 3216 and the Bill having received the required three fifths Constitutional Majority is hereby declared passed. House Bill 3273, Representative Hannig."

Hannig: "Thank you, Mr. Speaker, Members of the House. I would ask that we adopt the First Conference Committee Report on House Bill 3273. Initially this Bill would extend the assignment of permissive fire protection assignments which have been in effect two years now on a voluntary basis on a

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

127th Legislative Day

July 1, 1988

test basis has worked very well and the fire marshall asked that we do this on a permanent basis. This is a permissive way of getting fire protection. That's the underlying Bill. We're also asked to concur in Senate Amendment #1 which was identical to a Bill that we passed out of here earlier but died in the Senate Rules Committee which would allow maximum compensation for the Board of Trustees to be raised by a small amount. This is also permissive. Senate Amendment #2 states that any new constructed water lines will measure at least 6 inches in diameter, that's to get us in compliance with some recommendations that were made along those lines. And Senate Amendment #3 provides that a fire protection district which is formed by referendum could be considered to be contiguous if areas of the United States, the State of Illinois or any agency or instrumentality is intervening. What that has to do is in southern Illinois where there are large amounts of forest preserves and state parks often times it's hard to get enough land that's not bought by the State or the Federal Government together. So for purposes of determining a fire protection district they could consider it contiguous even though there may be a park district in between. And lastly the Bill provides for a clarification as to who township officials may appoint as trustees of the fire protection district and that is also been agreed to by both the township officials and the fire trustees people. The burn part of the Bill never did get in, it ended up in Representative Curran's Bill which we passed and this is not controversial I don't believe as adopted and I would ask for your 'yes' vote."

Speaker McPike: "The Gentleman has moved for the adoption of the report and on that Representative McCracken."

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

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

127th Legislative Day

July 1, 1988

Speaker McPike: "Yes."

McCracken: "As to the water main issue, does that represent a change in code or something. I understand all mains in place would be grandfathered in but what is the purpose of this and what is the controversy."

Hannig: "In some of the new subdivisions that are being constructed around the state from time to time we find that they're using water mains with less than six inches. The fire protection people and I think pretty much by agreement the industry feels that 6 inches is the minimum that should be used. So this is...this is perspective in nature though."

McCracken: "Alright. Are the building trades in accord with this or have they been consulted in this?"

Hannig: "It's my understanding that everyone is basically on board of this. And this is to keep perhaps someone who's kind of a renegade operator from doing this on his own."

McCracken: "And where would this be placed? Is it in a statewide, well, we don't have a statewide building code, where is it going to be placed? I don't see that."

Hannig: "It was Senate Amendment #2 and I believe at one time it was a ...that it was a Bill that we dealt with last year that apparently was not passed. I'm not exactly sure in which area of the law it will be placed probably in the..."

McCracken: "Well, alright, has anybody contacted you or do you have any knowledge whether the building trades or a builders association is in favor of this, neutral or opposed? Has anyone contacted you?"

Hannig: "I honestly have no one from those groups contact me in either direction so I would assume that they are probably neutral or disinterested."

McCracken: "Is it consistent with what they call the BOCA Code. Do you know?"

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

127th Legislative Day

July 1, 1988

Hannig: "I'm not aware but I see someone shaking their head there."

McCracken: "Okay. Alright. Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes he will."

Black: "Representative Hannig, bear with me here, does this only apply to the unincorporated areas as to the extension and the size of the water main? What I'm driving at is would you be pre-empting a Municipal Code or particularly a Home Rule City's Code on subdivision and water mains."

Hannig: "The language I have simply says that it would provide that any water main installed or replaced after the effective date of the Act shall be constructed with pipes that measure not less than six inches in diameter."

Black: "And would you know, obviously the language does not specify whether that main is to be cast iron or PVC or what have you, correct?"

Hannig: "No, I don't think it addresses the..."

Black: "I think Representative McCracken addressed a serious point and that is you may be usurping local building codes, you might even be usurping the General Building Code and I it's, I'm not going to ask you take it out of the record but I wish we could get that clarified before we voted, we probably can't, but I think there is an adherent danger that what we're doing may not be interpreted particularly in home rule cities as a particular desirable element at this time. I appreciate your trying to work through that Representative."

Speaker McPike: "Representative Barger."

Barger: "Thank you, Mr. Speaker. To clarify this issue the requirement for six inch pipe is so that there will be

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

127th Legislative Day

July 1, 1988

sufficient water capacity to supply the large pumps that they have in fire fighting equipment today. The choice of the material is covered by local building codes but to establish a minimum size is a very desirable thing and I think that we should support Mr. Hannig on this. Thank you."

Speaker McPike: "Representative Hannig to close."

Hannig: "I just ask for a 'yes' vote."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3273?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 115 'ayes', no 'nays' and none voting 'present'. The House does adopt, Representative, the House does adopt Conference Committee Report #1 to House Bill 3273. The Bill having received the three fifths Constitutional Majority is hereby declared passed. Representative Dunn, for what reason do you rise?"

Dunn: "A point of personal privilege, Mr. Speaker, I would just like to state for the record that according to all the evidence available to me Conference Committee Report on House Bill 2202 was adopted after midnight last night not at 11:59 a.m. as announced by the Speaker and I would like my remarks to be journalized to the House records. Thank you."

Speaker McPike: "Representative Dunn, I think I saw, the Chair saw the same print out that you did and indeed it was printed out at 12:03 but the Chair passed the Bill at 11:59 and the record will so indicate. House Bill 3448, Representative McAuliffe. Representative McCracken."

McCracken: "I've been added as Sponsor, I'd like to proceed with the Bill."

Speaker McPike: "Proceed."



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

127th Legislative Day

July 1, 1988

McCracken: "First Conference Committee Report requires or asks that the Senate recede from Senate Amendment #4 and that the Bill be further amended to incorporate what was Senate Bill 1978 which creates a new Act authorizing the Secretary of Transportation to release easements in various counties which are separate, 25 separate conveyance sections, adds a conveyance by the Department of Conservation to Jefferson County, makes some clean up to the Historic Preservation Agency Act. And Senate Amendment #4 from which the report recommends we recede would have removed two conveyances which had previously been acted upon by House Amendment #2 and I move the adoption of this Conference Committee Report."

Speaker McPike: "Is there any discussion? Representative Leverenz on the Motion."

Leverenz: "Will the Gentleman respond to a question?"

Speaker McPike: "He indicates he will."

Leverenz: "Could you possibly give us some estimate of the value of the land we're giving away?"

McCracken: "You want it for which particular piece or..."

Leverenz: "How many pieces are there? Did you say 25 separate pieces of property we're conveying in the whole Conference Committee Report?"

McCracken: "Thirty-two different pieces."

Leverenz: "Thirty-two different pieces."

McCracken: "Which...and the Bill would allow the Secretary of Transportation to release the easements affected in these properties."

Leverenz: "And the right of way."

McCracken: "Okay, pardon me."

Leverenz: "The right of way in Section 1 Clark County."

McCracken: "Okay, now I'm told about twenty-four easements the remainder are land conveyances."

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

127th Legislative Day

July 1, 1988

Leverenz: "No idea though the total value, dollar amount or value of all these different pieces? One is eighty nine hundred another is four hundred, seventy-three hundred..."

McCracken: "The information I am told was provided in the committee, I don't have a total here as we speak, the staff person is looking to get the figures for you."

Leverenz: "Well I don't know who I'm beating up on. The Gentleman just asked me here but I just see the Historic Preservation Agency giving up private land or land to private ownership and things of that nature and I just thought for the record you might put some dollar value on the whole thing. For example, in Clark County you have almost an acre and a half, 1.48 full acres being released to Virginia Bealer for the sum of a hundred dollars. I just..."

McCracken: "I've been given a total on the easement release and for those properties where the easement is being released the Department of Transportation would receive 552,590 dollars."

Leverenz: "Well as you know..."

McCracken: "Pardon me."

Leverenz: "We're kind of right back to the Chicago Avenue Armory issue where we are transferring a 30 million dollar piece to someone else with 24 different ones I just wondered what the total value of all the different 24 pieces was. I'd like to get an acre and a half of ground for a hundred bucks or 25 percent of an acre for 300 hundred dollars or 6 acres; for example in Livingston County the Director of the Department of Corrections will convey by quick claim deed a parcel of six acres to the American Legion for a dollar. On that I don't understand why my American Legion can't get a piece of the action. Or in Williamson County .03 of an acre and the one that got lucky in the lottery here I guess

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

127th Legislative Day

July 1, 1988

is Tommy and Janice Columbo who have agreed to pay 1,625 dollars that must be a flatter piece of property. And then the one prior to that, we're giving up old national trail of an acre a little bit over an acre and the CIPS has agreed to pay a hundred dollars. I think the utility companies are being treated very fairly by the Illinois Commerce Commission. But for us to be giving them property from what appears to be us giving them property an acre for a 100 bucks I think everybody here standing or sitting in the Assembly should be able to get an acre for a 100 dollars. How long does it take from the time a conveyance starts for example in the Department of Transportation until the time it is completed? I ask that because I have asked for the cooperation of the Gentleman that runs it represented by the person behind you and next to me, well over a year ago, to dispose of surplus land on North Avenue. A Gentleman by the name of Fletcher I was working with and it has taken a year, we have yet to have one meeting on it, it has to do with North Avenue which is three lanes wide, they intend to take North Avenue to four lanes wide and we have a 100 foot right of way there. My interest is, and should probably be yours, that you would take everything over and above what you need which is 79 or 82 feet and simply put it back on the tax rolls so that the units of local government can derive additional revenue off of those little strips of property. But that's why I ask how long does it take to cook the 24 deals that are in here? And CIPS got a heck of a better deal for an acre of ground than Tommy and Janice Columbo, I mean, CIPS pays 100 for an acre and the other folks get less than an acre for 1,600 bucks. Maybe taxpayers are being treated unfairly again and the utilities are raping the State of Illinois. I just, if we have any questions or answers to that, I'd

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

127th Legislative Day

July 1, 1988

surely like them otherwise here's 24 deals that maybe shouldn't fly out of here. And Mr. Speaker to the Bill, maybe a Second Conference Committee Report might be a better way to go and I would encourage red votes unless we get some answers. Thank you."

Speaker McPike: "Representative McCracken to close."

McCracken: "Thank you. For all the properties in this Bill of the Department of Transportation there are appraisals on file. All of these properties were conveyed in an amount either at or near the appraisal value. These matters were all considered in committee, the Department, as I say, has transferred to the extent its private parties in consistent with those appraisals and the nondepartment properties except for one also have appraisals also conveyed at or about that appraised value. The one exception is where a Department of Corrections transfer is being made to another public entity in which case an appraisal is not required by either law or by our rules. I understand the Gentleman's problem and I'd like to help him to. I think it's a very worthwhile goal and I ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3448?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative McCracken."

McCracken: "People are asking me if there's some hidden agenda here or something. The department transfers land every year. Many of these easements are merely rights of way rendering private property more valuable. The departments transactions have all been subject to an appraisal which had been filed. The Bills were all considered in committee and the only exception to the appraisal and the only exception relates to a conveyance from the Department of Corrections to another public body. In fact the Department

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

127th Legislative Day

July 1, 1988

of Transportation does this every year. They seek to sell off surplus property and as I've said before I think the Gentleman has made his point. He should be getting better cooperation if in fact he has some surplus property in his district which the department does not need. I'm happy to support that but in the interim I think we should pass this Bill because even though he may think he's hurting the Department of Transportation he's also hurting the private parties that are on the other side of these transactions. So I would ask for a few more green votes and he has my commitment that we will do our best to help out with the North Avenue property."

Speaker McPike: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Knowing how concerned some of you are about my re-election effort I think it ought to be pointed out that the language that I had in this Bill in its original form has been removed for the City of Maryville if that is important to any of you who are interested in seeing this Bill pass, I have nothing in there."

Speaker McPike: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my 'yes' vote on this matter, I think I've probably established myself as one who watches closely the conveyances of state land and I believe that the state should be reimbursed for value when there's value there. This Bill affects almost every district and every county in the state and while the state acquires new lands every year they also get rid of surplus lands every year. This Bill has been worked out, in my opinion it's a fair and equitable distribution and conveyance of state lands and we shouldn't allow any problems that we might have with DOT to cause us to vote 'no' on this. This Bill affects all of

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

127th Legislative Day

July 1, 1988

us. This is not a give away. This is just good management of State Government. It costs money every time we retain a piece of ground that we don't need, we either lose the money that we don't get in its sale and we also have to maintain it. And I would ask for a few more 'yes' votes on this Bill."

Speaker McPike: "Representative Leverenz to explain his vote."

Leverenz: "Okay, Mr. Speaker. I found out just now how easy the Chair can help you and knowing now that I won't have to wait a year and three weeks I will vote green."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 105 'ayes', 9 'nos' and 2 voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3448 and the Bill having received the required three fifths Constitutional Majority is hereby declared passed. House Bill 3464, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The First Conference Committee Report on House Bill 3464 contains two provisions. One is identical to House Bill 4144 which passed this House and then got stuck in the Senate Rules Committee and the other is equivalent to Senate Bill 1906 which likewise got hung up in the process. House Bill 4144 provides for additional taxation authority for the five community college districts around the state which will be used for repair and renovation such places such as Thornton where their library facilities are in pretty terrible shape and need rehabilitation badly. The other Bill or the other provision eliminates the discrepancy between the tax rates for unit districts and consolidated districts. I move for adoption of the First Conference Committee Report on House Bill 3464."

Speaker McPike: "Any discussion? There being none the

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

127th Legislative Day

July 1, 1988

question...the question is...Representative Homer."

Homer: "Mr. Speaker, parliamentary inquiry. I note the Committee Report seems to indicate an immediate effective date. What's the required number of votes?"

Speaker McPike: "It requires 71 votes."

Homer: "Thank you."

Speaker McPike: "Representative Mulcahey."

Mulcahey: "Question of the Sponsor?"

Speaker McPike: "Yes. Proceed."

Mulcahey: "Representative Bowman would you just read a couple sentences. Go through that again. Are we putting the unit district back at the same level as the dual districts?"

Bowman: "Yes. Consolidated and unit districts would be on the same footing as far as their tax rates are concerned. As you know, there is currently discrepancy and this would equalize those tax rates. It's equivalent to Senate Bill 1906 which passed the Senate 39 to 18 and we just ran out of time considering it here in the House. It was never voted on in the House."

Mulcahey: "Okay. Mr. Speaker to the report, I was the Sponsor of this Bill two years ago and really what it does it allows unit districts without referendum to tax at the same level as dual districts, elementary and high school. There's no referendum involved here right now and any of you people who live in the rural districts and know what trouble the agriculture communities are having not only in this state but throughout the country right now, what we're going to do at this particular point in time is without referendum tax the agriculture community at the same level as unit districts that are being taxed at high school or elementary and high school basis around the state and this is going to be done without referendum. So I would urge you to take a strong look at this. I believe in the concept, I think

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

127th Legislative Day

July 1, 1988

it's good, I think it's great, and someday we're going to do it but I don't think this is the right year or the right time to do it."

Speaker McPike: "Representative Stephens."

Stephens: "Will the Gentleman yield for a question?"

Speaker McPike: "Yes."

Stephens: "Representative, does this affect the Belleville area college?"

Bowman: "I'm sorry, what did you say?"

Stephens: "Does this affect the Belleville area college?"

Bowman: "The which college?"

Stephens: "Is there a referendum in...backdoor referendum in this?"

Bowman: "No. No. I'm sorry. No there is not."

Stephens: "Oh there is not? I may have the wrong Bill."

Bowman: "Excuse me. The underlying Bill that is attached to this Conference Committee Report is Representative Steczo's Bill. I would like to defer to him to respond to your question if I may."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. In response to the Gentleman's question of which I believe was related to the community college section of this Bill, correct?"

Speaker McPike: "Yes."

Steczko: "Under the provisions while there would not be a backdoor referendum. Any community college of the four or five that were mentioned in previous debate on this issue who wishes to use this would have to go to the community college board and receive certification to see if they would qualify. The district boards then would have to vote a levy in an open meeting and having advertised the meeting and the appropriate time of the meeting that levy is only good for one year. It's only good for one year and if they were to



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

127th Legislative Day

July 1, 1988

require, request a levy in each additional year that levy would have to be the same procedure would have to be gone through and also I should also mention should any other sources other than state money be available and revenues increase sufficiently during the year they'd no longer be eligible for certification so there's a elongated, prolonged process that they would have to go through to be certified for this in order to take those couple colleges that are well below the state average and bring them up a little bit."

Stephens: "That elongated process that you referred to does not include the chance for the voters to vote 'yes' or 'no' for that tax levy. Is that right?"

Steczo: "It's strictly a certification by the board after a public meeting, and an advertised public meeting had been conducted."

Stephens: "Well I take by your answer then Mr. Speaker I would say that this is a backdoor referendum. There is no chance for the voters of the district unless I terribly misunderstand the language in the explanation there is no opportunity for the voters of these college board districts to vote 'yes' or 'no' on whether or not they want their taxes increased to pay for the needs that this Bill deals with. So I would suggest to Members on both sides of the aisle, that if you're in favor of raising taxes without a vote you ought to consider supporting this but if you believe like I do that the voters ought to at every opportunity when it's possible be presented with an opportunity to vote 'yes' or 'no' on whether or not their tax bill ought to be raised then you ought to stand in opposition."

Speaker McPike: "Representative Wait."

Wait: "Thank you. Would the Sponsor yield?"

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

127th Legislative Day

July 1, 1988

Speaker McPike: "He indicates he will."

Wait: "Representative is this with that twelve and a half percent tax increase without referendum, is this the Bill that went to the Educational Committee and was soundly defeated in the Educational Committee?"

Bowman: "No, in fact it came out of committee and it passed the floor of the House. Many of us who are debating it right now probably even voted for it."

Wait: "Representative."

Bowman: "I'm sorry. The elementary, which piece of the Bill are you talking about?"

Wait: "I'm talking about the one that raises unit districts twelve and a half cents."

Bowman: "Yes, I beg your pardon, I believe that was defeated in committee."

Wait: "Okay so that was soundly defeated and now we're bringing it back again. To the Bill, I would just say, Ladies and Gentlemen of the House, as Representative Mulcahey said, the farmers pay more than their fair share and we know the drought crisis the farmers have going out there now, and certainly now is not the time to raise a tax referendum without asking the people to vote and support this. I would certainly employ you to vote against this. The people, if they want to raise their taxes they can do it by referendum. We don't need to do it here without giving the people a say. Thank you very much."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, 3464 is one of those unique Bills where many times we have to bite the bullet if something is going to be accomplished after the community college has followed the directives of the Capitol Development Board as it pertains to building and construction in response to

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

127th Legislative Day

July 1, 1988

Representative Stephens concern. If in fact we are to allow those individuals because of the short comings of the Capitol Development Board to make those corrective measures this is the only way we can do it. Now many of us have taken a posture in previous years on general statewide taxes that this provision should always be adhered to. But after five or six calls of the elective process and trying to work things out with the CDB it has not born any fruit. These five schools certainly have a definite need and they still will be under the statewide average. In order to assist those individuals on that provision that was in 4144 we have to give them the opportunity to raise those funds. I stand in support because the alternative is that next year we come down here with Amendments to the Capitol Development Boards to do the same funding mechanism and since this is only a one year provision with a window I think it is well taken rather than having it come from the state general revenue coffers through the Capitol Development Board and I would hope that we can provide enough votes to make this happen."

Speaker McPike: "Representative Parcels."

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

Speaker McPike: "Yes."

Parcels: "Actually I think it's not your part of the Conference Committee it was actually the Representative Steczo's part if I may ask you or Representative Steczo either one. I believe that the House concurring in Senate Amendment #1, isn't that Senate Amendment #1 our old House Bill 4144?"

Bowman: "Yes, Ma'am."

Parcels: "And that was the one that we defeated here 41 to 64 votes and then was put on I believe in the Senate."

Bowman: "No, it the original Bill 4144 did pass the House however I think what you may be thinking of is there was another

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

127th Legislative Day

July 1, 1988

Amendment which was defeated. So actually the House has spoken out of both sides of its mouth on this subject and I would strongly urge the House to adopt the original position that it adopted on 4144 and approve this Conference Committee Report."

Parcells: "I believe that the Members of the House were a little upset about the no referendum provision of 4144 which is why we defeated it by that and we decided that the people in those areas know better than we or better than their elected officials when you can ask the electorate, you should ask the electorate, they can by referendum. If they decide and I believe I said this the last time, that the halls of Cambridge and Oxford aren't too old to learn in, they can learn in these halls, they don't have to be spruced up to top quality if the people in that area feel they can't afford it. When they feel they can afford it can go to referendum and it could pass. I would suggest a 'no' vote to the Conference Committee on House Bill 3464."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, in order to clarify I think some of the previous speakers may have given the impression that this issue was defeated in House Bill 4144 when that is not true. The issue passed this House but was not then further considered in the Senate on that particular issue. This issue has passed in the House and is back now as a part of the Conference Committee Report. As has been explained, this is going to be very limited to only very specific areas of the state that might even possibly qualify and all of those might not even request that they have this taxing authority. This is not a statewide effort, it is very specific to meet some very drastic needs of a few districts of the state. Without any additional support for education through an income tax or

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

127th Legislative Day

July 1, 1988

through other means the least we can do is to allow these districts the option of having the appropriate funding for their community colleges and I would urge your support for the Conference Committee Report."

Speaker McPike: "Representative Bowman to close."

Bowman: "I would like to yield my closing argument to Representative Steczko."

Speaker McPike: "Representative Steczko. Representative Steczko please."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would like to reiterate what both Representative Satterthwaite and Representative Mautino indicated with relation to the provisions of this Bill on community colleges. The fact is what do you do when the buildings that you are trying to teach students in are falling apart? And by large because not of any wish of the population but because the state bureaucracy responsible for building buildings has indicated and dictated that they be built a certain way. Fifteen years later there's a problem and there's nothing that you can do about that except for a measure like this. I should also mention to you that some of the colleges that are seeking support under this were organized prior to state legislation organizing community colleges in general and have never been able to take advantage of some of the requisites and some of the perks that we've given the others. So they need this to be able to in essence attempt to try to catch up and try to provide the programing that's necessary by not having to rob Peter to pay Paul to pay for buildings that are falling apart. With regard to the second Section, we've always mentioned in this chamber, we've passed and approved before, Sections of the law dealing with the whole question of tax equity for unit districts as compared to dual districts. We think that's

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

127th Legislative Day

July 1, 1988

only fair and there are backdoor referendum provisions on those issues as they are contained in House Bill 3464. I would mention lastly, Mr. Speaker, Members of the House, that last night when only 30 votes were needed, the Senate saw the need and the Senate approved this conference report with 36 votes and I think that would be unjust for the House not to do likewise and I would urge adoption of this report."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3464?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? This Bill requires 71 votes. Representative Mulcahey."

Mulcahey: "Mr. Speaker subsequent to my comments before I have found out that the unit district tax does have a 30 day backdoor referendum to it. So if that changed anybody's mind well so be it."

Speaker McPike: "Representative Bowman."

Bowman: "Well thank you. Just to address the 'present' votes up there because I know that some of you do see the need and are concerned about some of the other aspects of this legislation and I want to assure you that the need is a very real one for these...particularly for these five community college districts around the state and it's a one time tax. This I think some of you may be under the impression that once this happens it's going to be on the levy forever and ever. That's not the case. The tax is time limited and it's specifically for renovation so that there's a limit to how much renovation they can do so that they might have this tax for one year, for two years but this is not the kind of thing that is going to go into effect without voter approval and be on their tax bill forever and ever. So I would urge particularly the people

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

127th Legislative Day

July 1, 1988

who are voting 'present' to rethink their position and respond to the needs of these community college districts."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 52 'ayes', 47 'nos', and the House fails to adopt...Representative Bowman."

Bowman: "I'm just seeking recognition as soon as you announce the result."

Speaker McPike: "The House fails to adopt the First Conference Committee Report to House Bill 3464. The Gentleman have you requested a Second Conference Committee?"

Bowman: "Yes. I would like to request a Second Conference Committee on..."

Speaker McPike: "The Gentleman request a Second Conference Committee Report be appointed."

Bowman: "I also have a Motion."

Speaker McPike: "State your Motion Sir."

Bowman: "I move to extend the dead lines on House Bills 4295, 4296, and 4297 to December 1st. These are Bills related to the budget process I have cleared it with the other side of the aisle and I believe there is no opposition to the Motion."

Speaker McPike: "Representative McCracken."

McCracken: "Yes, that's...that's right, Ladies and Gentlemen. I think these Bills represent an opportunity for some long needed budget reform. We're hopeful that we can accomplish that in a bipartisan manner and for that reason agree to the extension."

Speaker McPike: "Mr. Clerk do you have those three Bills and the Gentleman's Motion? The Gentleman has moved to extend the deadline on these three Bills until Representative Bowman. Until December 1st, 1988. All those in favor of the Gentleman's Motion...Gentleman asks leave to use the

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

127th Legislative Day

July 1, 1988

Attendance Roll Call. No opposition leave is granted, Attendance Roll Call is used and the Motion carries. Page 2 of the Calendar under Concurrences appears House Bill 3512. Out of the record. House Bill 3671, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Senate Amendment #1 to House Bill 3671. Amendment #1 was put on the Bill by Senator Maher in the Senate and it relates to the DuPage County Forest Preserve District who has two adjoining golf courses with two club houses. They're seeking permission to be able to sell or lease one of those club houses and the appropriate ground around to a group I think it's the Shriners and they need legislative approval to do that. I would move to concur with Senate Amendment #1."

Speaker McPike: "The Gentleman moves to concur in Senate Amendment #1 is there any discussion? Being none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3671?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 102 'ayes', no 'nays', 9 voting 'present' and the House does concur in Senate Amendment #1 to House Bill 3671 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. House Bill 3470, Representative Giglio. Representative Giglio your microphone is on."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with the Conference Committee Report to House Bill 3470. This report amends the Charitable Games Act and what it does it repeals the sunset provision of September 1st of this year otherwise all Las Vegas nights will stop. Also in the report the main



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

127th Legislative Day

July 1, 1988

portions are that those counties that are 60,000 people or less could have Las Vegas nights at a particular spot 8 times instead of 4 times. They've done this because in the smaller counties there are not too many large facilities available that will handle the large crowds. Also what it does, it allows volunteers who run the games after they've stopped being volunteers in running the games for an hour or so to go out and play and be part of the festivities that night. The other part of the report raises the bet from \$5.00 to \$10.00, we did not raise the amount of money or prizes that could be won, that still remains at 250 dollars. Also another provision of the report is that in the smaller counties that the Department of Revenue will have the discretion as to whether or not these people will have to post the bond. If there are any questions I'd be happy to answer, if not I would ask for your favorable support."

Speaker McPike: "Representative Keane on the Motion."

Keane: "Thank you, Mr. Speaker. We have previously defeated this measure. This has been somewhat changed but I'd like the Members to realize what we are doing is we're doubling the bet limit from \$5.00 to \$10.00. We also remove the restriction that requires a licensee to hold an organization in only one location. What happens is that they can now move their games around. And if you have one organization with many, a mothers club, a fathers club, a booster club and so on, each of those can have a substantial number of games at a different varying locations. I don't have too much of the problem with the population where the population is below 60,000 and they allow 8 rather than 4 events annually to be held at one place, simply because in many of those counties under 60,000 there aren't that many facilities available. But

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

127th Legislative Day

July 1, 1988

one of the things the Department of Revenue under this Bill is asked to do is to waive the requirements of the licensee to post the bond to insure payment to the winners. So basically if the licensee shows financial ability to make the payments what we're going to end up with in that case is if we have a religious organization that has someone takes off with the money for religious organizations casino night we're going to end up with the people coming to us and to say the Department of Revenue allowed this, they waived the requirement for a bond and you ought to pay it. It will be very hard to say no to them. Another part of this Bill that is very bad is it allows members, volunteers, or employees of the sponsoring organization who participate in the operation of the games to play the games. And one of the things, one of the best things we did in the original legislation was not to allow people who were officers or who were dealers or who were working the games to go out and play because there's too much of an opportunity for collusion. This is especially true when we have increased betting, betting levels. In summary I would say this is taking us where when we passed the original legislation the Sponsor said we would never go. We are doubling, we're doubling the price, we're doubling the game, we could have \$10.00 bets all night long, you could lose or win a substantial amount of money. Those of you who are familiar with large groups that have big games, if you stand at the door and watch the type of people that enter those establishments, they are not there to contribute for the good of that organization. I don't want to call them sleezebags but many of them do not look like preppies. They're there to win money and they're there to gamble. I would say that if we pass this kind of legislation we'll soon be back and we'll soon have limits

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

127th Legislative Day

July 1, 1988

up to \$25.00 or \$50.00. I would urge you to vote against this Conference Committee. I don't think it's right to change this thing to a \$10.00 limit, if we do we've lost what we intended to and we're going to end up with open gambling in a very, very short time. Thank you."

Speaker McPike: "Representative Breslin."

Breslin: "Will the Sponsor yield? Representative Giorgi."

Speaker McPike: "Yes."

Breslin: "Representative Giglio. In this Conference Committee Report is there still an exemption that allows the hiring of professional dealers and professional organizers for these gambling events. That has been taken out?"

Giglio: "No. That has been taken out. Yes."

Breslin: "Okay."

Giglio: "We never, we never had it to hire in there anyway. They were just consultants but they could have no part of the game anyway. But that's out."

Breslin: "Okay. Last but not least, who wants this Bill?"

Giglio: "It was brought to my attention by Senator Rigney who had some problems with the downstate, the downstate counties of 60,000 or less but the main thrust of the Bill is if we're going to continue Las Vegas nights we have to repeal it because the sunset provision goes off September 1st of this year."

Breslin: "Why didn't Senator Rigney introduce his own Bill?"

Giglio: "Well, he did and with more provisions that were on his Bill it never made it out of subcommittee of revenue."

Breslin: "Thank you."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must tell you I signed this Conference Committee but I have some deep reservations about this particular Bill and like Representative Keane I think the Members

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

127th Legislative Day

July 1, 1988

should know of at least two provisions which are somewhat disturbing. The first is, we talk about the fact that we're going to increase the number of games that's going to be allowed in counties under 60,000. Ladies and Gentlemen that's more than half of the counties in this state. So that's a rather major change. The other change, and I might also point out, that under the original Bill the Department of Revenue is supposed to monitor these games. Now we're going to double the size of the amount of games and yet we're not going to increase at all the number of investigators from the Department of Revenue. So you're not going to have people out there being able to monitor these games on a regular basis. So that's something that you ought to know about and certainly something that we ought to be concerned about. I think the other thing that is somewhat disturbing is the fact that we will now allow people who are dealing and actually running the games to participate in the games and I would agree with my colleague, Representative Keane, that that is also a rather uncomfortable and certainly a less than good provision. As a practical matter I know we have many of these kinds of Las Vegas nights in my area, there's alcohol served at these particular Las Vegas nights and you know when you have that kind of an atmosphere you have some drinking and now you have people playing on both sides of the table you know there is a possibility for some problems and difficulties. So although I did sign the Conference Committee I must tell you I've got some deep reservations about this. I think everybody ought to be very careful. I think what we want to try to do is to help organizations, but I don't think we want to move too quickly and I think have, we just passed this legislation last year and already we're coming in for some new exemptions. If the Sponsor

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

127th Legislative Day

July 1, 1988

wants to move the sunset provision, let's come back with a Second Conference Committee Report with a you know removing a sunset provision or accommodating him in that regard. But some of these other provisions are very, very disturbing and dangerous and I'm going to vote 'present'."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Weaver: "Representative just a couple of quick questions. Part of the Bill deals with notification of the Department of Revenue that no other facility suitable is available. How is that notification accomplished?"

Giglio: "Well the people that want the place, they're the ones that select the facility as to where they're going to conduct a Las Vegas night. And they may write or call the Department of Revenue, they may have some idea of what places are available in the county, I don't know but it's up to the organization that's sponsoring the event to find a place."

Weaver: "So, essentially in their application they simply tell Revenue that there's no other place suitable and this is where we have to go and then it's up to the Department of Revenue to verify that that is the case."

Giglio: "They ain't got nothing to do with that. The Department of Revenue licenses premises now anyway and they would have, I would assume that they would have their investigators go out and see if it's suitable but they do that now anyway. What we're trying to do with one of our provisions, Representative Weaver, is that the people in the smaller communities downstate, they don't have the accessibility of a number of different halls that say would accommodate three or four people they may be limited. So they're forced in a sense to go to a place, maybe ten miles

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

127th Legislative Day

July 1, 1988

away where they can accommodate five hundred. In the existing Bill says that this place that say could accommodate five hundred can only hold Las Vegas nights four times a year at that place so five organizations have four times a year that's twenty times these five organizations could have a Las Vegas night. They can't go to that hall because that hall by law can only have a Las Vegas night four times. That's what we're trying to change. We're just trying to double that with this Bill for the smaller counties."

Weaver: "Well, I'm very much in favor with that provision of the Bill. My only concern is that we not get into a subjective evaluation of what may or may not be adequate facilities. Between the Department of Revenue and the people making the application for the lottery or for the games night. So one other question and I one of the previous speakers eluded to a problem with allowing those who are working at the Las Vegas night or casino night from participating. As I understand the Bill, and correct me if I'm wrong, those people who are currently working can only participate if they're finished working for that event. Is that correct?"

Giglio: "Well that's what we're trying to do with one of the parts of the Conference Committee Report. The law now stands that if you participate, with say you're a black jack dealer, once you finish you cannot participate and the law says that you have to be a member of that organization that's sponsoring the event to be a dealer. Let's say you work one hour dealing and the event last four more hours the current law says that you cannot play, you cannot participate after that one hour, we're saying with this Bill now, the change is once you finish dealing and your part of the organization that's why you're a volunteer dealing, then you can go around for the next three or four

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

127th Legislative Day

July 1, 1988

hours and play. You understand?"

Weaver: "Yea."

Giglio: "So in other words the people that are members of the organization that are helping that night could also participate and gamble that night if they want."

Weaver: "Super. Mr. Speaker to the report. Ladies and Gentlemen of the House, this report is going to take care of a lot of problems that we downstaters have with casino nights. In communities or districts that have only one public building suitable for these kinds of purposes we have been up to this time precluded from having more than four events in a year. This is going to allow us to have a little bit more leeway in terms of those groups, those volunteer groups that want to raise money through a casino night. And I think as was alluded to before the onerous provision of doubling it from \$5.00 to \$10.00, good grief we spend more than that on our Indi 500 pool right here in the House. \$10.00 is really not an outrageous bet. I think it's an acceptable and in many cases a desirable Conference Committee Report and I really think we ought to vote for it."

Speaker McPike: "Representative Giglio to close."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to say and reiterate with some of the comments that were made. This does not increase the total amount of money that can be taken in prizes after the evening. It still stays at 250 dollars, so if you're going to gamble and people want to gamble with 10 dollars instead of 5 dollars I don't see anything wrong with it nor do I see anything wrong with those who are volunteers or members of the organization who do their duty and work an hour or two and they shouldn't be restricted in participating and enjoying the rest of the evening. And also for the amount

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

127th Legislative Day

July 1, 1988

of places that can have it 8 times instead of 4 times for counties under 60,000. I don't see anything wrong with that. I'm sure it's been adequately discussed here and I would ask for your favorable support."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3470?' All those in favor vote 'aye', opposed vote 'no'. Representative Mulcahey to explain his vote."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. I think one thing that Representative Giglio did not mention, not intentionally, not in emphasis, these things apply only to counties under 60,000 people population. Yes it does. The 10 dollars...the provision that the revenue is authorized to waive the requirements the licensee post bond, 60,000 people or less. The premise that the license may host 8 to 4 events a year, 60,000 people in a county. Alright, and also that the volunteers, the employees of the sponsored organization can participate later on applies only to counties of 60,000 or less. And so what we have here is we've got the small counties around the state who want to have these events and they do a lot more than the bigger counties do, it allows them to...allows them to do this 8 times a year instead of 4. And I would urge an 'aye' vote from all of you for a change."

Speaker McPike: "Have all voted? This Bill requires 71 votes. Have all voted? Have all voted who wish? The Clerk will take the record. Change Leverenz from 'aye' to 'no'. Representative Giglio."

Giglio: "Mr. Speaker, I move for a Second Conference Committee."

Speaker McPike: "On this Motion there are 49 'ayes', 48 'nos', the House fails to adopt Conference Committee Report #1 to House Bill 3470 and the Gentleman requests a Second Conference Report a Second Conference Committee be



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

127th Legislative Day

July 1, 1988

appointed. Representative Brunsvold on a Motion."

Brunsvold: "Thank you, Mr. Speaker. I would move that we extend the deadline on House Bill 2993 until December 8th. I've talked to the other side of the aisle and they are agreeable."

Speaker McPike: "You've heard the Gentleman's Motion. Is there any discussion? Representative Olson."

Olson: "Thank you very much, Mr. Speaker. Would the Gentleman from western Illinois please elucidate the issue involved in this situation?"

Speaker McPike: "Representative Brunsvold."

Brunsvold: "The House Bill 2993 did have provisions on it for the White Sox purchase and had some civic center material on it and we'd like to discuss that over the summer and see if we can come up with a better situation for the civic centers and we want to give us some time to talk it over."

Olson: "Are you willing to strike the Aledo White Sox from that proposal and just deal with your civic center?"

Brunsvold: "We will take the Aledo White Sox off of the Bill."

Olson: "That would be very satisfactory with us. Thank you very much."

Speaker McPike: "Representative McCracken."

McCracken: "Yes. That's right. I didn't hear if you mentioned a date, I think it should be December 1st."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Tom, I talked to the Clerk, and not knowing when the schedule would be, December 8th would be probably the last scheduled day. And try to cover the bases so you know we could have the proper day, I thought December 8th would be a safe date to go with."

McCracken: "Okay. That's fine."

Speaker McPike: "The Gentleman moves to extend the deadline on House Bill 2993 until December 8th, 1988. All, the

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

127th Legislative Day

July 1, 1988

Gentleman asked leave to use the Attendance Roll Call. All in favor say 'aye', opposed 'no', the 'ayes' have it and the Gentleman has leave, the Motion carries. On page 2 of the Calendar, Senate Bill Second Reading, appears Senate Bill 591. Mr. Clerk has this Bill been read a Second time?"

Clerk O'Brien: "Senate Bill 591, a Bill for an Act to amend the Township Open Space Act. This Bill has been read a Second time previously. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any floor Amendments? Representative Steczo."

Steczko: "Thank you, Mr. Speaker. With leave of Representative Matijevich, Representative Stern and Representative Parcels I'd like to ask to withdraw Amendments #3 through 28."

Speaker McPike: "That was with leave of Representative Matijevich, Representative Stern."

Steczko: "Representative Parcels."

Speaker McPike: "And Representative Parcels. The Gentleman ask leave to withdraw Amendments 3 through 28. Hearing no objections leave is granted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #29 offered by Representative Steczo, Matijevich and McPike."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker and Members of the House. Amendment #29 represents an agreement on the issue of township open space and represents an agreement after approximately two years of discussion. I would like to go through very quickly and provide a thumb nail sketch of some of the provisions that are contained in Amendment #29. We provide that a township replacing land in an open space

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

127th Legislative Day

July 1, 1988

plan may take that land out of the plan and provide that it's no longer eligible for acquisition as open space or open land. We provide a process for the adoption of open space plans whereby the community, the residents, would petition the township board, the township board then would be required to have public hearings on a plan. After the plan is adopted that plan would go to a vote. Prior to the adoption of the plan there would be an opportunity for land contained within the municipality or land contiguous to a municipality to be vetoed by the municipal officials, however by backdoor referendum provisions of 30 days and 15 percent of voters either in the municipality or in the township whichever parcels are applicable, that land could be put back in the plan and could be condemned. We provide that with regard to the Township Open Space Act of land that the bonds have to be sold within a 60 day period of time, that activities to purchase the land have to commence within a 3 year period of time. We provide for exemptions for religious civic and educational organizations or relative to condemnation. We also provide that once a year on March 31st there has to be...there has to be reports filed to the residence of the township which provides all the financial data information as to what's been happening with the Open Space Plan and there is also language relative to grandfathering in certain sections to the current Open Space Plan or the Open Space District that is currently in existence. Mr. Speaker, I would answer any questions by Members of the House but I do want to indicate to the Members that this is an agreed Bill and would move for the adoption of Amendment #29."

Speaker McPike: "Gentleman moves for the adoption of the Amendment, and on that Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, as Representative Steczo has said,

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

127th Legislative Day

July 1, 1988

this has been an ongoing negotiation for the Membership in 1975, we enacted the Township Open Space Act. At that time I was a chief Sponsor of the Bill. It enables an option for voters in certain townships, if it is their will through the referendum to obligate themselves through a bonding program to establish an Open Space District and to acquire land for Open Space purposes. I have always felt strongly that both development and Open Space can be compatible. When the Bill...this Bill was originally introduced, many of the Open Space advocates were very concerned that it would emasculate the Open Space Act and in fact would destruct a program in Libertyville Township that is now a Libertyville Township Open Space District. Therefore, Representative Steczo and I began negotiations to attempt a compromise. Toward that end, I appreciate the cooperation of Majority Leader Jim McPike who monitored this process and also Jim Morphey who heads the Speakers technical and review staff who looked over all of our agreements and disagreements and put it in the form of this Amendment. On quote....my side I also appreciate Dennis Ryan, former Lake County State's Attorney who's in the Gallery who happens to be the Attorney for the Libertyville Township, Jim Fox who is an Attorney and President of the Open Lands Project and Jerry Callahan who is the Land acquisition Attorney for the district and Virginia Scott who is with the Illinois Environmental Council. I also appreciate Members who are on the Floor, who are just as concerned as I was that the intent of the original Open Space Act could have really been destructed if we did not have a viable compromise. Naturally, when this happens, both sides are not happy. We..we do however, save the Open Space Program in Libertyville Township, we, although it makes it more difficult, we do allow other districts to

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

127th Legislative Day

July 1, 1988

determine if they want to have an Open Space District. We have never, never opposed a more accounting for the public that was agreed to at our first meeting. So I believe that as Representative Steczo has said, this is a compromise and I do also have my name on the Amendment and attempt to support Amendment #29."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. I'm not going to speak at length, I just want to say this is a subject on which reasonable people can differ and we have been differing and differing and differing over the months. This compromise does not make anybody thrilled but it satisfies the requirements of the situation and I too would like to commend the participants in the long drawn out negotiating process and in particular Majority Leader McPike. I urge your 'aye' vote on this. It is an idea whose time has come for the developing counties surrounding the city. We need it, it is an option that is going to be used many times, I'm certain. Thank you, vote green please."

Speaker McPike: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker, will the Sponsor yield for a short question?"

Speaker McPike: "Yes he will."

Klemm: "Representative, I want to thank you for all the work you have been doing on this. As you know, I've had an interest in it. I understand my county is now included, is that correct? And is that part of the Bill?"

Steczko: "McHenry County, McHenry County is not included."

Klemm: "It's not included."

Steczko: "It's not included, it was taken out at the request of Senator Schafer."

Klemm: "Alright, thank you very much."

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

127th Legislative Day

July 1, 1988

Speaker McPike: "Representative Parcels."

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

Speaker McPike: "Yes he will."

Parcels: "As the Representative knows I had some concerns about this Bill also, and just for the record, I have read through it as quickly as possible, Cook County is in this Bill right, I mean Cook County will be able to do whatever any other county over two hundred and fifty thousand population can do."

Steczo: "Representative Parcels, on page 1, lines 14 and 15, this Bill is applicable to townships over two hundred and fifty thousand in population, which means that Cook County in fact is back in."

Parcels: "Right, and that's where I looked and I thought, unless it is addressed somewhere else in the Bill it looks like Cook County is in for which I thank you. I think it is the most populous county in the state and the one that perhaps needs some open space more than any other, and I thank you very much for in the agreement, putting Cook County back in."

Speaker McPike: "Representative Hensel."

Hensel: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker McPike: "He indicates he will."

Hensel: "Representative, if they want to take the township require land inside a municipality, do they have that right under this provision?"

Steczo: "Representative Hensel, under the agreement, what would happen that when the township is engaged in the planning process, it could site lands within a municipal boundary to be used for condemnation. However the municipal fathers, the municipal board, Village Board, City Council, may veto that land. Once that action occurs within thirty days if the proponents of the Open Space Plan were able to muster

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

127th Legislative Day

July 1, 1988

fifteen percent of the signatures of the registered voters in the municipality. That question, as to whether or not the lands within the municipality should be condemned can be placed on the ballot along with the question as to the creation of the Open Space District."

Hensel: "And who would be voting on it then, would it be the municipality or the township?"

Steczo: "In that situation, it would be the individuals in the municipality."

Hensel: "In the municipality."

Steczo: "Correct, that is correct."

Hensel: "And then they could vote for that or against it?"

Steczo: "That is correct."

Hensel: "Okay, now what if the land is contiguous to the municipality, what do they do then?"

Steczo: "If the land is contiguous, then the, the Village Board or City Council may then exercise the right to veto, should that exercise be taken, then a petition drive can begin in the township and it would require fifteen percent of the registered voters of the township and that question would be voted upon by the residents in the entire township."

Hensel: "So the municipal people would not have a vote in that then if it's outside the municipality..."

Steczo: "Yes they would. The entire township, the people in the entire township would vote on that question of contiguous."

Hensel: "Okay, has the Municipal League made a decision on whether this is a good Bill or not or do you know?"

Steczo: "Well Representative Hensel, the Municipal League's position originally was as ours was and there should be no condemnation at all in the Municipal Borders or in the contiguous area. And there is still some individuals that feel that that should be the case, however, we feel, I feel that the compromise struck is a worthy one, it's one that

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

127th Legislative Day

July 1, 1988

you'd be attempted to try it at least and we think that this will at least help to address that problem."

Hensel: "No further questions."

Speaker McPike: "Representative Kirkland."

Kirkland: "Thank you, will the Sponsor yield?"

Speaker McPike: "Yes."

Kirkland: "Terry, could you just clarify under the current Act, what counties are included and then what changes are made under the proposed change."

Steczo: "In terms of the population limit Representative Kirkland, the Act stays exactly the same. The limits are two hundred and fifty thousand and over and there has been no change."

Kirkland: "Alright thank you."

Speaker McPike: "Representative Steczo to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. I would encourage all the Members of the ..of the House to adopt this Amendment. And let me reiterate what Representative Stern and Representative Matijevich said about the large number of people that were involved in this process and it was a lengthy, lengthy two years, but I would really like to express my thanks to Representative McPike and Representative Morphew, not only for the, for helping us to the hundred and seventy eighth Member of the Legislature for the Mr. Morphew for not only helping us exact this compromise but also..or extract this compromise, but also for the numerous hours that were involved. I would move for the adoption of the Amendment Mr. Speaker."

Speaker McPike: "Question is, 'Shall Amendment #29 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Read the Bill Mr. Clerk."



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

127th Legislative Day

July 1, 1988

Clerk O'Brien: "Senate Bill 591, a Bill for an Act to amend the Township Open Space Act. Third Reading of the Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I think that the debate on Amendment #29 fully explained the Bill and I would just ask for a favorable vote."

Speaker McPike: "The Gentleman has moved for passage of the Bill. Is there any discussion? Being none, the question is, 'Shall Senate Bill 591 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 115 'ayes', 0 'nays' and 1 voting 'present'. Senate Bill 591, having received the three fifths Constitutional Majority is hereby declared passed. Supplemental Calendar 1(A), or Senate Bill 1615, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I will explain and move for the adoption of the First Conference Report on Senate Bill 1615. The essence of the report is to concur in our House Amendments one, two, five and six and add some new language which is a reworking of the Senate Amendment number, I believe two, that dealt with the issue of lending institutions when there is a foreclosure with regard to the liability for cleaning up any hazardous waste. The language in the Conference Committee Report has been agreed to by Lending Institutions, the Environmental Protection Agency and the Environmental Council and it mirrors the Federal Statute. The rest of the Bill was a and I would indicate first of all what the original Bill was, that's an effort by Senator Welch and myself to reach an understanding and an agreement with regard to onsite non-hazardous waste disposal and in a meeting with the Illinois Manufacturers Association, the

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

127th Legislative Day

July 1, 1988

State Chamber of Commerce, the EPA and the Environmental Council, we agreed upon a Bill that provides for not the licensing but full disclosure of the operations. We had some confusion on this Bill with regard to which Amendments were on and I hope that that has been clarified. We do have another provision on the Bill which was Senate...House Amendment #3 which was...which is not involved in this Conference Committee because it's found in another...another Bill. So I'd be happy to answer any questions. I know we've heard a lot of people get up and say this is an agreed Bill, but this really is an agreed Bill. And I'd be happy to answer any questions."

Speaker McPike: "Representative McCracken."

McCracken: "I agree that it's an agreed Bill, so let's vote. But maybe there's confusion as to what's in it still."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1615?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Representative Cullerton."

Cullerton: "Just to explain my vote. There was confusion as to which Amendments were adopted. House Amendment #5 was Representative Breslin's and that is included in the Bill. So I just wanted to clarify the record on it."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 113 'ayes', 1 'no' and 2 voting 'present'. The House does adopt first Conference Committee Report to Senate Bill 1615. And this Bill having received the required three fifths Constitutional Majority is hereby declared passed. Returning to page 2 of the Calendar under Senate Bill Second Reading appears Senate Bill 2232. Mr. Clerk read the Bill."

Clerk O'Brien: "Senate Bill 2232, a Bill for an Act to create the

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

127th Legislative Day

July 1, 1988

Heritage Preservation Fund. This Bill has been read a Second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There is a series of Amendments on this Bill which have been filed by me and Representative Weaver and Ropp and Deuchler, all of which address the question which this Session should have addressed and that is income taxes in the State of Illinois. Members on the other side of the aisle had earlier filed Amendments to other Bills and later withdrew them when we came up with our proposal. But unfortunately this proposal did not get the debate and consideration it should have gotten before midnight last night. At this point, the question has really moved. But I say to you as Members of the General Assembly as good citizens we need to earnestly work to solve the problems of the people in the State of Illinois, not the baseball teams. We need to work to solve the problems of delivering educational services to our children. We need to be concerned about the quality of higher education in this State. We can't let it waste away. We can't let all the good faculty go away. We can't let all of the citizens of this State not have that opportunity to obtain that dream, that American dream, a higher education. The kids that are in our universities today can't get classes because there isn't enough faculty. The infrastructure is falling down around them. We're ignoring the problems to the State of Illinois. No matter where you stand on this issue, you can no longer continue to ignore these problems. And if you demand good Government then you must demand that we deal

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

127th Legislative Day

July 1, 1988

with the problems of the people of the State of Illinois, Mental Health and otherwise. I will withdraw this Amendment. And all other Amendments."

Speaker McPike: "The Gentleman withdraws this Amendment. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hallock."

Speaker McPike: "Representative Hallock, Amendment #2."

Hallock: "I withdraw please."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hallock."

Speaker McPike: "Representative Hallock, Amendment #3."

Hallock: "Withdraw please."

Speaker McPike: "Gentleman withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Countryman."

Countryman: "Yield to Representative Ropp who is co-Sponsor."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. One of the real if not the most important issues that we should have addressed in this Legislative Body is the fact that we need to place as our number one priority in the State of Illinois. Adequate education for our people. Starting at not only elementary and secondary but especially then in higher education. We have not addressed that as we should. The fact that we are now into July 1 is somewhat telling the people of the state, business throughout this nation, that we're not as concerned about education as we are with maybe sporting events in this state. And I think that's a

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

127th Legislative Day

July 1, 1988

real tragedy. The fact that nothing has been able to be worked out so that we attempt to deal with educating people so that they will not in fact continue to be placed on the Public Aid Welfare roles, that they will in fact not continue to be placed in our prisons throughout the State of Illinois to the tune of building one every year for the last ten years. The fact that we do not plan for training the minds of our very people, challenging them to the very best of their ability is a tragedy that we have overlooked in this Session, and this Bill, this Amendment is one that would have provided those necessary priorities for higher education so that we once again can place Illinois as one of the leaders in encouraging economic development because without the mind being well trained, we as a state and we as a nation have not given our people the very best advantage that we have and I think that's a tragedy. Having said all this and knowing that this is not going to go anywhere, will take this Amendment to be withdrawn."

Speaker McPike: "Gentleman withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Amendment #5 is an income tax increase Amendment. We ask you to consider the amount of money that we owe to business and tax refunds, the amount of money owed to medicaid providers. The amount of money owed to higher educational system which is in rapid deterioration. And the greatest crime of all, the inadequate support for our schools. It's right and proper for us to make requirements of quality and performance in our educational system, but it is not right to force the cost of our mandates on the local taxpayer through an

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

127th Legislative Day

July 1, 1988

antiquated tax system that is unfair, inequitable and often unenforced. When Representatives Countryman, Ropp, Deuchler and I first made our proposal public, we were encouraged by positive responses from both sides of the aisle. We attempted to address the primary needs of education while still allowing for other human service shortfalls with the natural growth monies and a part of the increase. We increased the personal exemption to fifteen hundred dollars to help to return additional exemptions for seniors over 65 or blind and we dealt with a form of property tax relief acceptable and workable with any existing local frame work. Our efforts in fashioning this tax for education Bill were inadequate in only one area. And that was convincing the Speaker, not about the inovations or soundness of our proposal, but of the needs of our educational system for additional funding. Since the Speaker remains unconvinced, to such support for education, human services and the retirement systems exist, the votes are obviously not there. Our informal polls of the Membership indicate that so many are awaiting for the Speaker's direction on this issue, that a vote would fall willfully short of passing."

Speaker McPike: "Mr. Weaver, do you wish to address the Amendment?"

Weaver: "I certainly am, thank you."

Speaker McPike: "Then address the Amendment Sir."

Weaver: "It appears prudent that we must quickly reach a conclusion that we all know is guided by the Speaker. I regretfully withdraw Amendment #5."

Speaker McPike: "Gentleman withdraws the Amendment. Further Amendments?"

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

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

127th Legislative Day

July 1, 1988

Speaker McPike: "Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. Amendment #6 is requested by the Secretary of State. It's a technical one, it only allows him to print Administrative Rules in the Index Division instead of the State Library. I would ask for its support."

Speaker McPike: "Gentleman moves for the adoption of Amendment #6. Is there any discussion? Hearing none, the question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker McPike: "Third Reading. House Calendar, Supplemental #2, appears House Bill 3204...3199. Representative Mays. Out of the record. Representative Mays, the Department of Insurance. Out of the record. House Bill 3204, Representative Mays. Representative Mulcahey. Representative Mulcahey, for what reason do you rise?"

Mulcahey: "Didn't you hear the objection we had back here regarding Mr. Weaver's Motion?"

Speaker McPike: "Yes, I did, the Gentleman has a right to withdraw his Amendment."

Mulcahey: "...without standing any objections from any of the Members?"

Speaker McPike: "That's correct. The Gentleman has a right to withdraw his Amendment."

Weaver: "My apologies."

Speaker McPike: "House Bill 3204, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, House Bill 3204 is the Department of ..."

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

Morrow: "Thank you, Mr. Speaker, I don't believe that that

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

127th Legislative Day

July 1, 1988

Calendar has been passed out yet?"

Speaker McPike: "Mr. Clerk, has the House Calendar, Supplemental #2 been passed out? Yes it has Mr. Morrow."

Morrow: "Thank you."

Speaker McPike: "Proceed Mr. Mays."

Mays: "Thank you very much Mr. Speaker. This is the operations budget for the Department of Central Management Services. The net effect of the Conference Committee Report on this particular budget is no net change in GR for the Department. We will go to the Governor's desk at one hundred and eighty eight million, two hundred and fifty nine thousand, nine hundred dollars in general revenue fund, and total funds, seven hundred and twenty one million nine hundred and forty six thousand. I move for adoption of this Conference Committee Report."

Speaker McPike: "Gentleman moves for the adoption of the First Conference Conference Committee Report. Is there any discussion? Being none the question is, 'Shall the First Conference Committee Report to House Bill 3204 be adopted?' All those in favor vote 'aye', opposed vote 'no'. All voted? Have all voted? Have all voted who wish. The Clerk will take the record. On this Motion there are 114 'ayes', 1 'no', and none voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3204. And this Bill having received the three fifths required Constitutional Majority is hereby declared passed. House Bill 3205, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the operations budget for the Department of Corrections. And it passed..or recommended by the Conference Committee, this would spend four hundred and thirty million dollars in general revenue funds for the Department and four hundred and fifty five million in total funds for the Department



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

127th Legislative Day

July 1, 1988

for the next fiscal year. It will represent about eighteen million dollars above the estimated expenditure level for the Department this year. However, the Conference Committee did reduce by about seven million dollars, the operations budget as it passed the Senate. So I would move for the adoption of this Conference Committee Report."

Speaker McPike: "Representative Olson."

Olson, M: "Thank you, very kindly, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to direct a question to the Sponsor?"

Speaker McPike: "Yes, proceed."

Olson, M.: "Representative Mays, I've had an inquiry relative to the reduction in the line item relative to the Dickson Correctional Center on retirement and Social Security monies. Could you explain our posture on that?"

Mays: "Yes, thank you very much, Representative. That's a concern that I'm sure a lot of people would share, as you know when we have to find dollars for other purposes and we have to go through agency budgets, somebody's gotta get cut. But the bottom line, I believe, this has been a line that is historically shown..you know the Department has historically elapsed or transferred from and I believe if you have to make cuts into the department's budget which some people may not like to make, but if you have to make cuts, this is probably one of the least damaging areas to go."

Olson, M: "Well then would you be able to indicate that in all probability it would not mean a reduction in on line personnel. Is that what maybe the perspective or would it indeed mean some cuts?"

Mays: "At this time, there is some discrepancy as to what the impact of this absolute budget will be. I can't speak to the Dickson, the Department of Corrections believes that

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

127th Legislative Day

July 1, 1988

there will be some layoffs, there is another school of thought however that attrition in increased hiring lag may be able to accommodate these cuts."

Olson, M.: "Does your projection based on the Department of Corrections budget and all the others that you and the Appropriations Committees have worked on this Spring, would that give us the balance budget that we are seeking in line with projected revenues for this next fiscal year?"

Mays: "Thank you, for raising that question. We believe we will be coming in very close to the recommended level of the Governors Bureau of the Budget with the overall budgetary changes that we will be recommending to the Body today."

Olson, M: "Thank you very much."

Speaker McPike: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker will the Sponsor yield?"

Speaker McPike: "Yes he will."

Hultgren: "Jeff, I'd like to address some of the similar concerns that Myron just addressed with regard to the Hill Correctional Center which is located in Galesburg. My understanding is, that retirement and Social Security in that line have also been reduced from the Governor's proposed budget. Is that correct?"

Mays: "I think we did this across the whole agency budget, and the reason is because traditionally or in the past, the most likely area for lapsing or transferring of funds in the Departments Budget has come in those areas."

Hultgren: "As a result of the reductions in retirement and Social Security, is there a possibility then that there will have to be some lay offs in personnel at Hill Correctional Center, particularly I'm concerned about the Correctional officers where they're currently understaffed at this time?"

Mays: "In your specific case again, we cannot answer, but I would

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

127th Legislative Day

July 1, 1988

suggest that the committee believed that additional hiring lag, extending the hiring lag and attrition would be able to accommodate the bulk of these cuts, however the department is preparing some positions and asserting otherwise, so we can't really state at this time."

Hultgren: "So if I understand your answer correctly, at least the department feels, even though some of the conferees would disagree, that this may result in personnel cuts at the Correctional Center."

Mays: "Well, and frankly if we increase hiring lag and attrition we won't need the dollars in the Social Security lines and the other retirement lines either. So under either scenario the dollars in these particular lines are the most..or the least damaging to the department in our mind."

Hultgren: "Thank you, and Mr. Speaker, to the Conference Committee Report, I know the Conferee's have worked very hard and very conscientiously to try and present us with a balance budget. However, with regard to this particular budget, I am concerned with regard to the safety of the Correctional Officers that have to work in the system, not only in Galesburg, but throughout the State of Illinois. I would urge my colleagues to take a close look at this report and consider whether we might be jeopardizing the safety of State Employees if we approve it as it is. Thank you."

Speaker McPike: "Representative Goforth."

Goforth: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker McPike: "Yes."

Goforth: "Jeff and I would like to also have Ted to answer this question also if he would since he is Chairman of the Appropriations Committee. Apparently we're, as usual getting mixed signals around here. The Department tells me they're going to have to lay off one hundred people. I

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

127th Legislative Day

July 1, 1988

understand that one of you said a while ago that they didn't think that the lapse would lay off anybody. I would like to see whose got misinformation or straight information or if one of you could answer that I would appreciate it. Could you answer that for me Ted?"

Speaker McPike: "Representative...Representative Leverenz."

Leverenz: "I would like to have leave of the House to assist Representative Mays and try to answer this in a couple of ways. First, I have never seen a lay off happen because we reduced Social Security or retirement lines in a given budget. Those two lines are a percentage amount of the personal services line items. If personal services is a dollar, then there is a percentage that you must put in to retirement and Social Security. And because we take money out of those two lines, it will never generate a lay off. Conversely, if you will recall, in the past those lines have had so much extra money in them that they were able to buy an airplane out of them for an example. Further, last year, we were told, just as we are being told now because the minute it leaks out what the Conference Committee has done in terms of final dollar numbers. The minute those numbers get out, some agencies get excited and start generating letters that we're going to lay people off. Could be Public Aid, could be Corrections. Because we are driven to run these numbers extremely tight, I can understand why those people move around and have people start asking questions about layoffs. We have in all cases where there was even a small discrepancy asked the agency to provide us with the actual numbers. The budgets are crafted so that there should be, based on the amount of money available, unless they go through and give one hundred people a substantial raise, there should be no layoffs."

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

127th Legislative Day

July 1, 1988

Goforth: "Thank you, Ted. Just one, more quick question. If I understand you right, you will be highly unhappy with the Director if he lays off one hundred people due to this budget, is that correct?"

Leverenz: "That is correct."

Goforth: "Thank you very much sir."

Leverenz: "And further, just to help you, we have talked about it, our staff has been put on notice about it and we are ready to move in the Fall should some unknown problem raise its ugly head."

Goforth: "And you shall have my full support as usual."

Speaker McPike: "Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #3, is being distributed."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I assume we're still on 3205?"

Speaker McPike: "Yes Sir."

Black: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Black: "Representative, forgive me, I came in a little late, I was called out. I just want to ask you a couple of questions. I have some concerns and I did hear you addressing, I think Representative Leverenz was addressing the fact that it probably wouldn't result in layoffs, but I have some concerns about the Correctional Center in my District. When you mention layoffs, that's one thing, because we have never been up full strength anyway. And I'm concerned that we've never, never really met our head count and I think that I guess if you could just comment to allay my fears that we're not going to get ourselves into a safety program because it seems like if layoffs are necessary, we lay off Correctional Officers and that staffing level right now isn't what it should be, and I

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

127th Legislative Day

July 1, 1988

really have some concerns about how we're going to address that and I apologize because you may have addressed it while I was out."

Mays: "Thank you."

Speaker McPike: "Mr. Mays to close...."

Mays: "Thank you very much, Representative Black. I know that you're concerned, you convey your concern to me on issues of budget pertaining to your district quite frequently and I appreciate that concern. I can't represent to you that this will help the hiring or the personal services head count at Danville at this time. I can't tell you that it will absolutely hurt it one way or the other either. I know that the Department, while it has received a growth in Revenues and growth in spending over the last few years as we've accommodated the expanded beds. It is still a budget that in which they have had to tread and find head count and I think the Department has been very very good about trying to be flexible with the budget figures that we have given them. I will simply restate that at this proposed level, there is a nineteen and a half million dollar increase in spending for the budget of this Department over the previous years level and I share your concerns as to the prospects of layoffs. I am not particularly happy with some of the commodities lines and contractual lines and utilities lines and food lines and medical lines, but this is the best budget that we could put together, if indeed as Representative Leverenz indicated, there are some problems that emerge, we will stand ready to try to assist the Department if we have additional revenues in the Fall."

Black: "Well I thank you for that, and I certainly appreciate your last sentence or two in that you and Representative Leverenz will stand ready to assist the Department and I'm sure that any of us that have a Correctional Center in our

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

127th Legislative Day

July 1, 1988

districts if we feel the staffing levels go below what is critical for safety then I appreciate your comments and you can bet that some of us will be calling you and Representative Leverenz on the phone. I thank you very much."

Speaker McPike: "Representative Mays to close. Representative Leverenz to close. Representative Leverenz to close."

Leverenz: "On...House Bill 3205, I now move that the First Conference Committee Report be adopted inasmuch as it was adopted in the Senate who has the same concern by a vote of 57 to 0."

Speaker McPike: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3205?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 107 'ayes' 5 'nos', and 1 voting 'present'. The House does adopt First Conference Committee Report to House Bill 3205. And this Bill having received the required three fifths Constitutional Majority is hereby declared passed. House Calendar Supplemental #3, appears House Bill 3100, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentleman. I rise to inform the Body that we have been able to reach an agreement with regard to tipping fees in order to secure funding for the hazardous waste disposal fund for both the State and Local Government. The agreement is contained in House Bill 3100. The following are the highlights of that agreement. First of all, it has been agreed that there will be a cap of seventy cents on the DuPage County Forest Preserve District that landfills that are currently in existence. There are two. It is also agreed that the language in this Bill with regard to this issue will have

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

127th Legislative Day

July 1, 1988

no effect on the current suit dealing with the Constitutionality challenging the Constitutionality of that DuPage County seventy cent tax. The second part of the agreement is that the states surcharge, tipping fee, shall be sixty cents for the next three years and then it will drop down to forty five cents. That will generate for the State of Illinois, approximately sixteen million dollars for the first three years and then will drop down to about twelve million dollars thereafter. For the locals, the surcharge will be forty-five cents for the first three years and then will go up to sixty cents. The reason for this change is and for the flipping of the fees between the state and the locals is because at the beginning of this process, the State will have the major responsibility for helping locals in giving planning grants so the state is going to need more money. After three years pass, the locals are going to be ready to start implementing their plans. They are going to need money to buy landfill space. They are going to need money in order to start their incinerator to start their recycling programs etc. So, we want to encourage implementation after this point. The Bill refers to waste which is permanently disposed of in landfills, not just that which is transferred. A local unit of Government is defined in the Act as that which is defined under the Local Solid Waste Disposal Act and it must be located, the facility must be.. the charge can be placed only where the disposal facility is located. It should be noted that there are three units of Local Government which could impose this tax. The county in which it is located, the municipality in which it is located or a joint action agency. It is up to the local communities to decide how and what they will charge. The cap, however, is that it can not exceed forty five cents



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

127th Legislative Day

July 1, 1988

for the next three years and sixty cents thereafter. So it is possible, that should you have a municipal landfill in a municipality. The Municipality may decide to charge twenty cents and the county twenty five cents, and that will get them up to their forty five cents. It is left in this Bill up to those individual entities to make the determination. The Bill also addresses the Constitutional questions that previously held the previous Bill unconstitutional. Last but not least, there is an additional provision in the Bill which establishes a licensing system for crane operators and for laborers who work with hazardous waste materials only. The purpose of this licensing requirement is to promote job safety and to protect the life and health of our citizens. I don't know if you realize that, but I became familiar with this issue when I was working on the hazardous..on the household hazardous waste issue. We, as you know last year passed a Bill that would require..or allow municipalities to establish local collection programs for their household hazardous waste. And it came to my attention that this was a very tricky issue because we were having people who were untrained in the handling of hazardous materials, actually going out and doing the collecting. It was a concern with regard to liability and it was a concern with regard to the EPA and ENR as to how they should be maintained. We did build into that system, a requirement that EPA and ENR set the operating standards for such collection programs and we had to exempt people from liability under. Well here are laborers and crane operators, citizens of our state, taxpayers of our state who can be put in hazardous positions, handling hazardous waste material removal and clean up, with no training whatsoever. This Bill would establish a licensing procedure for both. I have ..I stand ready to answer any

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

127th Legislative Day

July 1, 1988

questions that you might have and I move for the adoption of the First Conference Committee Report on House Bill 3100."

Speaker McPike: "You've heard the Lady's Motion, and on that Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 3100. The State of Illinois can no longer wait to implement tipping fees to fund recycling programs in Illinois, composting programs in Illinois and waste reduction in Illinois. The barge will not leave the State of Illinois, its got to be dealt with now. The time is now. I realize that some of the provisions with respect to the crane operators licensing may be somewhat offensive, but as Representative Breslin said, they are limited to only hazardous waste. These are the people who drive the bulldozers and the cranes wearing white and yellow uniforms with masks on. That's all there is to it. We cannot afford to vote 'no' on this issue and see another New Jersey or New York barge be rejected. The time is now in Illinois, recycling is now in Illinois, composting is now in Illinois, reduction of solid waste is now in Illinois and the only way it's going to get funded is through this mechanism. It has been agreed to by all parties with respect to the fees, DuPage County Forest Preserve District is taken care of. Everything is in place, we can no longer wait. I strongly urge a 'yes' vote' even if you have to hold your nose with respect to the crane operators. But remember it's only those operators dealing with hazardous waste, the time is now, I urge all my colleagues on both sides of the aisle, please vote 'yes' on this issue and let's get it out and get it implemented."

Speaker McPike: "Representative Didrickson."

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

127th Legislative Day

July 1, 1988

Didrickson: "Thank you, Mr. Speaker, would the Sponsor yield for some questions please?"

Speaker McPike: "Yes she will."

Didrickson: "Representative Breslin, the statement has been made that there is some very fine and good aspects to this Bill and the time has come and I may concur on that. But there are also a number of us that are concerned about the licensure crane operators. Why at the twelfth hour has this been put into this Conference Committee Report? Has there been a Bill going through the system, this legislative year or has there been public debate on this particular licensure of crane operators?"

Breslin: "There was public debate on this issue earlier in the House in this Session. At that time, the Bill as considered was poorly drafted, there were not a lot of details worked out on it between the various opposing parties and it was defeated in the House Committee. Since that time, a great number of meetings have taken place. The language has been cleaned up dramatically and a number of compromises have been reached. So the Bill that comes to you today is much improved over that which failed in House Committee earlier this year."

Didrickson: "The second question that I would have for those that are concerned about the licensure of the crane operators is the fact that you're licensing the big crane operators, but what about the smaller lift crane operators? Why are you excluding them?"

Breslin: "It is my understanding that the type of crane that is used in the removal of hazardous waste applies to the larger crane. And we did not intend to include the forklift or the bobcat, the thing that ...runs around the average manufacturing plant, we wanted to confine it only to the large crane that is typically used in this process

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

127th Legislative Day

July 1, 1988

and so this restriction was put in, I believe in order to satisfy the concerns of the business community of this state."

Didrickson: "Well, it's my understanding that the language you have here has been drafted so broadly that it does not do what you just said and so that's the line of my questioning here and that indeed it is so broad that there is concern now that you are also going to be licensing cleaning ladies at these plants because of the overly broad language."

Breslin: "I disagree. There is a strict construction for the definition for crane, hoist, laborer, hazardous waste and the facility in which this applies. In addition to that, there are several exemptions. The following are those exemptions. Operators of forklifts or bobcats. Operators of graining ...grading, drainage, field tile and irrigation equipment. Operators of agricultural farming equipment. Persons involved in activities associated with the excavation for discovery, development or production of minerals, coals or other substances and oil, gas and water. Employees of a railroad who operate a crane or a hoist. And any employee of the owner, operator or principal responsible party of the manufacturing facility undergoing cleanup providing the employee has undergone the required training by OSHA, hazardous waste operations."

Didrickson: "I think you just mentioned the fact that it also requires those regarding clean up is that correct?"

Breslin: "It exempts any employee of the owner, operator or principal responsible party of manufacturing facilities undergoing cleanup provided the employee has had some training under the OSHA hazardous waste operations. I just gave you an exemption not an inclusion."

Didrickson: "Well ...what you're saying and reading into the record here is correct. I just would like to caution for

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

127th Legislative Day

July 1, 1988

those who are concerned about the licensure of crane operators and the potential future licensure of the trades, which is really what we're opening the door for here, that this has been drafted as I am told very broadly and that will include what it is that you are saying it doesn't. I hope your correct. I just want to raise the flag on that and express those concerns of the business community."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, I move the previous question."

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', opposed 'no', the 'ayes' have it and the previous question is put. Representative Breslin to close."

Breslin: "I repeat, Ladies and Gentlemen, this is the tipping fee Bill. It has the agreement of DuPage County, the City of Chicago, downstate, ENR, the EPA, the Environmental Community. It has the support of laborers and the trades people and the crane operators, so I ask for adoption of the First Conference Committee Report."

Speaker McPike: "The Lady moves for the adoption of the report. The question is, 'Shall the House adopt the Conference Committee Report to House Bill 3100?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Hultgren, did you wish to explain your 'no' vote?"

Hultgren: "Yes, if I may."

Speaker McPike: "Proceed sir."

Hultgren: "In the debate, I heard much discussion about the licensing of crane operators. I think ommitted from the discussion, at least from the question and answer, apparently the provision also licenses laborers and if that

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

127th Legislative Day

July 1, 1988

makes a difference to some, just..it would appear that a basic laborer would have to maintain a license under the Conference Committee Report. I wanted to point that out."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 95 'ayes', 15 'nos' and 5 voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3100, and this Bill having received the required three fifths Constitutional Majority is hereby declared passed. The vote has been taken and the Bill has been declared passed. If someone wishes to add, they can be journalized. The Clerk has a mechanical problem with this roll, we will dump the Roll Call and vote again. Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3100?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Representative Dunn would like to change from 'aye' to 'no'. Mr. Dunn from 'aye' to 'no'. On this Motion there are 91 'ayes', 16 'nos' and 8 voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3100, and this Bill having received the required three fifths Constitutional Majority is hereby declared passed. Turning to Supplemental #2, House Bill 3227, Representative Mays, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the operations and new appropriations for the Department of Transportation spends a billion, nine hundred and twenty million, six hundred and seventeen thousand total of which nineteen million, eight hundred and sixty five thousand, six hundred dollars is general funds. I would move for adoption of the Conference Committee Report."

Speaker McPike: "Is there any discussion? Being none, the

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

127th Legislative Day

July 1, 1988

question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3227?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes', 0 'nays', none voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3227, and this Bill having received the required three fifths Constitutional Majority is hereby declared passed. To House Bill 3228, to Representative Mays."

Mays: "Thank you very much, Mr. Speaker. House Bill 3228 is the operations budget for the Department of Revenue. As it passed the Conference Committee, it had six hundred and ninety six million dollars, eight hundred and sixty seven thousand in general funds and a total of one billion, seven hundred and thirty eight million, one hundred and ninety eight thousand dollars. I would move for its adoption."

Speaker McPike: "Any discussion? Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3228?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are ...on this Motion there are 116 'ayes', no 'nays' and none voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3228 and this Bill having received the required three fifths Constitutional Majority is hereby declared passed. House Bill 3233, Representative Mays. I'm sorry, Representative Tate."

Tate: "Thank you, Mr. Speaker, House Bill 3233 is the ...."

Speaker McPike: "Representative Giglio in the Chair. Proceed Sir."

Tate: "Is the appropriation ordinary and contingent expense of the Illinois Health Care Cost Containment Council. I move for its approval."

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

127th Legislative Day

July 1, 1988

Giglio: "Gentleman moves for the substance of the Conference Committee Report on House Bill 3233. Any discussion? Hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. 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 116 voting 'yes', none voting 'no' and none voting 'present'. And the House does adopt First Conference Committee Report on House Bill 3233, and this Bill having received the Constitutional Majority is hereby declared passed. Could we...we skipped one. House Bill 3231, Representative Mays."

Mays: "Thank you, very much, Mr. Speaker. This is the reappropriations Bill for the Department of Transportation. It reappropriates one billion eight hundred and four million, four hundred and sixty-nine thousand dollars. I would move its adoption."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor of the acceptance of the First Conference Committee Report to House Bill 3231 vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 113 voting 'yes', none voting 'no', and none voting 'present' and the House does accept the First Conference Committee Report to House Bill 3231 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3237, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the Operations Budget for the Department of Energy and Natural Resources. It is recommended by the Conference Committee, it would spend six hundred and forty two million, nine hundred and



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

127th Legislative Day

July 1, 1988

seventy thousand. I would move for its adoption."

Speaker Giglio: "You've heard the Gentleman's Motion, any discussion? Hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. 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 109 voting 'yes', 1 voting 'no', 2 voting 'present' and the House does accept the First Conference Committee Report to House Bill 3237 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3240, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the appropriations for the Pollution Control Board as recommended by the Conference Committee would spend one million, two hundred and fifty four thousand dollars. I would move for its adoption."

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 112 voting 'yes', none voting 'no' and none voting 'present', and the House does accept the First Conference Committee Report to House Bill 3240, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3242, Representative Mays."

Mays: "Thank you very much. This is the Conference Committee Report on the local law enforcement officers training board as recommended by the Conference. It would spend eight million, six hundred and forty thousand dollars in traffic and criminal conviction surcharge funds. I would move its adoption."

Speaker Giglio: "You heard the Gentleman's Motion. All those in

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

127th Legislative Day

July 1, 1988

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 115 voting 'yes', none voting 'no' and none voting 'present', and the House does accept the First Conference Committee Report to House Bill 3242 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. House Bill 3403, Representative McCracken, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. Conference Committee Report for the Secretary of State's Appropriation appropriates eighty three million, two hundred and forty three thousand, nine hundred dollars out of GRF. Other state funds, one hundred and thirteen million, nine hundred and ninety four...six hundred dollars. Federal funds, seven million, five hundred thousand dollars for a total of two hundred and four million, seven hundred and thirty eight thousand, five hundred dollars and I ask for your approval."

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 115 voting 'yes', none voting 'no' and none voting 'present', and the House does accept the First Conference Committee Report to House Bill 3403, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1689, Representative Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 1689, is the ordinary and contingent expense for the Board of Higher Education. The Conference Committee Report reduces

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

127th Legislative Day

July 1, 1988

personal services by fifteen thousand five hundred, GRF provides a five point seven percent salary increase rather than a seven percent. It reduces the financial assistance grant through private colleges and universities by seventeen thousand GRF, but that reflects a nine hundred thousand GRF increase over the Governor's allocation. Provides an increase of nine thousand..nine hundred and seventy three thousand over the Governor's allocation to a total of thirty seven thousand, three hundred and sixty one thousand, four hundred dollars. I move for the adoption of Conference Committee Report."

Speaker Giglio: "You heard the Gentleman's Motion, any discussion? Hearing none, 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 116 voting 'yes', none voting 'no' and none voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1689 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1690, Representative Keane."

Keane: "Thank you, Mr. Speaker, Conference Committee Report #1 on Senate Bill 1690 does the same thing. It provides a five point seven salary increase rather than six is passed by the House, provides an increase of sixteen million, one hundred and thirty seven...one hundred thirty eight thousand above the Governor's allocation and this increase provides a total over increase of sixty five million over Governor's allocation. I move for the adoption of a Conference Committee Report #1 to 1690..Senate Bill 1690."

Speaker Giglio: "You heard the Gentleman's Motion, any discussion? Hearing none, all those in favor signify by

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

127th Legislative Day

July 1, 1988

voting 'aye', those opposed 'nay'. The voting is open. 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', 2 voting 'no', one voting 'present', and the House does accept the First Conference Committee Report to Senate Bill 1690 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1692, Representative Satterthwaite, the Lady from Champaign."

Satterthwaite: "Mr. Speaker and Members of the House, this is the budget for the University of Illinois. It provides an increase of twenty two point two three six million dollars of General Revenue Fund above the Governor's allocation level. It will provide essentially for a five point seven percent salary increase and I would move for the adoption of Senate Bill 1692, First Conference Committee Report."

Speaker Giglio: "You heard the Lady's Motion, any discussion, the Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield for a question?"

Speaker Giglio: "She indicates she will."

Klemm: "Just out of curiosity, I noticed there was some salary increases. How many dollars does the salary increase take of the twenty two million new dollars that we're giving over the budget of last year?"

Satterthwaite: "That's the entire increase."

Klemm: "So the entire increase are for salary increases?"

Satterthwaite: "Yes."

Klemm: "What does that do for the programs that the...I'm getting letters from some of the students where the university is cancelling courses, providing less services I guess to the students. That won't be improved at all, its just that we're going to pay people more to do the same amount right?"

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

127th Legislative Day

July 1, 1988

Satterthwaite: "Well Representative, what the agreement was that the new General Revenue Funds that would be available would be put into salary increases for or into the personnel services line item to provide salary increases because we are finding that the University of Illinois as well as some of the other universities are losing staff people, at a very rapid rate. Without being able to retain staff people it is going to be very difficult for them to provide quality educational services. This does put a crimp in what they can do as far as programs are concerned. Now one of the other adjustments that has been made through higher education is that the higher education institutions have already absorbed some cut in general revenue essentially by taking monies to replace those that go into the retirement system. We are paying more into the retirement system this year than in last year. We are also paying more into the scholarship funds than last year. And so the institutions have already taken internal adjustments to compensate for that. And so their preference was that any new general revenue dollars would go into personnel services to help them retain the faculty and other staff people that they currently have."

Klemm: "Thank you very much."

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

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

Speaker Giglio: "She indicates she will."

Mautino: "Representative Satterthwaite, this House overwhelmingly passed the merit scholarship program that provided for the top ten percent of the students to receive a stipend going to State Universities. Is that proposal which reduced the seven percent raised to six percent still in this Conference Committee?"

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

127th Legislative Day

July 1, 1988

Satterthwaite: "No it is not Representative because the funds available through the redistribution of the revenue available in this year's budget without a tax increase does not provide even for a six percent salary increase which is what you refer to after the reduction for merit scholars."

Mautino: "To the Conference Committee, if I may, Mr. Speaker."

Speaker Giglio: "Proceed."

Mautino: "Ladies and Gentlemen, we want to do something for the students and parents of this state. This House overwhelmingly provided that assistance. By the same token, I'm going to read in the record the faculty that are on leave and sabbatical at the University of Illinois as well as every other University in this state. In 1988 currently today, there are a hundred and ninety five faculty at the University of Illinois on sabbatical at a cost of four million, three hundred and forty three dollars and sixty three cents. At the University of Illinois in Chicago, there are seventy six at a cost of one point six million dollars for a total of six million dollars of salaries for individuals on sabbaticals at the University of Illinois. We cannot afford to give the students five hundred dollars towards their tuition and their school but we provide six million dollars for sabbaticals which is paid vacation in my estimation at this university. How can we not give the students funds but provide six million for people on sabbaticals? Not only is that the case at the U of I, I intend to read in the record those same sabbatical figures for the Board of Regents, the Board of Governors and Southern Illinois for a total of eleven million dollars in sabbatical fees to administrators ..excuse me, to educators who are not teaching in the classes but are on sabbaticals, but we can't give the kids and their parents the break that they deserve for the merit that they have

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

127th Legislative Day

July 1, 1988

provided in High School and we're giving their money to people that aren't even on the job. It's absolutely ludicrous, I recommend most highly that it be placed back in the Conference, I know it's probably not going to occur but it should, for that reason I'm going to oppose the Conference Committees where the conferees took out the only benefit we're providing for the people that send their students to college and those students that are on their own and go to college. It's terrible, when you compare what we're giving for sabbaticals and not giving to the students."

Speaker Giglio: "The Gentleman from Macon, Representative Tate."

Tate: "Well thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Gentleman cited a figure and it certainly I think probably makes good newspaper ink if you want to blast university professors that are taking sabbaticals. But the fact of the matter is, many of those sabbaticals are projects that bring money into the state. Many of those sabbaticals are funded by received Federal funding and are done with research projects such as .....or the supercollider or many other worthy projects. I'm sure that all of us, if we were the committee to ..or the oversight committee to determine the eligibility requirements as sabbaticals, all of us with our own different interest would probably have different qualifying standards for those leaves of absences. But the fact of the matter is, that the real story, the real statistics would reflect that many of those are justifiable, many of those, if you look throughout the Cadillac Universities, like the nine other universities in the big ten. You will find that they're in relatively reasonable and in responsible shape. And so, I'm not sure if that is entirely a fair criticism. I will not defend that there is...there may be some unworthy

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

127th Legislative Day

July 1, 1988

projects, but with the University of Illinois' own budget, this General Assembly is not providing funding for the supercollider and a budget that they are going to be expected to be taken out. And I would encourage this chamber, if we really have a commitment to higher ed, we are not even coming close to the projected figures that the Board of Higher Education has met. And certainly I think all of us, all one hundred and eighteen of us would like to see more money spent on the kids. But this is the best that this General Assembly has been able to agree to and therefore I would ask all of you to vote 'yes'."

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

Stern: "Mr. Speaker and Members of the House, I take some exception to the characterization of a sabbatical as a paid vacation. It is a far cry from a paid vacation. It is a working project taken up and pursued steadily throughout the time of the sabbatical. It brings luster to the university and is simply one of the very few perks of academic life and I think it is perfectly appropriate that our professors should have these. Thank you."

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

Leverenz: "Mr. Speaker, on Senate Bill 1692 and to a previous Speaker on the other side of the aisle, we do not just talk about this because we want ink on the paper. I didn't even generate a press release. However, from the Legislative Research Unit and dated two years ago, I asked the question, how many people at what school were on sabbaticals? The following information is provided for the current fiscal year of '88. At the University of Illinois, at Urbana, for one reason or another, a hundred and ninety five people faculty are on leave. We are paying four million, three hundred and forty three thousand, sixty



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

127th Legislative Day

July 1, 1988

three dollars for them to be on a sabbatical leave. At Chicago campus, one million, six hundred ninety two thousand, six hundred and forty dollars. For the University of Illinois then, two hundred and seventy one faculty are on leave for six million, thirty five thousand, seven hundred and three dollars. I note that this is probably for a little less than a year. Also note that I think that they get a sabbatical every seven years, I guess I would need a break every seven years. At the same time, if we're doing reform for Elementary and Secondary Education in one part of the state, perhaps we should look at the university systems or the higher ed. system to and talk about doing some reform next year with them. I find it interesting to find out that when the professors call and say vote for a tax increase, that in fact there is an intern or another member of the class or another student actually teaching the class and the professor should then perhaps be mandated to spend a certain number of hours in class, so this is not for the purpose of a press release or to generate some ink. This six million dollars probably could be spent on super computed or Beckman or any other worthwhile cause at the University of Illinois. Unfortunately for this time, we will spend it on sabbaticals and maybe that should be taken into consideration, if as the Gentleman suggests, by an oversight, a Body like the Audit Commission. So there it is for the record and we will produce copies for all of them ..you that want them. Thank you."

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

Ropp: "Thank you, Mr. Speaker, Members of the House. Someone once said that which we do not understand we think to be silly. I think a number of people who think sabbaticals

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

127th Legislative Day

July 1, 1988

because you do not understand them, think them to be silly. So I would certainly like to suggest to you that we do some further research to find out in fact, what instructors do when they do take sabbaticals. I can give you a couple of examples. I know of teachers from the University of Illinois that in fact go to third world countries. Take a year off of their life from teaching within this state and go to Third world countries to teach people how to plant seeds so that they can begin to produce enough food to feed themselves. They are in fact, doing some instruction around the world often times. They are in fact providing additional research that will make them for a better instructor when they come back. And fact is, that they will provide for those students that they have within this state, the better kind of research, detailed information that will in fact provide for better students as they graduate from our State Institution. Many of them even in fact, write books that ultimately are used in other institutions as the basis for advanced learning. So I would strongly urge us to be in a mind to clearly understand and find out for sure what you think to be wasted money before you go out and say this is not necessary. Many of those people, if not all of them, in my judgment, are providing this necessary work throughout the world that will pay big dividends down the road that you may not see in the short run."

Speaker Giglio: "The Gentleman from Champaign, Representative Johnson."

Johnson: "The issue seems to be unfortunately focused on this matter of sabbaticals. I would point out simply as in aside that a good percentage of the sources of the funding for the various sabbaticals of professors and personnel at the university may come from sources other than state

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

127th Legislative Day

July 1, 1988

funds. They come from private grants, federal funds and otherwise. The larger question is what we're doing with higher education in this state. The University of Illinois is widely acknowledged to be one of the preeminent institutions of higher education in the country. Its effects in a myriad of areas in this state and around the country has become legion and we're talking here now having rejected the opportunity to increase revenues for the University of Illinois about making it and allowing it to keep its position as a preeminent institution. That's what we're talking about. We have an incredible resource, an incredible gem and to even begin to suggest that we ought not to pass this Conference Committee Report as limited as it might be in light of circumstances, I think would do a disservice to all the people of Illinois, let alone those specifically concerned with the University of Illinois."

Speaker Giglio: "Further discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, I move the previous question."

Speaker Giglio: "You 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 previous question has been moved. The Lady from Champaign, Representative Satterthwaite to close."

Satterthwaite: "Mr. Speaker, and Members of the House. There is certainly a need for additional money to provide for the merit scholarship program which this Legislative Body endorsed a few years ago. I would be delighted to have sufficient funding available to be able to fully fund that program again. But in fact, the decision in the Conference Committee was that we should devote the resources that are available primarily to faculty salaries I would suggest to you that this is not the Bill that deals with any kind of

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

127th Legislative Day

July 1, 1988

scholarship funding this is the money going to the University of Illinois. Any kind of funding for scholarships is in another Bill and we are providing more funds for scholarships but they are directed to the scholarship funds for those who demonstrate financial need. As we have gone through the legislative process trying to find the best distribution of the limited funds available, the Conference Committee has come up with this recommendation for salary increases for the University of Illinois and I suggest to that merit scholarship kinds of discussion really belong on another Bill rather than on this one. I would simply suggest to you that we are not providing sufficient funding for any of our educational programs this year, whether it be higher education or whether it be elementary and secondary education. But until such time as we have additional revenues we are going to find that there are many worthwhile programs that are not funded adequately. I ask for your support in adopting the first Conference Committee Report to Senate Bill 1692."

Speaker Giglio: "You heard the Ladies Motion, all those in favor signify by voting 'aye', those opposed 'nay'. The Voting is open. This is final action. Representative Mays, one minute to explain your vote."

Mays: "Thank you very much, Mr. Speaker. I'm supporting this particular Bill because I believe that this does allocate limited resources to where the university itself says its priorities lie. Sabbaticals aren't, it's not a question of whether sabbaticals are necessary or not, in my mind it's a question of what priority they should take and I think the questions that Representative Mautino and Leverenz raised on that issue are appropriate now always whatever the budget level that we would give them. I would suggest that there are some priorities that the General Assembly has in

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

127th Legislative Day

July 1, 1988

the area of the super computer and the Beckman Institute and I would certainly hate to see anything in those areas impeded because we tried to accommodate the universities request."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Bowman, one minute to explain your vote."

Bowman: "Just to announce that I have a conflict of interest on this Bill so I will be voting 'present'."

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

Hartke: "Thank you very much, Mr. Speaker, I'm voting 'yes' on this proposition. I think the University of Illinois needs the money and I don't want to vote 'no' to withhold that money and keep it from them. I think what we are trying to do is really in agreement with Representative Mays that we're trying to send a message that maybe we ought to give careful consideration to some of those professors that we are giving sabbatical, I, you know as was demonstrated in the Appropriations Committee by Representative Hicks, some of they're criterias may be just a little loose for these sabbaticals and that money could be used extra more wisely."

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. Representative Matijevich. On this question there are 92 voting 'yes', 9 voting 'no', 14 voting 'present' and the House does except the first Conference Committee Report in Senate Bill 1692 having received the three fifths Constitutional Majority is hereby declared passed. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I would ask leave of the House in use of the Attendance Roll Call for that purpose to suspend the rule whereby a

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

127th Legislative Day

July 1, 1988

committee can not meet while the House is in Session for the purpose of the Rules Committee meeting in the Speaker's Conference room to consider two Bills, House Bill 2051 which is the Legislative Reference Bureau Revisionary Bill, and Senate Bill 370 the and I ask leave and use of the Attendance Roll Call, I've cleared that on the other side of the aisle."

Speaker Giglio: "You've heard the Gentlemen's Motion, does the Gentleman have leave? Hearing none, leave is granted. Representative Frederick."

Frederick: "Mr. Speaker, would, could the record show that if I had been at my desk I would have voted 'yes' on 1692."

Speaker Giglio: "Let the record so indicate, Mr. Clerk. And let the record also indicate, Representative Martinez as voting 'yes' on Senate Bill 1689. Rules Committee meeting immediately in the Speaker's Conference room in the back of the chambers. Senate Bill 1693, Representative Keane."

Keane: "Thank you, Mr. Speaker. Conference Committee Report #1 to Senate Bill 1693 is the appropriations for the ordinary and contingent expenses for the board of Governors. The Bill reduces or the Conference Committee Report reduces personal services for the to the five point seven percent salary increases and provides an increase of seven and a half million over the Governors allocation to total a hundred, roughly a hundred and thirty five million dollars. I move for the adoption of Conference Committee Report #1."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Same discussion, I just wanted for the record for the Membership to know that once again that merit scholarship provision is removed from the Board of Governors and those individuals at those Universities under the auspices of the Board of Governors. Chicago

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

127th Legislative Day

July 1, 1988

State has fifteen on sabbatical leave, Eastern Illinois has twenty six, Governors State has four, Northeastern Illinois twenty one, Western Illinois thirty two for a total of ninety eight individuals at a cost of one point one million four hundred eighty nine thousand dollars, and we can't fund the merit scholarship."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of Senate Bill 1643, vote 'yes', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Berrios are you seeking recognition. On this question there are. Representative O'Connell."

O'Connell: "Mr. Speaker, I believe you incorrectly referred to this as 1643, and its 1693."

Speaker Giglio: "Thank you. Have all voted who wish? Mr. Clerk take the record. Representative Hicks, are you seeking recognition?"

Hicks: "Mr. Speaker I was just trying to change my vote, I think the vote was already locked out."

Speaker Giglio: "Change it from 'no' to 'aye'."

Hicks: "Yes, please."

Speaker Giglio: "Mr. Clerk. On this question there are now 111 voting 'yes', 2 voting 'no', and 2 voting 'present'. And the House does accept the First Conference Committee Report to Senate Bill 1693, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1694, Representative Woods. Representative Bowman, excuse me. Representative Richmond, I'm sorry Representative Richmond is in the chamber. 1694, Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1694, is the FY '89 OCE Bill for

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

127th Legislative Day

July 1, 1988

Southern Illinois University. It with the Conference Committee Report deletes everything after the enacting clause and this becomes the Bill. It reduces personal services by four hundred and ten thousand seven hundred GRF to provide for a five point seven salary increase rather than the six percent that we had passed earlier and it provides an increase of seven million eight hundred and one thousand seven hundred dollars, GRF dollars over the Governors' allocation to total one hundred and fifty two million eighteen thousand two hundred dollars, and this increase for all higher education systems provides a total increase of sixty five million over the Governors' allocation and I ask for your support of this Bill."

Speaker Giglio: "You heard the Gentlemans Motion. Any discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "For the record once again it has removed the merit scholarship provisions, Carbondale has sixty eight faculty on leave, Edwardsville forty seven, Springfield three for a total of one hundred and eighteen people on sabbatical at a cost of two point five million dollars. I stand in opposition."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of First Conference Committee Report to Senate Bill 1694 vote 'aye', those opposed 'nay'. The voting is open. 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 112 voting 'yes', 2 voting 'no' and 3 voting 'present'. And the House does accept the First Conference Committee Report to Senate Bill 1694, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1695, Representative Ropp. The Gentleman from McClain,



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

127th Legislative Day

July 1, 1988

Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. Conference Committee Report #1 for Senate Bill 1695 is the ordinary and contingency expenses for the board of regents. It includes a five point seven salary increase or an increase over the Governors recommended budget of eight million dollars out of General Revenue Funds the total then out of General Revenue is one hundred forty two million twenty six thousand dollars. I urge your support of this Conference Committee Report."

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

Mautino: "For the record once again the merit scholarship is out of it Illinois State has thirty five faculty on leave, Northern Illinois fifty seven, Sangamon State seven, a total of ninety nine at a cost of one point eight million dollars same argument on this appropriation as well."

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

Leverenz: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Leverenz: "Of the ninety nine people on sabbatical leave could you possibly indicate if one or any are studying the butter fat content in milk?"

Ropp: "I don't think in this regard they are doing that, but I certainly hope those at the University of Illinois are."

Leverenz: "Thank you, I just wanted to know where they were hiding."

Speaker Giglio: "Any discussion? Hearing none, 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

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

127th Legislative Day

July 1, 1988

voting 'yes', 3 voting 'no', 2 voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1695, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1696, Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1696, Conference Committee 1 is the normal appropriation for the Illinois State Scholarship Commission. It is currently up, it's providing five point seven percent salary increases for total personnel service appropriations it is sixty nine thousand dollars over and above the current level of the Governors introduced appropriation. I move for its approval."

Speaker Giglio: "Any discussion? Hearing none, you heard the Gentlemans Motion all those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. 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 116 voting 'yes', none voting 'no' and none voting 'present'. And the House do accept the First Conference Committee Report to Senate Bill 1696 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1742, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the operations budget for the Department of Financial Institutions as recommended by the Conference Committee it will spend a total of five million one hundred fifty nine thousand dollars of which one million two hundred sixty four thousand is General Revenue Funds. I would move the adoption of the Conference Committee Report."

Speaker Giglio: "You've heard the Gentlemans Motion. Any discussion? Hearing none, all those in favor signify by

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

127th Legislative Day

July 1, 1988

voting 'aye', those opposed 'nay'. The voting is open. 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 116 voting 'yes', none voting 'no', none voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1742, and this Bill having received the Constitutional three fifths Majority is hereby declared passed. Senate Bill 1751, Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1751, is the appropriation for the Department of Alcohol and Substance Abuse. Conference Committee Report 1 is essentially exactly like the Bill that we passed out of the House earlier this year with the exception of we reduced the community provider line from seven percent to five percent which is it appropriates seventy seven million three hundred and ninety six thousand. This is a two million dollar increase over the 89 introduced level. I move for its approval."

Speaker Giglio: "You heard the Gentlemans Motion. Any discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Just as a further explanation Mr. Speaker, I stand in support of the Bill and we did look at the line items to make sure that there is enough transferability to be able to get fifty four thousand or fifty six thousand dollars so that the agency can maximize its ability to get federal grants."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

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

127th Legislative Day

July 1, 1988

Klemm: "Representative, there are some salary increases I believe in this budget, what did you say they were five percent cola in that?"

Tate: "It is a five percent rate increase."

Klemm: "I noticed some other agencies received seven percent cola, why was there a differential between some agencies verses the Department of Alcohol and Substance Abuse?"

Tate: "On the community line, I guess, the bottom line on that Dick would be that at the juncture that we are in in the the budget process with the number of Bills that we had remaining, alcohol, the Department of Alcohol and Substance Abuse was one of those agencies that was taken to conference to find additional money for education and the only chance, so that's change..."

Klemm: "Those people received no increase last year so they got a smaller amount this year, do we have something is the department not doing its job, are those employees kind of loafing around and not really doing a decent job, maybe we should change it rather than discriminating?"

Tate: "No, no, no, the five percent we are talking about are the grant lines that go to local mental health groups back in our communities."

Klemm: "I understand that but that's why I'm even more concerned."

Tate: "Okay."

Klemm: "There is no rationale for it other than we don't have the clout."

Tate: "The Senate put it in as seven we were at five and the compromise position was five percent."

Klemm: "Alright, so they just lack the muscle really to get fairness and equity."

Tate: "Yea."

Klemm: "Okay, thank you."

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

127th Legislative Day

July 1, 1988

Speaker Giglio: "Further discussion? All those in favor of Senate Bill 1751, vote '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 112 voting 'yes', 1 voting 'no', 3 voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1751 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1897, Representative Johnson."

Johnson: "Thank you, Mr. Speaker, Members of the House. This is the Bill for the appropriations for the University Civil Service System. Represents a five point seven salary increase and a seven hundred and sixty one thousand, seven hundred sixty one point six thousand dollar appropriation. I move for its adoption."

Speaker Giglio: "Any discussion? Hearing none. 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 115 voting 'yes', none voting 'no', none voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1897 and this Bill having received the Constitutional three fifths Majority is hereby declared passed. Senate Bill 2022, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the, almost the final budget for us to consider today this is the new capitol projects list in the budget for the Capitol Development Board. As recommended by the Conference Committee it would spend two hundred thirteen million seven hundred fifty one thousand dollars. I would move its adoption."

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

127th Legislative Day

July 1, 1988

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. To the Bill and everything else I would like to thank Representative Mays and all of the Members of the Appropriations I Committee and certainly the staffs that supply us with the information and that have worked so hard and long and certainly our head of staff on both sides and the cooperation that we have received in handling the budget to be probably the closest budget ever produced in the fourteen years that I have been here. They should all be complimented. Ask for your 'aye' vote to accept this Conference Committee Report."

Speaker Giglio: "You heard the Gentlemans Motion. Any discussion? Hearing none. All those in favor signify by voting 'aye', those opposed 'nay'. This is final action. The voting is open. 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 103 voting 'yes', 9 voting 'no', 4 voting 'present', and the House does accept the First Conference Committee Report to Senate Bill 2022. This Bill having received the Constitutional three fifths Majority is hereby declared passed. Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, on a point of personal privilege. I was not at my desk when we voted on House Bill 3237, and for the record I would like to be recorded as voting 'no' on that Bill. As I understand it in talking to the Director of the Department of Energy and Natural Resources even though some of the local papers have indicated that there is money in that budget to give five point five percent salary increases to the staff of the three state surveys the director indicates that that is inaccurate that because of the vacancies that occurred last year and the

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

127th Legislative Day

July 1, 1988

positions that have been taken away from those surveys there is not in fact money in those budgets for salary increases to the three state surveys and for that reason I would like for the record to show that my vote on House Bill 3237, is a 'no' vote."

Speaker Giglio: "Let the record so indicate, Mr. Clerk. The Gentleman from Cook, Representative LeFlore."

LeFlore: "Yes, Mr. Speaker, I would like for the record to show that on 2022, I was voted 'no'. I would like for the record to reflect that I voted 'yes'."

Speaker Giglio: "Let the record so indicate. Supplemental Calendar #1 page 2, appears House Bill 4282, Representative Hicks. Representative Hicks in the chamber? The Gentleman from, out of the record. Senate Bill 1719, Representative Levin. Representative. Representative Williams in the chamber? Senate Bill 1856? The Gentleman from Cook, Representative Williams on Senate Bill 1856."

Williams: "Thank you, Mr. Speaker. I move that we concur with the corrected Amendment, I mean the corrected Conference Committee Report for 1856, what it basically does is that it recedes from House Amendments 1 and 2, I mean from 2 and 3, and it leaves the Bill in its original posture which is to do no more than to ask that the required, that they require that the student truancy rate be included in the local school report card. I have talked with Representative Cowlishaw in regards to the mistake that was made on yesterdays report and I believe we have an understanding that it is okay now. And I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken. The Lady from DuPage, Representative Cowlishaw."

Cowlishaw: "Thank you, Mr. Speaker. The Sponsor has worked very

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

127th Legislative Day

July 1, 1988

hard to get some errors in this Conference Committee Report corrected as it stands it is an excellent piece of legislation it only requires that cronic truancy rates be reported in the school report cards, and it should be adopted."

Speaker Giglio: "Any discussion? Hearing none, 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 115 voting 'yes', none voting 'no', none voting 'present', and the House does accept the First Conference Committee Report to Senate Bill 1856, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1719, The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Let me start out as I customarily do on the subject of condominiums by asking the record reflect that I do...am associated with a law firm that represents condominium associations. Senate Bill 1719 is the result of an agreement with the Chicago Bar Association, the realtors, the mortgage bankers, the State's Attorney's Office of Cook County and various other groups. What is in the Bill at the present time are various provisions of the underlying Bill as it left the House, certain provisions, also, of Senate Bill 3714 as they left the House. Specifically, the Bill deals with one, when you have to start paying assessments after foreclosure. This was worked out with the mortgage bankers. Secondly, standards for the award of attorney's fees in a forcible case involving condominiums. Thirdly, strengthening the books and records provisions of the Condo Act for unit owners. Fourthly, procedures for



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

127th Legislative Day

July 1, 1988

who can cast the votes of land trusts in condominium elections. And fifthly, procedures for townhouse associations...receiving tax breaks under Section 20(c)-2 of the Revenue Code of 1939. For purposes of legislative intent, I would just like to indicate that the procedural limitations established with respect to Section 20(c)-2 of the Revenue Code of 1939 in this Bill are intended to apply only to the application of that Section and are not intended to limit any procedural rights established by any of the court decisions which permit injunctive relief from illegal property taxes. I would ask for approval of Conference Committee Report #1."

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

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in support of the Conference Committee Report 1. It's...was many hours of negotiating with the State's Attorney's Office, with the realtors, with groups that were concerned on this issue. It's...we believe a workable compromise and the most important aspect of it that it still allows the condominium owner when he has a disagreement on his assessment that he still has the ability to get relief in the courts and he has that ability with this legislation and I ask for a 'yes' vote on this Conference Committee Report 1."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is basically the Bill that passed out of here on the Consent Calendar. It's a good Bill, one that I think we can support. A lot of hours, as was stated earlier, have been put in on this Bill. It's a good one. It brings a

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

127th Legislative Day

July 1, 1988

lot of relief to the people who own condominiums. Thank you."

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

McCracken: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McCracken: "What interest did the State's Attorney's Office have in this Bill?"

Levin: "The State's Attorney's Office was interested in the Amendment to Section 20(c)-2 of the Revenue Code of 1939 and particularly imposing requirements that before a Townhouse Association went to court to seek the reduction in the assessment on their common areas to one dollar. And they went to the assessor and followed the procedures that are set forth in this...in the language of the Bill."

McCracken: "Is there a point in time in which the State's Attorney's Office was opposed to this Bill?"

Levin: "The State's Attorney's Office wanted this Bill in the form it is in now. They were not happy with earlier versions of the Bill which I thought were represented a reasonable compromise and I've got to say I prefer the earlier versions."

McCracken: "And for purposes of the record, Representative Levin, is it your position as the Sponsor and the intent of the legislation that it apply both to condominiums as well as townhomes?"

Levin: "Yes, it does. But, as I indicated earlier, it is also my intent that it does not...is not intended to impose limitations on procedural rights with respect the injunctive relief that the courts have independently granted condo and townhouses associations."

McCracken: "Alright. It seems to me that there's some...confusion over here what it is you want to

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

127th Legislative Day

July 1, 1988

accomplish and what your intent is regarding injunctive or other procedural matters. Would you...would you address it correctly this time?"

Levin: "I...you know, I think this Bill accurately addresses it. If you come in for the reduction to one dollar under Section 20(c)-2 of the Revenue Code of 1939, you have to follow the procedures that are in this Bill. That's what this Bill says."

Speaker Giglio: "Representative McCracken."

McCracken: "Yes. Alright, you're right this time, Representative Levin. Congratulations. I think we should all vote for this Bill."

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

Leverenz: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Leverenz: "I...I am confused about one thing. The Gentleman that just spoke on the other side of the aisle got better signals than I did. I wondered if maybe Mr. Repel might do a two and half gainer off the balcony? If he could just point his finger to his nose which is a 'no' vote or his eye which is a 'aye' vote, because I couldn't read your lips."

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 113 voting 'yes', none voting 'no', 1 voting 'present' and the House does accept the First Conference Committee Report to Senate Bill 1719 and this Bill having received the Constitutional three fifths Majority is hereby declared passed. Senate Bill 1860, Representative Kulas. The

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

127th Legislative Day

July 1, 1988

Gentleman from Cook, Senate Bill 1860."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House adopt First Conference Committee Report to Senate Bill 1860, the Conference Committee Report deals with the problem of hazardous waste clean up funding. We've met and worked on this Bill very hard for the last month, all the different groups have agreed to the Conference Committee, the Chamber of Commerce, the environmental groups, the EPA, the Pollution Control Board, the IMA, everyone has agreed to the Bill. It increases funds for the clean up activities it will only increase the fees and bring in about three and half million dollars of new money which is a mere pittance to what is actually needed, but is a step in the right direction and I would move for the adoption of the First Conference Committee Report to Senate Bill 1860."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none. 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 112 voting 'yes', none voting 'no' and none voting 'present', and Senate Bill 1860, the House does accept the first Conference Committee Report to Senate Bill 1860, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Senate Bill 1955, Representative Ryder. Is Representative Ryder in the chamber? 1955, the Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. This Conference Committee Report contains the language that was originally in 1955 which allows for long term care insurance which was adopted both in the House and

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

127th Legislative Day

July 1, 1988

the Senate. It now also contains some language that would indicate that the CHIPS program is not an entitlement program and would indicate that the CHIPS program would start on October 1st of this year. I would be glad to answer questions on this issue if I might and it would be my intention that if questions were to arise on the CHIPS portion that those would be referred to another colleague."

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

McCracken: "Mr. Speaker, Ladies and Gentlemen. Will the Sponsor yield for some questions regarding the intent of this amendatory legislation?"

Speaker Giglio: "He indicates he will."

McCracken: "What if anything is the intent of this amendatory language regarding scope of enrollment, whether this constitutes an entitlement, whether the board or the appropriation process acts as a limit upon that program upon that programs availability or cost?"

Ryder: "Mr. Speaker, if I may I would ask for the indulgence of the House so that that question might be answered by Representative Ewing, who participated more in that portion of the Conference Committee Report."

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

Ewing: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative McCracken, as you know we have been working for a number of days on trying to tighten up the language and express the intent of this body in regard to the CHIPS program and I would say to you that taken together these changes will assure that the CHIPS program is never viewed as an entitlement program with runaway costs where every eligible person is guaranteed the right to enroll in this insurance program. They assure that this

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

127th Legislative Day

July 1, 1988

plan is essentially a not for profit insurance company which operates in the public domain and which must carefully manage its costs and its growth to stay financially solvent. I would also say it requires the language in this Bill for example that all claims costs and other expenses of the program which are incurred or accrued during the first year of the program must be covered or provided for before we allow the program to expand during the following years. These changes require that the CHIP Board to combine the appropriations it receives each year with the estimated premiums to be received and determine how many eligible residents it can allow to enroll in the program. It requires the board to close or limit enrollment to stay within this estimate and to raise premiums for existing policy holders to assure continuity of coverage for those who are already in the insurance plan. The changes further require that the board operate the plans so that estimated cost during the fiscal year do not exceed income from premiums and appropriations. This does not eliminate the possibility that we may be faced with the request to pass the supplemental appropriation for this program at some point in the future. In summary then the significance of these changes are that we will be able to control the growth of this program and its resulting costs. They assure that we have not issued a blank check to cover uncontrollable expenses for a program that might otherwise grow beyond our ability to fund it."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I participate with Representative Ewing in the discussions that led to this legislation and I believe he gave a very good and accurate statement, however, and I

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

127th Legislative Day

July 1, 1988

endorse what he said, however, I would like to add two points of clarification: Number one is that while this is not an entitlement program and Senate Bill 1955 as it is now written makes that clear. I think it is the intent of the legislation that once a person is on the program that they should not be dropped off because of an inadequate appropriation. That is why we left, or put language in the Bill that would permit the board in fact, even mandate the board to set premiums higher than the hundred and thirty five percent cap, if it became necessary in order to provide for the coverage of people who were already enrolled. The other point that we did discuss and did not put in here we did consider the possibility of giving the board power to change the benefit structure and overrule statutory language with respect to benefits in order to make ends meet and that option was specifically rejected. So really the only option I think available to the board is there are two, one is to establish enrollment criteria and the other is to let the premiums float to what ever level is necessary to cover the cost. And with those clarifications I would endorse everything Representative Ewing said and stand in support of the adopting the First Conference Committee Report on this Bill."

Speaker Giglio: "That friendly Lady, Representative Representative McCracken."

McCracken: "I had finished my question of Representative Ewing, I wanted to make a brief statement in further clarification. I had not completed."

Speaker Giglio: "Proceed."

McCracken: "I just want to make it clear that the Director of the Department of Insurance agrees with this and as do the Sponsors of the legislation, that the costs we refer to in the legislation are costs accrued, in any given fiscal

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

127th Legislative Day

July 1, 1988

year. That should not be construed by the board to allow them to calculate these costs on a cash basis, they are to be considered and calculated on an accrual basis. Thank you."

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

McNamara: "Thank you, Mr. Speaker, will the Sponsor yield for some questions?"

Speaker Giglio: "He indicates he will."

McNamara: "The first question I have is when does this insurance, CHIPS insurance takes place? When...upon the initiation of this Conference Committee Report. When can people start the application for the Comprehensive Health Act?"

Speaker Giglio: "Representative Ewing."

Ewing: "Anticipated October 1, 1988."

McNamara: "And on that anticipation date, now this is the coupling of both state dollars and regular dollars. When do they start making applications for this then?"

Ewing: "When you say, a combination of state dollars and regular dollars you mean private premiums paid and the appropriations that we have yet to approve here but the ten millions dollars is appropriate. They would start making applications, October 1st."

McNamara: "Okay, then we are really talking an effective date after October 1st. When is the anticipated start up date of the program."

Ewing: "Well, the application, as soon as it is approved you would be covered."

McNamara: "So it is possible."

Ewing: "But not before October 1."

McNamara: "It is possible that a person who applies on October 1, can be approved immediately that day and will pay his premium and become insured."



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

127th Legislative Day

July 1, 1988

Ewing: "I think hypothetically, it is but not realistic."

McNamara: "That happens to be one of the important questions because my office is loaded with stacks of people that are wondering when can they apply for this and when should they go on."

Ewing: "Well, if I may, I guess I would suggest that you tell them that the application process starts October 1, and as soon there after as their application can be approved they will be covered."

McNamara: "Okay, is there any estimate on the premium cost at this time. It is set to start out at one hundred and thirty five percent of the private rate, so that would be thirty five percent higher than the private rate for this similar insurance policy."

McNamara: "And that's an average rate of insurance across the state. In other words would you say one hundred and thirty five percent of the private rate, is that the average rate for health insurance across the state."

Ewing: "It will be based on geography, their age, and their sex. Because that's the way insurance rates are probably also rated for private companies."

McNamara: "Okay, I've just been asked a question back here. Is geography included as redlining?"

Ewing: "Is what, geography is included."

McNamara: "Is that to be construed as redlining?"

Ewing: "I would say no."

McNamara: "Okay, so we're talking."

Ewing: "It is based on health cost, Representative, because I assume that in the more metropolitan areas as compared rural parts of the state the costs are different."

McNamara: " And we're talking that the ten million dollar appropriation has already been approved."

Ewing: "There is a pending ten million dollar appropriation, in

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

127th Legislative Day

July 1, 1988

the Department of Insurance budget."

McNamara: "That budget has not been passed yet?"

Ewing: "No, it, we are taking care of this piece of legislation first."

McNamara: "Is it anticipated to be above and beyond the budget amount we were given or is this ten million dollars included in it. In other words we have a set dollar value of which the Governor proposed to us. Is that ten million dollars within that part."

Ewing: "That's included, the ten million is included."

McNamara: "Okay, thank you, very much."

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

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

Speaker Giglio: "Representative Ewing, Co-Sponsor will yield."

Parcels: "I know that there are two new board members and I was wondering what the reason for that is? Gonna increase the board from eight to ten."

Ewing: "I'm informed that that request was put in to expand the board to allow them to include different members of society to give them maybe more expertise in managing this program."

Parcels: "But it is not intended that these be from any specific area, these will be the Governors choice, they could be from the banking industry, any industry, or the health care industry?"

Ewing: "It is my understanding Representative that the language did not designate these additional board positions for any particular segment of our society. But that it would not be beyond the realm of that we would have someone from the medical-hospital area filling at least one of these vacancies, but that of course is up to the Governor and that's only supposition."

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

127th Legislative Day

July 1, 1988

Parcells: "And do we think then that ten is going to be the magic number or do you think that we might come back next year and want twelve, fourteen, sixteen, just to keep representing new people. Do you think ten will be it?"

Ewing: "Well, Representative, you know we never know we are always down here changing these things. I would assume they feel ten would be adequate now."

Parcells: "Could I just walk through it quickly once with you. We will for next year have we hope, ten million dollars to put into this program then the board will contain with the premiums that come in they will say, whoops we have now spent enough we have to cut off our enrollment because, and or we have to raise our premium above that one hundred and thirty five percent limit, is that correct?"

Ewing: "That is correct. And those are expenses of the program which are incurred or accrued."

Parcells: "Right, so that if somebody is in the hospital we don't just say we've paid for this but he has five thousand dollars out there that he's going to owe us when he gets out of the hospital, we must include that part in the boards figuring of this."

Ewing: "That's correct."

McNamara: "Therefore, there may be, there could be because we can't figure down to the last final penny, a small amount, but it would certainly be a small amount that we might have to come back with supplemental because we've controlled it with our premium, the steady amount that we have put into it and the number of people who are in the program."

Ewing: "Well, this agency is like other agencies of the government, nothing prevents them from requesting a supplemental, that again is the decision of this body we are not obligated to provide that but a decision of the legislative function whether that supplemental would be

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

127th Legislative Day

July 1, 1988

funded."

Parcells: "And it is their charge to come as close to coming even in each year as they possibly can."

Ewing: "That is correct."

McNamara: "Thank you, very much."

Ewing: "And Representative, the ten million is in the insurance budget and it's part of the entire program of our budget that we are sending to the Governor."

McNamara: "And we would hope that would last for the fiscal year, upcoming. That would be our intent."

Ewing: "That's for the coming FY 89 fiscal year."

McNamara: "Thank you."

Speaker Giglio: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I as a Member of the CHIP Board, I would just like to make it very clear that this is a compromise, I don't agree with it entirely, I think that the right approach to this would have been change some of the benefits to cut the deficit down. There was five Amendments that were held up and not allowed to be called, previous Speaker mentioned that the language in the Bill did not allow us to change benefits, that's not true we've already changed benefits, if this House wishes to change benefits it has every right to do so. And I believe that in the future you will find an Amendment coming back when you see the cost of the program that you will have a change in benefits, but at that time the benefits will already be in force, the time to do it was now and we didn't do it. So the compromise that's cuts involves something called triage, which came about from the first world war when the troops came in wounded the doctors separated those to die, those that had a chance of living and those that were well, this amount of appropriation may do fine for one year, but the second

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

127th Legislative Day

July 1, 1988

year, you better be ready to dip in and do a better job, because once you start to close the gate off on somebody that's got kidney disease your gonna be in big trouble. So, I accept this but I do it reluctantly."

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

Terzich: "Thank you, Representative Ewing, I see on the analysis that it states that the total incurred costs and expenses of the CHIP program may not exceed the total income received by the program from policy premiums and state appropriations. Who would make the determination of when that stops, assuming that you put in ten million and the premiums put in another five million, who determines the who gets the fifteen million dollars in benefits and when does it stop and how much does it pay?"

Ewing: "The CHIPS Board is obligated to make that decision."

Terzich: "Well, how do you do that, do you do it through the first five thousand claimants or the first two thousand claimants, do you limit the amount of benefits that are paid or how do they intend to do that?"

Ewing: "Well, Representative, it's just like other insurance companies determine what their costs and what their obligations are going to be. They do it without actuaries it's not an exact science but there are people who are trained to make predictions of what the cost of different policy holders will be, and when they will have to cut it off and they will have to have that type of technical advice, I am certain."

Terzich: "Oh, then you're telling me than they are putting in this program that has a five hundred thousand dollar benefit and they basically don't know what it is going to cost. I mean you know we did put in the CHIP program and don't we have any idea how much it's going to cost if we're

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

127th Legislative Day

July 1, 1988

asking ten million, it was my understanding that the first request was for thirty eight million, now it's down to ten, how did. Did the actuaries come up with the lower figure or what?"

Ewing: "Without the changes that we have suggested here it's been estimated that next year's cost could have been sixteen million or more. We have had those type of estimates Representative but I'm not sure what the board has done as far as estimating their costs. I don't think they probably have until they find out exactly what kind of program they are going to get."

Terzich: "Well, I think you'll agree, the only way that we can reduce the pay out is by reducing the benefits and apparently they didn't reduce any benefits."

Ewing: "Benefits, they can make cost saving measures but benefits are controlled by this Body here. By the Legislature."

Terzich: "What is a cost saving method? Not pay claims?"

Ewing: "Pardon."

Terzich: "Cost saving benefit would be not to pay claims, what type of a cost saving could you possibly have?"

Ewing: "Well, cost saving measures could be not providing certain tests that they don't think are necessary or something like that."

Terzich: "Well, they've already determined what the programs gonna be, haven't they. Isn't it suppose to be like a deductible and stop loss on the five hundred thousand dollar benefit. So what benefits did they cut?"

Ewing: "There are procedural things that can be done to limit the cost and they can also limit their enrollment to limit the cost."

Terzich: "Then is that basically what they are going to do. They are going to limit the enrollment, maybe only to the first thousand people that make application and limit the amount

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

127th Legislative Day

July 1, 1988

of money that they are going to pay so that they can stay within the budget."

Ewing: "That's correct."

Terzich: "So is that right?"

Ewing: "That's correct, you've got it figured out."

Terzich: "Jesus, maybe you need an insurance agent but in conclusion you know this the CHIPS program is going to be mind boggling as far as what the cost is and you know when you go and you throw in a five hundred thousand dollar benefit and don't have any cost containment provisions in there then you're actually walking before you're crawling on this one and this is gonna be one biggy for the State of Illinois and I wish they would of proceeded with a little lower benefits because this is gonna be substantially higher and we're misleading the public."

Speaker Giglio: "The Gentleman. Further discussion? Seeing none. The, Representative Ryder moves that the House accept the First Conference Committee Report to Senate Bill 1955. And on that question all those in favor vote 'aye' those opposed 'nay'. The voting is open. And this is final action. Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, you better pay very close attention to this. What we are gonna have is a program that will have a great number of subscribers to it more than we can pay for, and they're gonna be knocking on your offices door and saying I've been turned down by the board please use your political influence to get me involved in this program. And we are gonna have to give them an answer one way or the other. They're gonna be coming knocking on your door, I think it needs to be rewritten a little bit better and you ought to vote it down and send it into a Second Conference Committee

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

127th Legislative Day

July 1, 1988

Report."

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 100 voting 'yes', 3 voting 'no', 11 voting 'present', and the House does accept the First Conference Committee Report to Senate Bill 1955, and this Bill having received the three fifths Constitutional Majority is hereby declared passed. On Supplemental Calendar #1, appears House Bill 3705, Representative Keane. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. Conference Committee Report #1 to House Bill 3705, puts, provides the Bill, the Bill becomes becomes a Bill to provide a new state and local sales tax exemption conditional upon specific investment and job creation standards. It defines a high impact service facility as a facility used primarily for sorting, handling, and redistribution of single item nonfungible particals received from shippers for processing. Such facilities must make an investment of one hundred fifty million dollars or more, create at least one thousand new jobs, be located in an enterprise zone and be certified by DCCA, the sales tax exemption proposed here is for machinery and equipment new and replacement but not, including but not limited to motor driven equipment not counting, excluding rolling stock or trailers for in house services and transport, automated machinery equipment used for transport within the facility along with component parts, pieces, computer software, hardware in the contained in the electronic control system related thereto, thereto. DCCA in this Bill would be given the power to require a pay back should the above standards not be met and the Conference Committee becomes effect, the Conference



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

127th Legislative Day

July 1, 1988

Committee Report becomes effective July 1, 1989, the proposal deals with a new package handling business which is to relocate in the abandoned GM facility at Willow Springs, already in an enterprise zone. Be happy to answer any questions and move for adoption of Conference Committee Report #1."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Thank you, Representative it's a little noisy in here but if I heard you correct and let everybody, let's make sure we hear what I think you said. This exemption would be contingent upon an investment an investment of one hundred and fifty million dollars, right."

Keane: "That's correct."

Black: "And the creation of one thousand jobs."

Keane: "That's correct."

Black: "Right here in the State of Illinois, and is it also my understanding that should this, should this firm fail to meet that minimum investment and job creation requirement they will be obligated to repay the exempted sales taxes is that correct?"

Keane: "DCCA would be given the power to require a payback, that is correct. We're giving the power to DCCA to require the payback."

Black: "Well, I, to the report, Mr. Speaker. I think if everybody listened very carefully, and I certainly commend the Sponsor for this measure, and investment of one hundred and fifty million dollars and one thousand jobs in the State of Illinois for sales tax exemption to create this high impact service facilities with the caveat that it

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

127th Legislative Day

July 1, 1988

could be recaptured if that investment and those jobs are not in fact created is one heck of an idea, now you talk about an investment where you're not gonna lose, I for the life of me can't understand why any of us would oppose this measure, and I commend the Sponsor and urge you to join with him in an 'aye' vote on this report."

Speaker Giglio: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Will the Speaker yield for a, Sponsor yield for a question? Is there anything in this Bill that does anything to help our loyal and trustworthy large employers in the state that are here now."

Keane: "It's targeted at an existing Illinois corporation which but it's an expansion of a thousand jobs."

Regan: "And does that remove then the million and a half dollar investment. If this."

Keane: "No."

Regan: "You still have to put a million and a half and then another thousand, you'd probably have to do that anyway wouldn't you."

Keane: "No, one hundred fifty million."

Regan: "Alright thank you, as long as they are included in that that is great."

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

Keane: "I think Representative Black did a great job in explaining the Bill. And I would ask for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall the House accept the first Conference Committee Report to House Bill 3705?' All those in favor vote 'aye' those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish?"

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

127th Legislative Day

July 1, 1988

Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 114 voting 'yes', none voting 'no', and none voting 'present', and the House does accept the First Conference Committee Report to House Bill 3705, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3199, Representative Mays. The Gentleman from Adams."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the operations budget for the Department of Insurance as recommended by the Conference Committee, would spend twenty two million one hundred and seven thousand dollars of which fourteen million six hundred and sixty seven thousand is general revenue. This report contains ten million for the CHIPS Board as pursuant to the Bill that we just passed I would recommend the adoption and move the adoption of the Conference Committee Report."

Speaker Giglio: "You heard the Gentlemans Motion. Any discussion? Hearing none. 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? The Gentleman from Cook, Representative Martinez, are you seeking recognition, Sir? The voting is still open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no', and none voting 'present', and the House does adopt the First Conference Committee Report to House Bill 3199, and this Bill having received the Constitutional three fifth Majority is hereby declared passed. Concurrences page 3 of the Calendar appears House Bill 3671, Representative Steczko. Out of the record. We did concur. Committee Report."

Clerk Leone: "The Committee on Rules has met and pursuant to Rule

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

127th Legislative Day

July 1, 1988

29(c)-3 the following Bills have been ruled exempt on July 1st, 1988. House Bill 2051, and Senate Bill 370."

Speaker Giglio: "Representative Frederick in the chamber? The Lady from Lake, House Bill 3512, page 2, page 2 on concurrences House Bill 3512, the Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur with Amendment 2 on House Bill 3512. As you may recall I've explained this Amendment several times before, to be brief I will tell you it's an Amendment that deals with the super conducting super collider. It has three parts, a local taxing reimbursement portion of the Amendment, a home equity provision and an insurance program which creates an escrow fund. I think it's extremely important that we concur in this Amendment and I do move that we do that at this time."

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

Homer: "Thank you, Mr. Speaker, I would like to first of all thank the Lady for her cooperation over the course of the last two days with respect to this measure she has at our request on more than one occasion removed the Bill from the record, shown a great deal of patience. We appreciate that and at this time I would like to join with her in urging support for the Bill. The purpose of the Bill, the main portion of the Bill is to put Illinois in a competitive advantage in attracting the super conductor super collider project, near Batavia, Illinois and although we may not live near Batavia, Illinois all of Illinois would be the beneficiary if we were to attract this facility. We're in the short list, the odds look decent and the only problem is that the people who reside in the near proximity to this facility are concerned about the impact on their property

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

127th Legislative Day

July 1, 1988

values and the local governments there are concerned about the loss of revenue. This is a measure that would make certain that those local units of government would be held harmless for any losses and that the home owners need not fear about the devaluation of their properties, I don't believe there will be devaluations and therefore I don't believe that there will be any state expenditure to help with the home equity portion, but in order to meet the concerns that understandably are expressed by people where ever such a project as this might be located and because of its importance to the economic development of the State of Illinois recognizing a bipartisan effort in the congress, by our congressional delegation both Senate and congressional, as well as the efforts by the administration and many others. I believe we should go forward with the united front, do what Michigan did very recently who is also in the competition and provide this kind of basic protection to the residents in units of local government that live in an about the area where this sight would be located, so again I thank the Lady for her cooperation and would urge that we join her in support of the Conference, or the Motion to concur."

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

McNamara: "Thank you, Mr. Speaker. Just as a point of clarification, this is the home equity insurance program for Batavia, Illinois that the premium will be picked up solely by the State of Illinois, is that correct."

Frederick: "It's not an insurance premium, it's a home equity provision."

McNamara: "So the state will be the insurer for the home equity for Batavia, Illinois?"

Frederick: "If it is needed."

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

127th Legislative Day

July 1, 1988

McNamara: "The estimates, I understand from yesterday or day before discuss over five million dollars."

Frederick: "Well, actually it only affects property underneath the ring where they have."

McNamara: "So, it effects the properties underneath the immediate area or how far away from that immediate area as far as the ring is concerned?"

Frederick: "It's a."

McNamara: "Does it also include properties within the ring?"

Frederick: "It's a thousand foot right of way around the ring."

McNamara: "Oh, I see, so it is the right of way around the ring."

Frederick: "Right."

McNamara: "And the state will insure that no dollar value is lost and similar to the home equity program they will pay eighty five percent of the cost of the difference from the appraisal before to after, similar to the home equity program that we passed here which the home owners in the other areas in this state will pick up or in Chicago will pick up."

Frederick: "It's similar, if you sell, your home within three years of the construction of this edifice or facility and there is determined a property loss a loss in property value then you will be reimbursed for that loss, eight percent of the loss, of the differential between the selling price and the predetermined value of the house."

McNamara: "Okay, is this designed in order to get more support for the ring in Batavia."

Frederick: "I'm sure it is. And it's very similar to what Michigan passed yesterday as Representative Homer said only I believe their provisions were somewhat more liberal than Illinois."

McNamara: "By liberal you mean more money. As far, more money as far as the differential is concerned is that what you mean

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

127th Legislative Day

July 1, 1988

by the liberal provisions."

Frederick: "Well, I suppose you might say that. Yes."

McNamara: "Okay, thank you for answering my questions."

Speaker Giglio: "Further discussion? Hearing none. The Lady from, oh, Representative Capparelli. Is that you? Terzich Capparelli, proceed."

Capparelli: "Representative Fredericks, on this equity program you mentioned is this this isn't similar to other type of equity program that we passed previously for Chicago."

Frederick: "It's not the same really, it's a provision that a property owner must have their property appraised before construction and if they sell their property within three years of the construction and there is a loss of property value, they will be reimbursed to about, to eighty percent of the difference between the sale price and the assessed value of the appraised value of the property."

Capparelli: "Is this only for new construction?"

Frederick: "Pardon me."

Capparelli: "Only for new construction or did you mention."

Frederick: "No it has to be existing property."

Capparelli: "Existing property."

Frederick: "At the time of the construction of the super conducting collider."

Capparelli: "Well, how about homes that are maybe lose value say from deterioration, poor up keep, you know just abandonment."

Frederick: "They will have been appraised ahead of time so that the value will have been determined and then when they sell their house if it's determined that the house value has declined which we do not think will happen but if it should be determined then they will be reimbursed for that differential."

Capparelli: "Even if they neglected their home site and they were

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

127th Legislative Day

July 1, 1988

the cause of the devaluation."

Frederick: "It's only in effect for three years, so I doubt if a home could run down that much."

Capparelli: "You don't own any property around there do you?"

Frederick: "I beg your pardon."

Capparelli: "You don't have a home around there do you?"

Frederick: "No, I really don't."

Capparelli: "Around the super duper collider area."

Frederick: "No, I live many, many miles from there."

Capparelli: "Well, you should have one."

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

Frederick: "I simply move concurrence of Senate Amendment 2 on House Bill 3512."

Speaker Giglio: "You heard the Lady's Motion, all those in favor signify by voting 'aye' those opposed 'nay'. The voting is open. This is final action. The Gentleman from DuPage, Representative McCracken."

McCracken: "Mr. Speaker, this should be declared final action for all purposes. Amendment #1 was previously concurred, and only after that was it taken out of the record at one of the requests that were made. So, this is on number two but one had already been concurred in."

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 103 voting 'yes', 2 voting 'no', 10 voting 'present', and the House does concur with Senate Amendment #2 to House Bill 3512. Representative Tuerk. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, I would ask leave of the House to suspend the appropriate rule to eliminate the printing requirement for a revisory Amendment which is down



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

127th Legislative Day

July 1, 1988

near in the well, that's in that wire basket. It's only twelve hundred and thirteen pages long, I don't think we want to go to the trouble of printing that. Jack O'Brien and Tony Leone have both volunteered their services in any case anybody wants to hear the Amendment they'll be glad to read it to you and if that fails if their busy Grace Mary Stern has volunteered her services, she is a former clerk and she says she's a good reader and she'd be willing to read that to anybody who is interested in hearing it. But in the mean time I would ask to suspend the rule to eliminate the printing requirement."

Speaker Giglio: " You heard the Gentlemans Motion, on the question, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Representative Tuerk cleared this with me, both he and I both read the Amendment and it's okay."

Speaker Giglio: "The requirements for printing the Amendment are suspended. On Supplemental Calendar #4, appears House Bill 2051, Gentleman from Peoria, Representative Tuerk."

Tuerk: "Now Mr. Speaker, I would move to concur with Amendment #1 to House Bill 2051. And what that is is a traditional revisory Amendment which the reference bureau puts together each year and it's technical in nature and corrects a lot of mistakes that have been made over the past year or so, so I would move to concur in that Amendment."

Speaker Giglio: "You heard the Gentlemans 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 112 voting 'yes', none voting 'no', 1 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2051, and this Bill having received the three fifths

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

127th Legislative Day

July 1, 1988

Constitutional Majority is hereby declared passed.  
Representative Breslin in the Chair."

Speaker Breslin: "On Supplemental #1 appears House Bill 3683,  
Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that the House do adopt Conference Committee Report #1 on House Bill 3683. Very briefly, House, the underlying part of House Bill 3683 is the Chemical Safety Act Amendments that we passed out of here which were negotiated and agreed to by the Chemical Industries Council, the environmental groups, ESDA, the Illinois State Chamber, the EPA. The Conference Committee Report would include Senate Amendment #1, which is a technical Amendment that was requested by ESDA. It also excludes from the report, Senate Amendment #2 so the Lake Calumet Amendment is no longer a part of this Bill. In addition House Amendment #6 to Senate Bill 1615 is in this Bill, it was also in Senate Bill 1615, and there is a technical Amendment which the fire marshall requested to provide for appeals procedure by businesses with respect to above ground tanks. And finally there is a language that was developed jointly with Representative Weaver, Black, Parke, Proctor and Gamble and the EPA, in terms of a disposal plan."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on House Bill 3683. On the question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, the Sponsor's correct. This is agreed upon the interested parties. Just so there is no confusion at some later date it is my understanding that it has been agreed that line fourteen on page 1 of the Conference Committee Report states the number of the Bill

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

127th Legislative Day

July 1, 1988

inaccurately, it transposes two numbers it is on there as 3863, and in enrolling, engrossing if this passes will be corrected."

Speaker Breslin: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Madam Speaker. I rise in support of the Conference Committee Report and wish to thank the Sponsor for his willingness to work out the problems that we had with this Bill. It now specifies that herbicides or pesticides in the home a study, a one study being conducted to handle the recommendations for disposal of these elements...and I rise in support of the report."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3683'. All...all those in favor vote 'aye' all those opposed vote 'no'. Voting is open. 71 votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 113 voting 'aye', none voting 'no', and none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3683. And this Bill having received the Constitutional Majority is hereby declared passed by the Constitutional three fifths majority. Ladies and Gentlemen, we are going to Supplemental #3 under Conference Committee Reports appears House Bill 3548, Representative Wojcik."

Wojcik: "Yes, Madam Speaker, and Members of the House. Conference Committee Report of the First Conference Committee Report states that it is exactly the same as the original Bill was. However, we have deleted Amendment #1 which amends the Environmental Protection Act and would allow trucks, when they were leaving from their transfer stations to be cleaned off before they could get on the

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

127th Legislative Day

July 1, 1988

county or highway roads and it applied to Cook County and adjacent counties; DuPage, Lake, Will, Kane, and McHenry. This has been deleted and the only parts now that are in the Bill would be Amendment 2 and 3, Senate Amendment 2 and 3, and the remainder of House Bill 3548. I ask for its favorable passage."

Speaker Breslin: "The Lady moves the adoption of the First Conference Committee Report on House Bill 3548. Is there any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3548'. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. 71 votes are required for the passage of this Conference Committee Report. 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 111 voting 'aye', 5 voting 'no', and none voting 'present'. The House does adopt the First Conference Committee Report to House Bill 3548. And this Bill having received the three fifths majority is hereby declared passed. House...Senate Bill 1781, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I would like to yield my time on the presentation of 1781 to the individuals who are involved in that Conference Committee namely Representative Homer and Representative Flinn. There's one provision that I may be able to clarify in the Amendment and the one provision is that under the state and local sales tax exemption the provisions would be identical for motor vehicles that are used in the business of...for the people who rent these vehicles as a business. In these cases these vehicles would be subject to the five percent tax under the Automobile Renting Occupation Use Tax Act which puts them in the same umbrella as any other leasing

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

127th Legislative Day

July 1, 1988

indus...leasing business in this state. That's one of the provisions that are in the Conference Committee. Now I waive my time to Representative Homer and Representative Flinn on the other two issues."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on Senate Bill 1781, and on that question the Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Madam Speaker. My interest in this Bill is three Bills have gone out of the House with a large majority and failed to get out of the Rules Committee in the Senate. Now I will briefly explain what they do. The first one amends Public Act 974 which was a Bill passed to let Vermilion County split their Board of Review up into three sections of the county and there was some ambiguity as to whether or not this applied to St. Clair County, and this removes all the ambiguity that would permit us to continue electing county-wide. The second thing it done was amend the Mobile Home Service Tax Act and there is some situations where mobile home owners have sought to receive zoning branches and then later on move and try to change from real estate back to mobile home, and therefore avoiding a tax and this closes that loophole. And the third one is it permits in St. Clair County only where we've got an elected, county-wide elected assessor, to pick up the paper stream of certificates of error and that sort of thing in order to use his good computerized office and relieve the load on the county clerk's office. That's the three things that I'm interest in and I would like to yield to Representative Homer."

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

Homer: "Thank you, Madam Speaker, and Ladies and Gentlemen. A

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

127th Legislative Day

July 1, 1988

portion of the Bill that was put in at my request has to do with the change in the federal tax laws that Congress undertook in 1986. It imparts in that legislation the Tax Reform Act the Congress reduced the corporate income tax rate from 46 percent to 34 percent. That action resulted in a substantial windfall savings to Illinois corporations that are also public utilities. The portion of the Conference Report dealing with this matter simply says that effective January 1, 1989, public utility rates shall reflect the full reduction in the utility expenses resulting from tax savings under the Federal Tax Reform Act of 1986. I would submit, Madam Speaker, that it's axiomatic and fundamental to fairness that where a utility because of action by Congress reducing it's expenses by reducing it's tax liability results in a windfall savings to a public utility that we should insist that those savings be passed along to the consumer. When the rates for the public utilities were established, they were established with an allowance to permit them to build in their rate base all of their expenses including the anticipated expense for their income tax liability. Where that liability has been lowered if there is simply absolutely no justification to in that situation allow that utility to reap the benefits of the windfall. It's the consumer that should have that benefit and this provision simply so states. And I would ask your favorable consideration of the Conference Report and I guess that I'm not the Sponsor of the Bill, but if the Chair allows, I would also be happy to answer questions with respect to the provisions about which I just described."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House. I

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

127th Legislative Day

July 1, 1988

would like to direct a question to Representative Homer."

Speaker Breslin: "Very good. Proceed."

Ewing: "Representative Homer, weren't the provisions which you said were included in this Conference Committee Report at your request the subject of a Bill heard this Spring in this General Assembly?"

Homer: "Yes. It was the subject of a House Bill that died on Third Reading because of the adjournment prior to the opportunity to have the Bill heard."

Ewing: "You're saying it wasn't voted on then."

Homer: "No. It came out of committee, Public Utilities Committee, and then just died on Third Reading. It wasn't called."

Ewing: "Madam Speaker, to the issue here. I stand in opposition to this Conference Committee Report and I stand in opposition to it because of the provisions that Senator Homer wants us to approve. When we talk about fairness, I think we need to consider what this would do to the utility companies in this state. Contrary to what anyone else might think, the provisions of this Bill will not affect Commonwealth Edison or Illinois Power, but probably only impact upon CIPS. Currently, the Illinois Commerce Commission is reviewing CI...CIPS's rates, earnings, and the effect of the federal tax increase, or reform legislation. The Office of the Public Council, the Illinois Industrial Energy Consumer's Group, and Citizens Utility Board are all involved in these negotiations. A final determination will be made by the ICC based on the company's cost, including their taxes and if a refund is ordered, it will be effective back to the beginning of 1987. Ladies and Gentlemen, we're picking on one company here that can't meet the deadline imposed by Representative Homer's Amendment to this Conference Committee Report.

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

127th Legislative Day

July 1, 1988

They're already doing it, and if the Illinois Commerce Commission and the groups that I have mentioned feel that they are entitled to a refund to their taxes, they will get...they will get one out to all of their customers. For those reasons let's take this unnecessary part out of this Conference Committee and let's vote 'no'."

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

Leverenz: "Will the Sponsor yield, please."

Speaker Breslin: "He, which Sponsor? Mautino..."

Leverenz: "I'm sorry. No, no..."

Speaker Breslin: "Homer?"

Leverenz: "Mayor Homer."

Speaker Breslin: "Representative Homer, Representative Leverenz is asking you a question. Proceed."

Leverenz: "I had some...a technical question. You said this dealt with the windfalls to the utility and that it should be in turn be given back to the payer, the rate payer, in their bill, in reduction in bill, I guess, and that sounds good. Can you tell us approximately how much total dollars that amounts to. Do we know?"

Homer: "Well, the early projections by the office of public counsel for all utilities was about 850 million dollars on an annual basis."

Leverenz: "850 million. Do we have any idea how that relates to the one company that I understand your portion of this Conference Committee Report would affect."

Homer: "I didn't hear all of your question. Would you repeat that."

Leverenz: "I understand your portion of the Conference Committee Report will only impact Central Illinois Power and that the action of adopting this will force Illinois Power to give a rebate that may equal pennies. On the other hand, then it



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

127th Legislative Day

July 1, 1988

forces them because the investors guaranteed, if you will, return on their stockholdings is below a certain line which allows then Illinois Power to go back in for a rate increase to bring it up to the protected level, and that that may cost up to a million dollars in going through the rate hearings and in all probability may end up costing the consumer more with paying all those costs rather than getting an actual rebate."

Homer: "Well, that's the, with all due respect to you, Representative Leverenz, that...that is the most convoluted reasoning I have ever heard on this Bill. The...the portion of the Amendment simply says that the public utility rates shall reflect the full reduction, uses the word reduction and the utility expenses resulting from the tax savings. There's absolutely no way a utility could come in and use that as a basis for a rate increase. I can't...or even conceive of a rational argument as to that."

Leverenz: "Now I'm really confused because I don't know what convoluted means and...thank you."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite. Who's never convoluted."

Satterthwaite: "Will Representative Homer yield for a question?"

Speaker Breslin: "He will."

Satterthwaite: "Representative Homer, as I understand it, there had been an agreement reached between Illinois Power and some of the consumer protection groups, I think, especially the Governor's Office on Consumer Protection that in return for the amount of their income tax savings they would write off certain other costs that otherwise would have been passed through to the consumer. And that in fact they had agreed to write off more of those costs than the so-called windfall and the income tax. Do you know specifically what

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

127th Legislative Day

July 1, 1988

the impact of this legislation would be on that agreement and of whether we would end up forfeiting some of the monies that the Illinois Power was willing to write off and perhaps end up with a higher rate because of that."

Homer: "No, this would simply not affect the Illinois Power situation because if the Commerce Commission is taking the position that Illinois Power would be in full compliance with this division if it were to pass. And that's the position of Illinois Power with respect to this measure. The only utility that you've heard anything, anybody on this floor, has heard a word from on this Amendment is CIPS. And that's because CIPS had their rates established in 1981. And at that time the corporate income tax was 46 percent. Therefore, the Commerce Commission allows CIPS to build 46 percent of tax rate into their tax base. Even though the tax rate has since dropped to 34 percent. As a result, CIPS customers continue paying the inflated rates and CIPS likes that. And they don't want to have to lower their rates to benefit their customers. None of the other utilities are in that boat because all of them have either made concessions like Illinois Power and Com. Ed. and the others or they're presently in a rate case in at which time the Commerce Commission will determine accurately what their expenses are for taxes. The only utility that's upset about this Amendment is CIPS because they're getting the windfall and they don't want to give it back. And I...I just think that it's so fundamentally fair that we require all the utilities to give this money back and to stop them from charging consumers for expenses to the federal government that they don't have. And that's all that this Amendment says. It's very simple, shouldn't be controversial, doesn't bo...doesn't affect Illinois Power at all."

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

127th Legislative Day

July 1, 1988

Satterthwaite: "Thank you very much. I appreciate that explanation and if with that assurance I will certainly support the legislation."

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

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

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

McGann: "In this Conference Committee Report, Representative Mautino, are you handling the Mobile Home Service Tax Act?"

Mautino: "Representative McGann, I'm not interested in anything in this Conference Committee. The Bill just came back and it has a little couple ditties on it."

McGann: "Could you direct me to who that may be here or is that someone over in someplace else."

Mautino: "I understand that the Uniform Tax Provision brings the least people in out of the existing law."

McGann: "Alright. Just for the interest of legislative intent, is this going to be just for commercially owned trailer type mobile homes or are we getting into the problem with the stationary individually owned?"

Mautino: "As I understand it, it is the commercially owned mobile homes used to lease out by business people."

McGann: "Fair enough. That's all I...thank you very much, Representative Mautino."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Will Representative Homer yield for a question or two?"

Speaker Breslin: "He will."

Black: "Thank you. Representative Homer, I...I just hold you in the highest esteem because I know you can spell convoluted as well as pronounce it, but let me, if I heard you

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

127th Legislative Day

July 1, 1988

correctly, and those of you in Illinois Power Company's service region and those of you in Commonwealth Edison service region, and I know we have had our differences of opinion with those two companies, those of us that have them in our legislative districts, but if I understood you correctly, Representative Homer, you said that this Conference Committee Report that includes your Amendment would not affect Commonwealth Edison nor would it affect Illinois Power because they are currently involved in...in rate cases. Did I hear you correctly?"

Homer: "Yes."

Black: "Okay. That...that's what...I think it's very important that all of us in this chamber understand that. But let me...let me follow up on this. Is it not true that the Illinois Commerce Commission is currently reviewing Central Illinois Public Service Company rates, earnings, and what have you, with all of the players being involved in that and if they find that because of federal tax reform that CIPS is in fact getting more than its reasonable rate of return, do they not and probably will they not then, order a refund to the consumer effective to January 1, 1987, if they so find."

Homer: "Well, I don't know the answer to that. I know that they have had two years to do the studying and so far nothing has happened. I do know that. And this will give them another six months so that in total they'll have at least two and a half years to study it. And I would just suggest that it's pretty reasonable limitation so yes, I guess they're studying it but I would like to think that to make some decision within the next several months. They've certainly had time to do it."

Black: "Thank you very much, Representative. Madam Speaker, to the issue. Ladies and Gentlemen of the House, you've

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

127th Legislative Day

July 1, 1988

heard what is indeed the facts of the matter. And that it only affects Central Illinois Public Service Company and it is my understanding that they are currently under review by the Illinois Commerce Commission with all of the players including the Citizens Utility Board involved. Now if indeed because of federal tax reform it is discovered that their rate of return, CIPS rate of return, is unreasonable, they will be ordered to make a refund to their consumers effective from January 1, 1987. Given that issue, I don't think we want this Body to be involved in the Illinois Commerce Commission's responsibility. If we want to set the race, if we want to get involved in every utility issue that comes down here and face that kind of pressure when we have just rewritten the Public Utility Law, it seems hopefully that it will begin to work and that we can have some kind of relief from utility rates and what have you. I'm not sure we should be bringing these kinds of questions to this Body. If you don't believe that obviously you'll vote for this Conference Committee. But I would urge that you give this very careful consideration. Let the Illinois Commerce Commission, the Citizens Utility Board, Public Council, let those people do their work. I think you will find that CIPS will have to refund money if indeed they are doing something that they should not be doing as a result of federal tax reform. I urge a 'no' vote on this Conference Committee Report."

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

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the adoption of this Conference Committee and particularly with respect to the provision that Representative Homer is responsible for. He is absolutely correct that he previously sponsored House Bill 2920 which was passed out of the House Public Utility

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

127th Legislative Day

July 1, 1988

Committee by a 15 to nothing vote. He is also correct that the Federal Tax Reform Legislation passed the Congress and was signed by the President almost two years ago, October 1986, that it was effective in terms of reducing the Federal Corporate Income Tax Rate from 46 to 34 percent on July 1, 1987 and that this legislation would simply do justice in saying that next January the rates of all utilities ought to pass through the savings coming from that income tax reform package which now has passed almost two years ago. It is a compromise. It does not require rebates of monies that were are previously paid. The language simply says that as of January 1, 1989, the rates of all public utilities shall reflect the full reduction of each utility's expenses as a result of the Tax Reform Act of 1986. It's a compromise. It was agreed to. And I might add, it does potentially have an affect on Commonwealth Edison and other utilities that have cases pending. If those cases are not completed by next January, those of us who are in their service areas will continue to pay at the 46 percent rate level. What this would provide is come January whether those cases are completed or not our rates ought to be reduced so we are not paying for income taxes that the utilities clearly no longer have to pay. I would urge adoption of this Conference Committee Report and would point out that among the groups supporting it are the Citizens Utility Board. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1781'. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. This is final passage. 71 votes are required. The Gentleman from Cook, Representative McNamara, one minute to explain your vote."

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

127th Legislative Day

July 1, 1988

McNamara: "Thank you, Madam Speaker. I think it is very important for us all to realize that even though CIPS may not be in our district, two and a half years can go by without a determination being made to refund dollars to pay some people of this state. I think that's unconscionable. I think what we really what ought to do is send that message and look over and say to them, 'It's time to do the job. The refund should be there.' I think Representative Homer has...has an absolutely correct way of doing it. I think it is our responsibility to take a look at those rates to say that this money was not supposed to be built into the rates. Let's return it to the people where it belongs. An 'aye' vote is the only right vote."

Speaker Breslin: "Have all voted who wish? 71 votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 59 voting 'aye', 39 voting 'no', 9 voting 'present'. Representative Granberg."

Granberg: "Madam Speaker, may I be recorded as voting 'aye', or let the record reflect."

Speaker Breslin: "Record Representative Granberg voting 'aye'. Representative Hicks votes 'aye'. Representative Mautino. Do you want a Poll of the Absentees?"

Mautino: "No. I'm just ready. I'm just ready to reload an..."

Speaker Breslin: "On this question there are 61 voting 'aye', 39 voting 'no', 9 voting 'present'. And the adoption Motion fails since it has not reached the required three fifths majority. Now Representative Mautino is recognized."

Mautino: "Yes, still seeking..."

Speaker Breslin: "Representative Mautino."

Mautino: "Seeking the Second Conference Committee be appointed."

Speaker Breslin: "Okay. The Gentleman ask for a Second Conference Committee and that will be appointed. On

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

127th Legislative Day

July 1, 1988

Supplemental #3 appears Senate Bill 2028, Representative Hannig. Clerk, read the...excuse me, Representative Hannig."

Hannig: "Thank you, Madam Speaker, Members of the House. The House passed the First Conference Committee Bill last evening with about 75 votes or so but unfortunately that provision failed in the Senate. So we're here today with the Second Conference Committee Report for Senate Bill 2028. It's basically the same as the First Conference Committee except that the language referring to seniority which was objected to by Representative Cowlshaw yesterday has been removed. Very briefly, the things that it does contain is the agreed demandates, Representative Mautino's clarification on Northern Illinois, Representative Hoffman's Amendment, House Amendment #4 which clarifies the legislative intent of special education CoOps for extraordinary care, Representative Giorgi's Bill on regional superintendents, and it has language that Representative Hasara added for our vocational education scholarships, language which makes it a bit easier to run for regional superintendent, Representative Phelps' language on math/science academies which is optional, and some Illinois State Board of Education language on clarifying early childhood certificates. I believe that as presently written in the Second Conference Committee should not be controversial. And I'd ask...I move that we adopt the Second Conference Committee Report to 2028."

Speaker Breslin: "The Gentleman has moved to adopt the Second Conference Committee Report on Senate Bill 2028. On the question the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Madam Speaker, will the Sponsor yield for one brief question, please?"

Speaker Breslin: "He will."



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

127th Legislative Day

July 1, 1988

Cowlshaw: "Thank you. Representative, you will recall that when the First Conference Committee Report on this Bill was being considered I asked you about some definitions for a specific term for a new section that was being added in that Conference Committee Report that was not a prior Amendment of any kind that had to do with the school districts being required to make lists of educational support personnel. It is my understanding that that entire Section that had to do with educational support personnel is not contained either in whole or in part in this Second Conference Committee Report."

Hannig: "That is correct, Representative. It has all been deleted at your request."

Cowlshaw: "Very good. Thank you very much. Madam Speaker, to the Bill. With the objectionable portions removed and the other portions all of which are fine and one of which is really needed contained in the Second Conference Committee Report, I suggest that it should be supported. And thank you very much."

Speaker Breslin: "Is there any further discussion? The Lady from Cook, Representative Davis."

Davis: "Madam Speaker, we really couldn't hear his explanation for this Conference Committee Report and would he please repeat that. There is so much noise out here."

Speaker Breslin: "Yes. Representative Hannig, would you repeat that for Representative Davis and others. In your close."

Hannig: "Okay. Close now?"

Speaker Breslin: "Repeat it. Yes, for your close."

Hannig: "Thank you, Madam Speaker, to close. Basically this is the Bill that we passed last night, 2028, with the exception that the language that Representative Cowlshaw objected to with the seniority list have been removed. We still have in the Bill the agreed mandates which we

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

127th Legislative Day

July 1, 1988

passed now twice in this House. Representative Mautino's clarification on Northern Illinois, entrepreneurship education, Representative Hoffman's Amendment #4 which clarified the legislative intent of special education CoOps, Representative Giorgi's language on regional superintendent audits, plus we have Representative Hasara's language permitting junior high teachers to apply for vocational education scholarships, language allowing for regional superintendents to be candidates with one less year of eligibility of education, Representative Phelps' language on optional math/science summer programs, and the Illinois State Board of Education's language on clarifying early childhood certificates. Those are the provisions of the Bill. We passed a similar Bill as I said last evening that was controversial, but we have removed the controversy because that Bill failed in the Senate and I once again ask you to vote 'yes' on this proposal."

Speaker Breslin: "The question is, 'Shall the House adopt the Second Conference Committee Report on 2028'. 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 this question there are 112 voting 'aye', 1 voting 'no', 3 voting 'present'. The House does adopt the Second Conference Committee Report on Senate Bill 2028. And this Bill having received the required three fifths majority is hereby declared passed. Ladies and Gentlemen on page 4 on page 5 on your Calendar under the Order of Speaker's Table appears SJR 111. Representative Hasara."

Hasara: "Thank you, Madam Speaker. SJR 111 provides for a select committee on residential boarding homes. This..."

Speaker Breslin: "Excuse me, there is an Amendment to this. Is that true?"

Hasara: "I am not aware of one."

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

127th Legislative Day

July 1, 1988

Speaker Breslin: "Yea. Representative Hasara there is an Amendment filed on the Resolution. The Sponsors are Representatives Cullerton and Homer. So we'll go to that...that Amendment first. Representative McCracken."

McCracken: "Wouldn't the correct procedure to be to act on the Lady's Motion and if that passes then it would be in the stage for our floor Amendment. If it doesn't pass it would have to go to committee and wouldn't it be properly here for an Amendment."

Speaker Breslin: "I see. The Motion is for immediate consideration. Is that correct?"

McCracken: "To bypass committee."

Speaker Breslin: "Surely. You are correct. Proceed with your Motion and then we'll go to the Amendments."

Hasara: "I move that we bypass committee and go to immediate consideration on Senate Joint Resolution 111."

Speaker Breslin: "You have heard the Lady's Motion. Is there any discussion? Hearing none, the question is, 'Shall...the question is, 'Shall the House bypass committee and place this Resolution on the table for immediate consideration'. All those in favor say 'aye' all those opposed say 'no'. In opinion of the Chair the 'ayes' have it and with leave of the Attendance...with leave for the use of the Attendance Roll Call we can immediately hear this Resolution. The Amendment filed is filed by Representative Cullerton and Homer. Representative Homer is recognized on the Amendment."

Homer: "Thank you, Madam Speaker. The Amendment is simply one of terminology. It changes the terminology of the...of the Body from a select committee to an advisory board throughout the Resolution. The purpose is simply to make it more clear that this board would act at advisory capacity and would have the powers and authorities normally

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

127th Legislative Day

July 1, 1988

associated with an advisory board as opposed to a select committee. So I think it's probably a noncontroversial Amendment. And I move it's adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to SJR 111. On the question the Gentleman from Cook, Representative Leverenz."

Leverenz: "My turn to ring your bell today? Will the Sponsor yield?"

Speaker Breslin: "Surely, but don't be convoluted."

Leverenz: "I'm still looking for that word and it's a committee or commission or advisory board and why did you change it and what exactly will they do?"

Homer: "Normal...originally it was contemplated that the committee would report to the Legislature, however, the Resolution now provides that the reporting shall be to the Illinois Department of Public Health, Illinois Department of Public Health. And since normally in the binocular of legislative enactments those committees or commissions are report to agencies are called advisory boards. Those that report to us are called committees so it's just a matter of terminology."

Leverenz: "Well, and who would pay the costs of the investigations?"

Homer: "Could you hold a moment. I'm informed that there will be no investigations ergo no cost."

Leverenz: "There would be no what?"

Homer: "I'm informed that the...it's not contemplated that there will be any investigations."

Leverenz: "How...how would they...how would they then go about making any recommendations on boarding homes?"

Homer: "I'm sorry, would you repeat that question."

Leverenz: "I don't know any simpler way to ask how would they go about making any recommendations on boarding homes? I mean

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

127th Legislative Day

July 1, 1988

is this rent a room and they're going to make recommendations on how many rooms can be rented or are they going to be like recommending AAA, AA, A, like the Chicago Motor Club does?"

Homer: "I...you know, all I can tell you, Representative Leverenz, is that that the Department of Public Health has indicated that they did not believe there would be any cost associated with the implementation of the Resolution. This is simply an advisory board that would, would not be paid any additional compensation for their service in this capacity and would utilize existing facilities without paying rent nor would they be in power to retain any outside advisors or consultants of any type."

Leverenz: "Well, in all sincerity, I guess is the word, I...I am still confused with what they are going to do, what may be the result would a boarding home be checked by somebody and be allowed to advertise that they have been investigated or looked at or approved by some advisory arm to the Illinois Department of Public Health?"

Homer: "Madam Speaker, to make this dialogue meaningful and because I am handling this for Representative Cullerton who is not here, let me make this suggestion. Let me yield to the Sponsor, Representative Hasara, who I think has much, a better able to answer the Gentleman's questions."

Speaker Breslin: "Very good. Representative Hasara."

Hasara: "Thank you, Madam Speaker. Representative Leverenz, at the present time, there's a licensing for residential homes and there are many homes that provide what we would call nursing home care to...to the elderly. They now come under the same licensing provisions as a nursing home and go through the same checks and it's very costly for them. I've been asked to help with this Resolution in order to just look and see if we might be able to alleviate some of

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

127th Legislative Day

July 1, 1988

the red tape. For instance the home that might be licensed for three beds for senior citizens very possibly would not necessarily need to go through all the same licensing procedures that a 150 bed nursing home goes through. And that's what we would like to ask this committee to do. The purpose is to...is to provide quality in home nursing care beds at the lowest possible cost for senior citizens."

Leverenz: "Thank you for the answers on this important Resolution."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Amendment #1 to SJR 111 be adopted'. All those in favor say 'aye' opposed 'nay'. In opinion of the Chair...in the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Representative Hasara is recognized on the Resolution 'as amended'."

Hasara: "Thank you, Madam Speaker. I believe the discussion on Amendment #1 should clarify what the Resolution does. And I ask for its adoption."

Speaker Breslin: "Very good. The question is, 'Shall Senate Joint Resolution 111 be adopted'. All those in favor say 'aye' all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And with use of the Attendance Roll Call this Resolution is adopted. Senate Joint Resolution 161, Representative Matijevec."

Matijevec: "Madam Speaker, Ladies and Gentlemen of the House. As all of you know, under the 1970 Illinois Constitution, it is required that the question of calling for another Constitutional Convention shall be placed before the ballot every 20 years. Senate Joint Resolution 161 is a product of a Joint Committee created by Senate Joint Resolution 127 to work towards a report which will be provided for the

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

127th Legislative Day

July 1, 1988

voters to indicate the pros and cons of a Constitutional Convention. The format of the ballot and the Joint Committee did work this out and we provide four arguments in favor, four arguments against the Constitutional Convention. We tried to balance as fairly as we could the proponents and the opponents. The proponents arguments are fairly well come out of testimony that was presented in the committee in public testimony of the committee of 50. I think the committee did a fair job and therefore, I would move for the adoption of Senate Joint Resolution 161."

Speaker Breslin: "The Gentleman moves the adoption of Senate Joint Resolution 161. On that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt Senate Joint Resolution 161'. All those in favor say 'aye' opposed 'nay'. In the opinion of the Chair the 'ayes' have it. And by use of the Attendance Roll Call Senate Joint Resolution 161 is adopted. Senate Joint Resolution 162, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. The House and the Senate have voted to put on the ballot in November the Constitutional Amendment putting Illinois Constitutional Electoral Eligibility Requirements in conformity with the Federal Constitution and with underlying state statutes. Senate Joint Resolution 162 establishes the form of that question on the ballot in includes for the blue ballot both arguments for and against that proposed Constitutional Amendment. I'd be happy to answer any of your questions and would urge your adoption of Senate Joint Resolution 162."

Speaker Breslin: "The Lady has moved for the adoption of Senate Joint Resolution 162. On that question is there any discussion? Hearing none, the question is, 'Shall the House adopt the Senate Joint Resolution 162'. All those in

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

127th Legislative Day

July 1, 1988

favor say 'aye' opposed 'nay'. In the opinion of the Chair the 'ayes' have it. And by use of the Attendance Roll Call Senate Joint Resolution 162 is adopted. On the Order of Motions appears House Resolution 1671, Representative Younge. Wyvetter Younge."

Younge: "Thank you, Madam Speaker. I move to bypass committee and place on the Speaker's Table for immediate consideration House Resolution 1671."

Speaker Breslin: "You have heard the Lady's Motion. Would you tell us what the Resolution is about, Representative Younge."

Younge: "Yes. The Resolution's purpose is to form a committee to study the financial problems of the City of East St. Louis."

Speaker Breslin: "Okay. The Lady's...you have heard the Lady's Motion. On that Motion is there any discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Madam Speaker, Ladies and Gentlemen of the House. You should rise in support of this Resolution. The City of East St. Louis which is a great portion of Representative Younge represents has over the past decade come into some very serious financial problems. She has recommended the creation of a committee that would study various aspects of the economics of running that city. The...I think it's very appropriate that the state become involved because it appears as if whether by choice or not the State of Illinois is going to be dramatically involved in the financial dealings of the City of East St. Louis and I think it's appropriate at this time that we pass the Lady's Motion."

Speaker Breslin: "The question is, 'Shall the House bypass committee and place House Resolution 1671 on the Speaker's Table for immediate consideration'. All those in favor say



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

127th Legislative Day

July 1, 1988

'aye' all those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. And use of the Attendance Roll Call House Resolution 1671 is before this Assembly for immediate consideration. And now Representative Younge is recognized to present House Resolution 1671."

Younge: "Thank you, Madam Speaker. I move for the passage of House Bill...House Resolution 1671 to form a committee to study the financial problems of East St. Louis. The municipal employees have not...have missed three pay days. The assessed valuation of the city has decreased from 178 million dollars down to 30 million dollars. Yesterday 34 firemen were laid off and it is time for us to begin to study the problems and come up with what is the state's role in reference to the City of East St. Louis."

Speaker Breslin: "The Lady has moved to adopt House Resolution 1671 and on that question, is there any discussion? Hearing none, the question is, 'Shall House Resolution 1671 be adopted'. All those in favor say 'aye' opposed 'nay'. In opinion of the Chair the 'ayes' have it. And by use of the Attendance Roll Call House Resolution 1671 is adopted. Representative Cowlshaw is recognized for a Motion. Listen to the Lady's Motion."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Yesterday we passed the First Conference Committee Report on House Bill 3636 out of this chamber on a margin of 115 to 1. It passed by an equally wide margin, comparable margin, in the Senate. It was then discovered that there were several rather serious drafting errors that had been made in that Conference Committee. Consequently, Madam Speaker, I move to reconsider the vote by which we approved of Conference Committee Report #1 to House Bill 3636."

Speaker Breslin: "You have heard the Lady's Motion. On the

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

127th Legislative Day

July 1, 1988

Motion, is there any discussion? Hearing none, the question is, 'Shall the House reconsider the vote by which House Bill 3636 was adopted in...by adopting the Conference Committee Report'. All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Mr. Clerk, take the record. On the question there are 115 voting 'aye', none voting 'no', none voting 'present'. And the House does reconsider the vote by which the Conference Committee Report on House Bill 3636 was adopted. And now, Representative Cowlshaw."

Cowlshaw: "Madam Speaker, I need to inquire. Which is the preferred procedure? Do I now move to approve that Conference Committee Report which I don't want approved?"

Speaker Breslin: "You move to reject that Conference Committee Report."

Cowlshaw: "Alright. Thank you, Madam Speaker. I move to reject the First Conference Committee Report on House Bill 3636."

Speaker Breslin: "The Lady has moved to reject the...refuse to accept the First Conference Committee Report on House Bill 3636. Any discussion? Hearing none, the question is, 'Shall the House refuse to adopt the First Conference Committee Report on House Bill 3636'. All those in favor say 'aye' all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And by use of the Attendance Roll Call the First Conference Committee Report on House Bill 3636 is rejected. Now Representative Cowlshaw is recognized."

Cowlshaw: "Thank you very much, Madam Speaker. You have been most accommodating about this error. I now move to have a Second Conference Committee appointed to consider House Bill 3636."

Speaker Breslin: "The Lady asks for a Second Conference Committee on House Bill 3636 and that will be granted. On the Order

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

127th Legislative Day

July 1, 1988

of Speaker's Table, on page 4 on your Calendar appears House Resolution 1440, Representative Martinez and Levin. Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move for the adoption of House Resolution 1440. This Resolution was part of the agreement that was reached earlier in the year with the Illinois State Medical Society, Department of Professional Regulations and various groups where House Bill 3789 dealing with foreign medical graduates passed the Legislature. Simply what this Resolution does is it asks the department to monitor the implementation of Section 11 of the new Medical Practice Act of 1987 and to get back with any findings to the Legislature on or before November 1, 1989."

Speaker Breslin: "The Gentleman has moved the adoption of House Resolution 1440. And on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "What effect does this Resolution if there has been legislation, or did that not go anywhere?"

Levin: "Now the legislation was passed. And what the legislation did was to set up a procedure whereby waivers can be granted to Section 11 for individual doctors. And...in the course of the discussions over that legislation it was brought out that the AMA..."

McCracken: "Has there been an agreement on the issue? Has there been a compromise?"

Levin: "Oh, this was part of the agreement whereby House Bill 3789 passed. This was another part of the agreement."

McCracken: "The agreement was that the problem would be solved, and the...but we would also study the problem which had previously existed. Is that it?"

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

127th Legislative Day

July 1, 1988

Levin: "There was a flat prohibition that we...that was passed last year of the Medical Practice Act of persons who had graduated from medical school after a certain date of becoming interns..."

McCracken: "Who's...who's going to study the problem?"

Levin: "This is the department."

McCracken: "Okay."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall the House adopt House Resolution 1440'. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and House Resolution 1440 is adopted. Representative Mulcahey, for what reason do you seek recognition, Sir? Did...did Mr. Rea press your switch? Representative Rea. Representative Rea, did you want to change your vote again today?"

Rea: "Madam Speaker, I would defer to Representative Mulcahey."

Speaker Breslin: "The Gentleman from Will, Representative Wennlund. For what reason do you seek recognition?"

Wennlund: "Madam Speaker, seeing the Gentleman to your left, I'm reminded of a mailagram, an emergency mailagram, I received yesterday morning. It said please don't let my grandchildren grow up to be Cub fans vote for the Sox."

Countryman: "On behalf of the Speaker, I'm given an opportunity to respond, and that is that those of you who voted for the Sox should do so so they didn't become Cub fans."

Speaker Breslin: "Agreed Resolutions."

Clerk Leone: "Senate Joint Resolution 130, offered by Representative Levin. Senate Joint Resolution 104, offered by Representative Stange. House Resolution 714, offered by Representative Pullen, et al. House Resolution 715, offered by Representative Capparelli. House Resolution 1716, offered by Representative Ryder, et al. House Resolution 1717, offered by Representative Stephens. House

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

127th Legislative Day

July 1, 1988

Resolution 1718, offered by Representative Tate. And House  
Resolution 1719, offered by Representative Leverenz."

Speaker Breslin: "Representative Matijeich."

Matijeich: "Madam Speaker. The bad news and the good news. The  
bad news, we're not going home yet. The good news, these  
are all agreed and I move the adoption of the Agreed  
Resolutions."

Speaker Breslin: "The Gentleman moves the adoption of the Agreed  
Resolutions. All those in favor say 'aye' opposed 'nay'.  
In opinion of the Chair the 'ayes' have it. The Agreed  
Resolutions are adopted. General Resolutions."

Clerk O'Brien: "Senate Joint Resolution 114, offered by  
Representative Morrow."

Speaker Breslin: "Committee on Assignment."

Speaker Giglio: "House will come to order for an announcement.  
The House is going to recess until 6:00 O'clock. While the  
House is in recess, the leaders will be meeting. We are  
not too far away from school reform. There's some other  
matters that have to be addressed. Hopefully when we come  
back at 6:00 we'll know what direction we are going to  
take. Whether we stay over tonight or whether we keep  
going until we adjourn. So the House will now stand in  
recess until 6:00 p.m. Representative Preston.  
Representative Preston."

Preston: "Thank you, Mr. Speaker. The followers will also be  
meeting during next hour and a quarter and we will be  
deciding exactly who we shall follow, how far we shall  
follow that person, and where we shall follow that person  
to. Thank you."

Speaker Giglio: "Well, I...I'm glad you're on the bandwagon,  
Representative Preston. The House will stand at ease until  
6:00 p.m. Representative Leverenz."

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

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

127th Legislative Day

July 1, 1988

Speaker Giglio: "Proceed."

Leverenz: "I have been contacted by the Springfield tourism council. There are not a lot of rooms in town and the question to the trivia contest is, 'What are we doing now'."

Speaker Giglio: "At the present time we're still in recess. We're waiting for the leaders to adjourn their meeting, and soon as that meeting is concluded, I'm sure we'll have some information to pass on to the Members as to whether we're going to continue working and finish tonight or work for a short time and then come back tomorrow."

Leverenz: "Is that then why we proceeded with the Boarding Advisory...Advisory Committee today Resolutions? Would they advise us on where to stay if all the rooms are gone at the inn. I object to Representative Flinn, and his comment that the Advisory Committee just wants to tell me where to go."

Speaker Giglio: "Representative McGann."

McGann: "Thank you, Mr. Speaker. Is Representative Keane standing there ready to storm the Chair. Is that his position? Or is he...or is he up for a protectorate of you?"

Speaker Giglio: "Representative Keane is acting in the capacity as my Parliamentarian for the present time. Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. We have some guests here. We have, I think, six or seven little koala bears in the back from 'Sheperdan' and Rochester Australia come to show us their big knives."

Speaker Giglio: "Welcome to Springfield. Come to order. Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #5 is being distributed."

Speaker Giglio: "Come to order. House Calendar Supplemental #5

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

127th Legislative Day

July 1, 1988

appears House Bill 3636. The Lady from Lake, Representative Cowlshaw. DuPage...excuse me."

Cowlshaw: "Thank you, Mr. Speaker. And I'd just as soon be from Lake County or from any other county in Illinois. Let me explain briefly, please, that House Bill 3636 is a Bill that has to do with various library issues, including some that passed out of this chamber before and one that is comparatively new that was included at the request of Representative Grace Mary Stern. The First Conference Committee Report passed out this chamber 115 to 1 and passed the Senate by a substantial margin as well. It was then discovered there were some serious drafting errors in that First Conference Committee Report. All this does is correct those drafting errors and I would move to adopt the Second Conference Committee Report to House Bill 3636."

Speaker Giglio: "Any discussion on the Lady's Motion? The question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 3636. And on that question all those in favor signify by voting 'aye' those opposed 'nay'. The voting is open. Have all voted who wish? 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' and 1 voting 'no', none voting 'present'. And the House does adopt the Second Conference Committee Report to House Bill 3636. And this Bill having received the required three fifths majority is hereby declared passed. Is Representative Hicks in the chamber? Representative...Representative Mautino. Representative Mautino in the chamber? Senate Bill 1781, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. The Second Conference Committee on 1781 contains the provisions that were addressed by Representative Flinn in Madison County. It

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

127th Legislative Day

July 1, 1988

has removed the 2920 that was Homer's Bill that caused the problem and that was the only controversial part of the Conference Committee for your consideration."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, 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 115 voting 'yes', none voting 'no', none voting 'present'. And the House does adopt the Second Conference Committee Report and Senate Bill 1781 having received the three fifths Constitutional Majority is hereby declared passed. On Supplemental Calendar #5 on Concurrences appears House Joint Resolution 188. The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 188 requires that the Department of Central Management Services conduct, to conduct, the feasibility study on the usage of soybean base printing ink. It's been...it's been a well known fact that soybean based inks are being utilized in the State of Illinois, especially in the newspaper industry, and we want to encourage the State of Illinois to study the usage of soybean inks and its printing operations. I believe a likely place to start is with the Department of Central Management Services and I ask for your support."

Speaker Giglio: "Any discussion? The Gentle...the Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Countryman: "Are these biodegradable inks? I mean do they disappear after they have been on there for a while? Do



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

127th Legislative Day

July 1, 1988

they go back to nature?"

Novak: "No, we need to put those on hundred dollar bills."

Countryman: "I just thought maybe they would disappear so you could print the paper and if they didn't like what they said about you it would just disappear."

Novak: "That might be a good idea, Representative Countryman, but no, it's...it's going to be good for the environment because it has a lot less environmental impact than current petroleum based inks does."

Countryman: "Shouldn't we recycle all this newspaper anyway? You're talking about newspapers, aren't you?"

Novak: "No, we're just talking about ink being used..."

Countryman: "Oh, you mean all the ink we got printed around here."

Novak: "That's right."

Countryman: "Oh, okay. If it were biodegradable then these Conference Committee Reports might disappear on us to, huh?"

Novak: "No, I highly doubt that. There's plenty of them around here."

Countryman: "Oh, Representative Leverenz thinks we might be able to flush it. How about the paper. Should we...should we put some soybeans in the paper?"

Novak: "It might make it quite edible."

Countryman: "It sounds like a good idea. I think I will support it."

Novak: "Thank you."

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

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

Speaker Giglio: "He indicates he will."

Ropp: "About six months ago the soybean oil market was what price?"

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

127th Legislative Day

July 1, 1988

Novak: "It's a little bit higher than, I think, well I can't tell you right now, but it's a little bit higher than petroleum based inks, Representative."

Ropp: "If this turns out to be a real good idea will this increase or decrease the price of soybeans?"

Novak: "Pardon me."

Ropp: "If this turns out to be a good idea and we ultimately use soybean oil as ink, will this increase the price of soybeans or decrease it?"

Novak: "Well, I couldn't answer that, but I'm sure it's going to provide another market for the usage of soybeans. We currently have a good sized surplus of soybeans in the State of Illinois."

Ropp: "If you're a dairy farmer using soy bean meal, do you want to pay a lot of money for soy bean meal or not?"

Novak: "Oh, I'm sure I wouldn't."

Ropp: "You're sure you wouldn't."

Novak: "Right."

Ropp: "Then why are you produ...pursuing this Resolution?"

Novak: "Well, this has nothing with being a dairy farmer. All we're trying to do is look at a better use to use our soybean based products and the inks in Illinois."

Ropp: "Soybean meal is like 10...or soybeans are 10 or 11 dollars a bushel now and we have a tremendous market. This will probably drive the price of soybean meal all soybeans up to 13, or 14, or 15 dollars. Would that not drive up the price of tofu?"

Novak: "All I know is if I had a lot of soybeans I would sure be interested in this proposition."

Ropp: "Sounds like a winner. I hope the Central Management Service has some research scientist so they will know what to do with that study."

Speaker Giglio: "The Gentleman from Vermilion, Representative

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

127th Legislative Day

July 1, 1988

Black."

Black: "Thank you very much, Mr. Speaker. I've left my car running outside in anticipation that we might get home, so I would just rise in support of the Gentleman's Resolution. There is one newspaper in Illinois that is being printed now with soybean ink and I believe this coming week there are about six or seven who will be, newspapers in the state will be printed with soybean ink on a one day experiment. I think the soybean marketing board is behind this and I know that Representative Ropp is behind anything that helps the farmer as a former Secretary of Agriculture, so I think we ought to get on with the Roll Call. An excellent idea, Representative."

Speaker Giglio: "The Gentleman from Kankakee, Representative Novak to close."

Novak: "Yes. Ladies and Gentlemen, Mr. Speaker. I'd ask for everyone's support please. Thank you very much."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of House Joint Resolution 188 concurring with Senate Amendment #1 vote '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 113 voting 'yes', none voting 'no', none voting 'present'. And the House does concur with Senate Amendment #1 to House Joint Resolution 188. And this Resolution having received the three fifths, having received three fifths Constitutional Majority is hereby declared passed. Representative Hicks. Gentleman from Jefferson, House Bill 4282."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to accept Conf...the corrected Conference Committee Report on House Bill 4282. This

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

127th Legislative Day

July 1, 1988

Conference Committee did several things and the Bills to become a whole light of language dealing with racing here in Illinois. If everyone will take a quick look at their analysis I will go through a few of the things. Basically though, it allows the Department of Agriculture to conduct parimutual waging in two county fairs in the State of Illinois as a...to see whether or not county fairs in the State of Illinois can economically have county fairs also allows the different tracks and OTB tracks stands to do several different things. I'd be happy to try to answer any questions anybody has."

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

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, we have been a part of this discussion. My question deals with in the report is there specific regulations and guidelines as to the county fair that would be...the two county fairs that would be selected for this experiment?"

Hicks: "No. There are no specific sites currently for those two sites. It leaves it up to the joint effort of the Department of Agriculture and the Racing Board to make those decisions as to what two fairs could be those first two sites to, on a trial basis, to see if it is economical in Illinois."

Ropp: "Well, many of us here are very much in support of attempting to advance county fair attendance and I think this would be a way at least to initiate that. Having followed much of the study in this regard it is a rather costly venture to get involved in parimutual betting at a county fair because there just normally has not been that volume of people. I wonder in the Conference Committee

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

127th Legislative Day

July 1, 1988

Report, is there any provisions that would not allow a county fair that may end up losing 40 or 50 thousand dollars to come back on the state and ask for money to help bail them out."

Hicks: "Well, certainly at any time anybody can come back on the state and try to ask that but as far as any kind of reference in there for us paying that type of loss, no, there is nothing in that whatsoever to do that."

Ropp: "Well, I would...I really kind of am a little bit hesitant to encourage county fairs to get too far out in front on this and I think that's one of the reasons that they only allowed two to somewhat give an example to the other county fairs that this is a costly venture and unless things can be worked out the hopeful costs will be far in the excess of the revenue income that will be generated to those county fairs."

Hicks: "Representative Ropp, if I may, this is strictly a pilot program in order to try to allow two county fairs and we just picked the number two after all the meetings over the winter that several of us attended trying to see how many fairs in the state might have an interest. I think the first meeting I went to there were 44 county fairs there, but out of those probably only four or five in the state who actually can afford to try to do this until we get into a situation where a lot of things are available to them such as the tote boards that are cost effective in order to be able to do that. So it's strictly a pilot program. We're allowing them an opportunity to see if it works."

Ropp: "Thank you very much. I think it's a good idea and I'm glad that there are not...no more than two that are being started because I think that's about all it will take to prove that this is rather a costly venture, although very exciting."

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

127th Legislative Day

July 1, 1988

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hasara: "Representative Hicks, can you repeat, I believe you probably said it, but repeat the criteria that will be used for selecting the two county fairs."

Hicks: "Okay. Well, actually we tried not to be real restrictive in in the fact that we tried to leave that up to the Department of Agriculture and the Racing Board in order that they make that choice as to what fairs that can meet the criteria to actually afford to do this, to do the pilot program. So there isn't a strict criteria. It's basically left up to the board and the Department of Ag who's participated in all the meetings, who will make that choice as to which two county fairs, I'll be very honest with you, I don't think there's going to be very many want to jump in real quickly to do this. It's not going to be something you're going to run out there and make a lot of money at. It's something that's going to be very risky, and so the fairs are going to have to take a very close look and we may not even have two that want to do it this year. That's a very strong possibility."

Hasara: "But a fair that was interested would then apply?"

Hicks: "Certainly they will apply to do so. We're going to take it, all the interested parties who are involved in this any fair the state has an interest in it, they will certainly talk with the Department of Ag. We've already had some of those meetings over the winter and to show that interest, and with the racing board we'll look at who can actually put on the event."

Hasara: "Thank you. I rise in support of this, of accepting this Conference Committee Report. Downstate areas that have off track betting parlors will be the recipients of additional

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

127th Legislative Day

July 1, 1988

revenue either to their park district, if the park district has a museum or to the city in which the offtrack betting parlor is located. So there is an advantage to those communities in downstate Illinois that have off track betting parlors. So I urge adoption of this Conference Committee Report."

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

Keane: "Question of the Sponsor."

Speaker Giglio: "Proceed."

Keane: "Would this Bill take 600,000 dollars away from the Chicago museums?"

Hicks: "It's my understanding at this time that we work that language out. It does not at this time take 600,000 dollars away from them."

Keane: "It's my understanding that this Bill has its...this Conference Committee Report has drafted would take 600,000 dollars from a previous agreement which we had on offtrack betting out of the Chicago museums. If that is not the case, I'd like to ask the Sponsor to take the Bill out of the record until we can check this out."

Hicks: "As I understand, there has been 700,000 dollars appropriated for the park districts themselves, excuse me, the museums where there will be some strain on the city and not a big extent is a small loss in the park district, but not in the museums themselves."

Keane: "My understanding that you're changing a formula that we set on the offtrack betting and in the effect will be a reduction of 600,000 dollars to the Chicago museums and that would be spread about. I would ask you to take this Bill out of the record. I see Representative Cullerton is on the floor who knows more about this than I. Take it out of the record until we can work something out."

Hicks: "Well, I would defer to Representative Cullerton if he has

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

127th Legislative Day

July 1, 1988

a comment about that. If not I would be happy to..."

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

Cullerton: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would be happy to explain the, the formula that was negotiated a couple of years ago when we passed this Bill and maybe that will shed some light on this debate. When we passed the Horseracing Reform Act, oh boy that's a bad word, when we passed the Horseracing Bill a couple of years ago, we said that one percent of the handle that was bet would be broken down into sevenths. And we estimated that when all of the offtrack betting parlors were up in operation, all 14 of them, that there would be a total of 7 million dollars annually. So, we broke that down into sevenths. One seventh went to the Agricultural Premium Fund for use in a home extension program. Two sevenths went to the Department of Commerce and Community Affairs for the purposes of promoting horseracing. And four sevenths would go to the museums that are located on park district land in Cook County. As I understand what this Bill says is that the three offtrack betting parlors that have now opened, one in Peoria, one in Springfield, and one in Rockford, would no longer have to send their four sevenths to the museums in Cook County. They would have to send their one seventh to the Agricultural Premium Fund for the home extension program, they would have to send their two sevenths to the Department of Commerce and Community Affairs to promote horseracing, but they would no longer have to send their four sevenths to the Cook County Museums. What that means is they get to keep it. They get to keep it in their own communities and it would go to their park districts. So the park districts in Rockford, the park district in Peoria, and the park district in Springfield would receive, get to retain this money. Now



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

127th Legislative Day

July 1, 1988

our estimate would be in Rockford, this would be about annually about 225,000 dollars a year that they would get to keep that would be, that would not go to the museums. In the case of Peoria and Springfield, a lesser amount depending upon the handle. So that's what the background is. I can tell you that earlier versions of this Conference Committee had suggested that perhaps instead of taking four sevenths from the museums in Cook County we'd take the two sevenths that's going to the Department of Commerce and Community Affairs. I was told that that was rejected by the Governor and as a result this new formula was worked out, and certainly not to the satisfaction of the museums in Cook County. There was also talk about the two sevenths that goes to DECCA to go to the park districts and then when the offtrack betting parlors in Chicago and Cook County opened up that this two sevenths now goes to DECCA could go to the, the zoos and the botanical gardens in the forest preserved district of Cook County. That also was rejected. That is not in this proposal. So what this does is to take money which is now being sent to the museums in Cook County and it's being kept by three municipalities; Springfield, Rockford, and Peoria. I'd be happy to answer any questions if I may since I am the Cosponsor of the Bill."

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

Wojcik: "Yes. Would the Sponsor yield for a question."

Speaker Giglio: "He indicates he will."

Wojcik: "Representative, it seems to me that about a day ago we just voted an increase in the levy for the park districts and that was from three to seven percent. And that was to help museums and everything. Why are we doing this in this area, and would you explain it to me."

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

127th Legislative Day

July 1, 1988

Cullerton: "Well, the the issue first arose because of a concern in Rockford to raise money for a museum, and Senator Holmberg's suggestion dealt with taking some money from this fund and I believe one of the Representatives from the Rockford area suggested that perhaps it be done through a tax. I think, that, it was a bipartisan support in the Representatives from the Rockford area. So that passed. I don't know if it, and it passed in the Senate too. So that's going to the Governor's desk. So the only way to explain that would be that this would be more money that would be going to the park districts in Peoria, and Rockford and Springfield."

Wojcik: "That's kind of what I thought here. The bi-partisan support was rather interesting yesterday when it was a backdoor referendum. That was going to go to the park districts for museums and now we've got off track betting and that's going to go to park districts for museums. I think I'm going to go to Rockford and live and join their park districts, I'm going to have a good time. I think this is a bad suggestion and I think we should look at it. I certainly could not support the concept."

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

McGann: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McGann: "Representative Hicks, is there any channel that we can replace these monies to the museums and the aquarians in Cook County?"

Hicks: "Thank you, Representative McGann, for asking. Now as I know, these monies, if you will think back when we started with OTB did not exist. The money that is coming in is really new money that we've been working on now just for a year or so. As the new parks go a line you're going to have more and more money than you even have now, it's as they

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

127th Legislative Day

July 1, 1988

come on line. So there could be a small change in the way that you're receiving the amount of money you're receiving now. This is the only formula. We've tried six or seven formulas in the last two days that even comes close to having any type of an agreement by anybody on and certainly you're not going to see because the increased participation in OTB you're not going to see a large loss over the years to come. You're going to see a tremendous gain in dollars over the years to come."

McGann: "Thank you, Representative. Mr. Speaker and Members of the Assembly, to the conference committee report."

Speaker Giglio: "Would you give the Gentleman your attention. There's an all, excuse me Representative McGann."

McGann: "I think it should be noted especially for those in Cook County, that we're changing something in the midstream. And all I hear down in Springfield is you never want to change in the midstream. A deal was made a deal should be kept. And what we're doing here we are syphoning dollars away from our aquarians and museums in Cook County, that we had a right to have from the inception of this Bill for which most of us voted to bring it about. So I don't think there should be any change at this time and I would ask them to kindly ask for a second conference committee report and I'd ask the Members especially of Cook County to vote this down and many the other Members throughout the state because this could happen to you in the future if this is the way we're going to play the game."

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

Kubik: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I echo Representative McGann's remarks, we are changing the formula in midstream. Under the current formula those in Chicago would receive four sevens from all

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

127th Legislative Day

July 1, 1988

of the OTB pilot's in the state. That formula has been changed and they would lose two sevenths of that money. So for those in Chicago they will receive less money under this new Bill then they would have under the previous, the first conference committee I might point out. Secondly for those of you who are in suburban Cook County this particular Bill is different than the original conference committee report which had both Brookfield Zoo and the Botanic Gardens in it. Those provisions have been removed from the legislation. In addition to that for those of you who may have future OTB pilot within the communities throughout the state your opportunity to get the two seventh revenue in the previous conference committee report has been removed from this report. So what we've done is we've taken we've completely changed the formula the effect is to give Chicago less, to give to take Cook County Botanic Gardens and Brookfield Zoo out of the Bill and to take any future OTB municipalities out of the Bill. Ladies and Gentlemen the reason that I stood in support of the first conference committee report which very honestly would have taken money away from the Department of Commerce and Community Affairs was because I did not want to hurt Chicago's I felt that they made the deal they should stay there. The reason I want to take the money away from the Department of Commerce and Community Affairs is because the horse racing industry currently is doing promotions. They are spending their own money to promote their industry and I think that if we allow the Department of Commerce and Community Affairs to now promote horse racing this would make it easier for those tracks and other entities to slack off in their promotions and let the government promote their industry. So you know...I felt that the equitable way of going about this was to give two sevenths back to

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

127th Legislative Day

July 1, 1988

the communities that had the OTB pilots. This is a bad conference committee report. I would hope that those of you in Chicago, suburban Cook County and those of you who are from downstate who might get an OTB pilot be opposed to this conference committee report and see if we can come back and do a little bit better."

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

Regan: "Thank you, Madam, Mr. Speaker and Members of the House. Will the Speaker led (sic) yield for a question please?"

Speaker Giglio: "Yes."

Regan: "John, oh I'm sorry, Hicks is the Sponsor? I ask permission with leave of the House to ask Mr. Cullerton a question because he seems to be the co-sponsor of the Bill and more articulate in the..."

Speaker Giglio: "Representative Hicks yields to Representative Cullerton. Mr. Cullerton."

Regan: "Representative have you given any thought to what the effect of the Bill will be on any new off track betting parlors to Cook County? Sir."

Cullerton: "Are you talking about new off track betting parlors in Cook County?"

Regan: "Yes."

Cullerton: "Yes. The money would go to the museums."

Regan: "Well what about outside of Cook County new betting parlors?"

Cullerton: "Okay. New betting parlors outside of Cook County the money I think, the way the Bill is drafted would still go to the museums in Cook County."

Regan: "Well, I think that kind of benefits Cook County then doesn't it? Do you want to explain that a little bit."

Cullerton: "The current law benefits Cook County. This Bill says that in the three off track betting parlors that now exist, money which now goes to the Cook County museums will no

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

127th Legislative Day

July 1, 1988

longer go there. They will go to Peoria, Rockford, and Springfield. So if you're interested..."

Regan: "And then what would happen with new under the existing law what would happen with the new off track betting parlors outside of Cook County?"

Cullerton: "They would have to come down here and ask for this fine piece of legislation to apply to them."

Regan: "Alright. Thank you."

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

Hultgren: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "Which one?"

Hultgren: "Well let's try the Representative Hicks."

Speaker Giglio: "Representative Hicks."

Hultgren: "Representative Hicks, do I understand correctly that we're allocating funds here that are raised in off track betting parlors to various state purposes. Is that right?"

Hicks: "No, not really, Representative. If you're referring to the three downstate OTB we're simply allocating for those three a percentage of the monies that's going to go to the park districts that have museums and in a certain percentage."

Hultgren: "So these funds are not raised in the City of Chicago, they're raised downstate. Is that right?"

Hicks: "That's correct."

Hultgren: "And what you're attempting to do here is to take funds that are raised downstate from downstate sports people and spend those dollars downstate. Is that right?"

Hicks: "That's correct, yes."

Hultgren: "That sounds kind of fair to me, thank you."

Speaker Giglio: "Further discussion? Hearing none the Gentleman from Jefferson, Representative Hicks to close."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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

127th Legislative Day

July 1, 1988

House. You know I had a very simple Bill here, House Bill 4282, when we started. And in an attempt to try to take care of several people and I'll just give you an idea real quickly who, Representative Weaver with Senate Bill 2556 got taken care of, Representative DeJaegher, Representative Cullerton, Representative DeJaegher again, the racing board, the Department of Agriculture, Sportsman Park, Hawthorne Park, Arlington, Maywood, Balmoral, Quad Cities, and Fairmont, also Representative Stern who was taken care of, the HPBA, both upstate and downstate was taken care of in this Bill, the IHHA was taken care of and also the Department of Commerce and Community Affairs. I would simply ask for your green vote."

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

Stern: "Mr. Speaker will the Gentleman yield?"

Speaker Giglio: "Representative Stern."

Stern: "Mr. Speaker, I heard that I was taken care of in this Bill and I am baffled. How was I taken care of Mr. Sponsor?"

Speaker Giglio: "Representative McCracken for what purpose are you seeking recognition Sir?"

McCracken: "Point of order. Let's roll the vote. Let's roll the vote. He closed."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by voting 'aye', those opposed vote 'no', the voting is open. The Lady from Cook, Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Mr. Speaker. Representative Stern and I happen to share an area that is not taken care of, that is robbed by this Bill and that's the Botanic Garden. I think that should be clearly understood that her area and my area will not receive those funds, those two sevenths will be

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

127th Legislative Day

July 1, 1988

going to DECCA for advertising. I agree with Representative Kubik, the race tracks themselves should do the advertising, DECCA doesn't need to do that. The tracks can do it, they're private business' and I ask for your 'no' vote."

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

Didrickson: "Thank you, Mr. Speaker. In an explanation of my vote, I think this is a lousey vote for suburban Cook County. It may be good for the City part of Cook County but not for suburban Cook County. Let's send this back and get the other conference committee report."

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

McCracken: "Thank you. In explanation of my vote, again this is a pilot program so let's see how it works. Frankly, in the first allocation under the OTB legislation it all went to Cook County. That's not fair either. We are looking at a demonstration program to see if we can spread these funds equitably. I do not mean to imply that it will never go back to Cook County in any form. It is strictly a demonstration program and quite frankly the status quo is unfair. Everybody in the state is excluded from this but Cook County under current law. That's not a demonstration program that's the status quo. Let's try the demonstration program, let's see how it goes and then make a decision after we have some experience with some equitable sharing throughout the state."

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

Leverenz: "First an inquiry of the Chair. How many votes does this take? It's not 54. I want to see if the Governor's going to come down here and talk to some of us here. We could have a double header, two night games back to back."



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

127th Legislative Day

July 1, 1988

Do we know how many votes it takes to..."

Speaker Giglio: "The parliamentarian informs the Chair that this takes 71 votes. The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. I think there's a misconception. When we talk about a loss of possibly 600,000 dollars we're addressing ourselves to the fact that there's a possibility that 14 off track betting parlors could be established. This is no longer the case. We only have three established. I think what we have to address ourselves to is how we can share as equal, not apart from one another, as equal representation so that each and everyone can help our respective area. I don't think this Bill is that far out of line. And for that reason I encourage more 'yes' votes."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know I find it really funny that suddenly it's not fair to the city. Well shame on all of us if it's not fair to the city, this is equitable for everybody in the State of Illinois, it's not money that you're going to be losing. Let me tell you what with OTB and just next week going on line in the city you're going to have more money than you can spend. So it's not fair to the city, well I hope downstaters remember this next year we come back when every deal has to be fair for everybody. That is just a bunch of bull."

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

Kubik: "Mr. Speaker if this gets the requisite number, I'd like a verification."

Speaker Giglio: "The Gentleman from Logan, Representative Olson."

Olson: "Yes. Many of us attended the open house out here at

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

127th Legislative Day

July 1, 1988

Springfield at the off track betting parlor. If we go back to the original concept of this as I would see it Springfield would keep nothing for their parks, it would all go to Chicago for their parks. I don't understand why a part of this money cannot be kept in the citys where the parlors currently exist and be shared with Chicago. And this is good legislation, it's a sharing thing on the four sevenths now I think that's good. I urge more green votes up there."

Speaker Giglio: "The Gentleman from Madison, Representative Stephens. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 72 voting 'yes', 40 voting 'no', none voting 'present' and the House does adopt conference committee report to House Bill 4282. The first corrected conference committee report and this Bill having received the three fifths Constitutional Majority is hereby declared passed. House Bill 3835, Supplemental Calendar #1. The Gentleman from Saline, Representative Phelps. Representative Phelps."

Phelps: "Mr. Speaker, I wanted to be recorded as 'aye' on 4282. I was trying to get your attention before you took the record but evidently I couldn't."

Speaker Giglio: "Let the record so indicate, Mr. Clerk. The Gentleman from DuPage, Representative McCracken."

McCracken: "Speaker, I voted for that Bill and I want it to pass but one of our Members did seek a verification. So I'd...verification."

Speaker Giglio: "Alright. There was a malfunction in the machine. We're going to dump the roll call. We're going to take another roll call. All those in favor of the Gentleman's Motion that the first correct conference committee report to House Bill 4282 vote 'yes', those opposed vote 'no', the voting is open. Have all voted who

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

127th Legislative Day

July 1, 1988

wish? Have all voted who wish? Have all voted who wish?  
Have all voted who wish? Representative Ewing.  
Representative Ewing."

Ewing: "Mr. Speaker, I'm sure you're going to recognize the  
proper party who asked for the verification so that we can  
keep an orderly House. Could I count on that?"

Speaker Giglio: "The Chair is always fair, Representative Ewing."

Ewing: "Yes, please."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. If this Bill received the  
requisite number I'd like to request a verification."

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

Stephens: "Well Mr. Speaker, I voted in favor of this Bill the  
previous time. The Gentleman has asked you for a  
verification, have you recognized him and recognized that  
request? I want to vote 'yes' for this and I want it to  
pass but I think we have to have our rights understood, and  
I appreciate that. Did you respond to him? Did he?  
Okay." \*

Speaker Giglio: "Have all voted who wish? Have all voted who  
wish? Have all voted who wish? The Lady from LaSalle,  
Representative Breslin."

Breslin: "Thank you, Mr. Speaker. I wish to explain my vote.  
Ladies and Gentlemen, I think we are over excited in this  
late hour. I think that if you look at the facts you will  
note that Chicago has received one large payment already  
from this fund and will continue to receive large payments  
from this fund in the future. The amount that is quote  
syphoned off will not be a detriment to your city, your  
beautiful city. I would also suggest that this is a part  
of an agreement of the four leaders, those from Chicago and  
those from downstate. It is meant, I ask you one of the

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

127th Legislative Day

July 1, 1988

reasons that it is proposed for those of you who were invited, I think we were all invited to Rockford to their to see their new museum. I don't know who many of you took that opportunity but you can see what a good cultural activity that was and how a smaller downstate city can try to bring culture to the rest of the State of Illinois. I would ask you to give us a chance. I think we deserve to share in this. Thank you."

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

Wojcik: "Mr. Speaker and Members of the House. I think that this august body is based on compromise and working together. I think the problem we have here is probably lack of communication if this is an agreed to Bill. There has been no communication telling us this is agreed to. Secondly, yesterday we passed a backdoor referendum giving the park districts a four cent levy increase. Now we've got more money going into the Rockford Park District and some other park district for museums, which yesterday we did the same thing. I think that's the basic problem and that is why we're doing what we're doing. We're not here to hurt anybody downstate, upstate, Cook, DuPage, Kane, whatever, we want to work together but I think our position is to be some assemblance of a watch dog to make sure we're not getting over taxed. And I think that's the problem with this Bill."

Speaker Giglio: "Representative Leverenz."

Leverenz: "Mr. Speaker, I rise to explain my vote and I am a little bit confused. I did not speak before, I made an inquiry of the Chair as to the number of notes it took. It seems to me that Chicago now enjoys as they received a 150,000 dollar payment, they are some might say riding on the backs of the off track parlors in downstate. Namely Springfield, Peoria, Rockford, and they want to keep that."

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

127th Legislative Day

July 1, 1988

Last year also we did put 750,000 dollars in DECCA's budget with the hope of promoting the race track industry because first of the loss of Arlington Heights Race Track and secondly to promote the tracks which would generate more money then we are now seeing in the Agricultural Premium Fund to the extent that we must subsidize it. I think to someone might ask, why have they no parlors in Chicago, and if this doesn't pass will downstate or as I come from the gray areas suburban Cook are we going to get than a piece of the action and spread it around the state from the Chicago parlors and the best place to locate one would be just off the O'Hara Airport or right in the airport as they did with the lottery machines and generate real money. I think and I guess I can be criticized, I might loss a pass to Brookfield Zoo or something, but when you talk about Brookfield Zoo at least they have an adopt an animal program, we don't have an adopt a parlor program. But in the long run I do believe that this may generate more money all the way around and I think I'll vote green."

Speaker Giglio: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, Mr. Speaker and Members of the House. As we all know this time of year we frequently have log jams especially in these late hours of the session and sometimes when the leaders meet there are only a few ways to resolve log jams. You either let all the issues die, you work out compromises and try to pass the Bill as they come along. As we all can say here, we are on this side of the aisle have many Bills we want to pass and of course you have your Bills on your side of the island and this I might say to you all as part of this compromises there are alot of Bills that have passed that benefit all Members of all parts of the state, this is one of those kinds of Bills that does

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

127th Legislative Day

July 1, 1988

that, this is one of the Bills that have been agreed to by the four leaders, it's one that they said should pass, in addition to that there are other good Bills that have been passed for other parts of the state that other Members want to. So I just remind all of you on voting on this Bill, this is the Bill that the four leaders have agreed to and said we have to pass tonight."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting 'aye' because I've gone around for the last two or three months and talked to my downstate friends and asked them to help me on matters that were important to me in Chicago. They helped and this is my way of saying thank you. I appreciate the help that they've given me in the past and it's a two way street and I'm paying them back now."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I think we're missing the point here. The point is not whether Chicago gets more or less, the point is rather this really is a fair agreement. Two sevenths of these dollars go to DECCA to promote horse racing which the owners already do. Those two sevenths should go into the pot for the downstate and make this a fair Bill for everybody. This is not fair, it isn't a question of Chicago, it isn't a question of Cook County versus the state, it's a question of fairness of the split of the pot and I see no reason why DECCA should be in the advertising business for a private industry and is this state going to take over all of the advertising for all of the pet projects in businesses in the State of Illinois? Let's be right about it. Leadership does not mean that we have to be blind sheep. We are thinkers, we are sent here

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

127th Legislative Day

July 1, 1988

by our constituents to evaluate each measure the way it should be evaluated. I urge you to use your common sense, evaluate this issue, send it to another conference committee and make it fair for everyone in this State, get that two sevenths out of DECCA."

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

Parcels: "Thank you, Mr. Speaker. Representative McNamara's exactly right. And for those of you who have a grudge against from downstate who thinks Chicago gets too much two sevenths was to go to suburban Cook. Now we don't talk about suburban Cook here, we talk about the city and downstate. Suburban Cook gets very little and we wanted that two sevenths, let the race tracks do their own advertising, take those two sevenths, let DECCA advertise the state but when you're advertising a race track DECCA doesn't need to do it. Representative McNamara is exactly right in that and those of us from suburban Cook would surely appreciate your vote. We'd like for you to go back to another conference committee and downstate keep what they've got and let us have the two sevenths up there in suburban Cook County."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black, are you seeking recognition, Sir?"

Black: "Well, Mr. Speaker, if I might just you know almost all the advertising you see on television whether it be escape to Wisconsin, say yes to Michigan, wake up to Missouri, you know I guess you could argue that the fishing lodges should do their own advertising, the resorts should do their own advertising and they do some of that, they do a great deal of it. But competition for the leisure time dollar today is very, very intense to say the least. Horse racing is in competition for that leisure time dollar and as an industry

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

127th Legislative Day

July 1, 1988

if we can help to attract more people to that industry and if someone from the other side of the aisle said to wager more money if that be their thing, then we will all benefit from that increased exposure. And I really think the two sevenths arguement on what is a pilot program and may very well revert back is not the issue at hand at all. This is an issue of inherent fairness of trying to promote and expand their horse racing industry into the county fair circuit, it's imminently fair, it's been discussed and worked on for more than eighteen months. Many people on both sides of the aisle have travelled to other states to see how it works and it works beautifully in Ohio and other states. I commend Representative Hicks for what he's done..."

Speaker Giglio: "Bring your remarks to a close Sir."

Black: "I'd just simply would like to commend Mr. Hicks for the time and the travel and the effort and energy he's expended and urge that you support him in this Bill."

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

Frederick: "Mr. Speaker would you please record me as 'no'."

Speaker Giglio: "The board is still open Representative Frederick. 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 71 voting 'yes', 45 voting 'no', none voting 'present'. Representative Kubik asked for a verification. Representative Hicks asked for a poll of the absentees. Mr. Clerk verify the roll call."

Clerk Leone: "A poll of those not voting. Representative Saltsman is the only Member who is not voting. Proceeding with the poll of the affirmative. Ackerman."

Speaker Giglio: "Proceeding with the poll of the affirmative."

Clerk Leone: "Ackerman."

Speaker Giglio: "Excuse me, Mr. Clerk, then Representative Kubik



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

127th Legislative Day

July 1, 1988

and Representative Capparelli be verified. Representative Capparelli can he be verified? Has leave, leave is granted. Proceed Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Ackerman. Barger. Black. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Churchill. Countryman. Cullerton. Curran. Daley. Daniels. DeJaegher. DeLeo. Deuchler. Ewing. Farley. Flinn. Giglio. Giorgi. Goforth. Granberg. Hallock. Hannig. Hartke. Hasara. Hensel. Hicks. Hoffman. Homer. Hultgren. Johnson. Keane. Krska. Laurino. Leverenz. Martinez. Matijevich. Mautino. Mays. McAuliffe. McCracken. McPike. Mulcahey. Novak. Myron Olson. Robert Olson. William Peterson. Petka. Phelps. Rea. Regan. Richmond. Ropp. Ryder. Satterthwaite. Sieben. Slater. Stange. Stephens. Tate. Tuerk. VanDuyne. Wait. Weaver. Wennlund. Wolf. Wyvetter Younge. And Mr. Speaker."

Speaker Giglio: "Are there any questions of the affirmative roll call?"

Kubik: "Representative Shaw."

Speaker Giglio: "Representative Shaw. Mr. Clerk how is the Gentleman recorded?"

Kubik: "I'm sorry Mr. Speaker, I see him. Representative Saltsman."

Speaker Giglio: "Representative Saltsman, is not voting."

Kubik: "Representative Christensen."

Speaker Giglio: "Representative Christensen. Is Representative Christensen in the chamber? Mr. Speaker how is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the roll call."

Kubik: "Representative VanDuyne."

Speaker Giglio: "Representative VanDuyne in the chamber?"

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

127th Legislative Day

July 1, 1988

Representative VanDuynes. Is Representative VanDuynes in the chamber? Mr. Clerk how is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the roll call."

Kubik: "Representative Satterthwaite."

Speaker Giglio: "Representative Satterthwaite is in her chair."

Kubik: "Representative, Representative Ryder."

Speaker Giglio: "Representative Ryder is in the back of the chamber."

Kubik: "Representative Laurino."

Speaker Giglio: "Representative Laurino. Representative Laurino in the chamber? Mr. Clerk how is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the roll call."

Kubik: "Representative Panayotovich."

Speaker Giglio: "Representative Panayotovich is voting 'no'."

Kubik: "Oh, I'm sorry. Representative Johnson."

Speaker Giglio: "Representative Johnson. Representative Johnson in the chamber? How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the roll call. Excuse me, Representative Kubik, Representative McGann for what purpose do you rise, Sir? Proceed."

McGann: "Thank you, Mr. Speaker, for finally recognizing me. It's been brought to my attention by the leadership that when we have off track betting parlors in Chicago we not going to have to share with downstate. So kindly change my vote from 'no' to 'aye'."

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

White: "Mr. Speaker, change my vote from red to green."

Speaker Giglio: "Change Representative White from red to green. Representative Turner."

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

127th Legislative Day

July 1, 1988

Turner: "Mr. Speaker, and Ladies and Gentlemen of the House.

Although I don't see the light I see a few houses being built next year I'm just reminding my downstate friends and DECCA who intends to do advertising for horse racing that hopefully they will be prepared to build houses next year and I give them an 'aye' vote on this."

Speaker Giglio: "Change the Gentleman from 'no' to 'aye'. Representative Shaw."

Shaw: "Yes, Mr. Speaker, Ladies and Gentleman of the House, thank you. Because of Representative Wyvetter Younge I understand that one of the betting parlors is suppose to be opened up in that area and because of that I'm going to change my vote to 'yes'."

Speaker Giglio: "Change the, change his vote from 'no' to 'aye'. Representative Hicks."

Hicks: "Mr. Speaker, you know I find it really funny that suddenly we see the light when they find out that the whole State of Illinois on this Bill out of all the sevens involved, the whole State of Illinois gets one seventh, DECCA gets two sevenths, and the city gets four sevenths. Now the downstate guys don't learn next year that they better cut their deal a little better because downstate don't get a damn thing. So that's the bottom line. So why don't you just defeat the Bill, why don't all the Chicago guys vote red, I hope they do, let's just tube it and be done with it. I'm sick to death of everybody else getting the shaft and while Chicago just makes out like bandits."

Speaker Giglio: "Representative Johnson has returned to the chamber. Restore Representative Johnson to the roll call, Mr. Clerk, the Gentleman is voting 'aye'. Further questions of the roll call, Representative Kubik."

Kubik: "Representative Barger."

Speaker Giglio: "Representative Barger is in his chair."

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

127th Legislative Day

July 1, 1988

Kubik: "Representative Stange."

Speaker Giglio: "Representative Stange. Is Representative Stange in the chamber? Representative Stange. How is the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the roll call. Does Representative Black have leave to be verified Mr. Kubik?"

Kubik: "Yes."

Speaker Giglio: "Leave is granted. Does Representative Olson have leave Representative Kubik?"

Kubik: "Yes."

Speaker Giglio: "Leave is granted. Are there further questions of the affirmative?"

Kubik: "Representative Terzich."

Speaker Giglio: "Representative Terzich. Terzich is voting 'no'. Return Representative Stange to the roll call, Mr. Clerk."

Kubik: "No further."

Speaker Giglio: "On this question, Representative Berrios 'aye'. On this question there are 73 voting 'yes', 40 voting 'no' and none voting 'present' and the House does accept the first corrected conference committee report to House Bill 4282 and this Bill having received the three fifths Constitutional Majority is hereby declared passed. Representative Cullerton."

Cullerton: "Yes thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that Supplemental Calendar #1 House Bill 3085, I would move that we not adopt the first conference committee report and ask for a second conference committee to be appointed."

Speaker Giglio: "You've heard the Gentleman's Motion, any discussion? Hearing none all those in favor signify by saying 'aye', those opposed 'no', in the opinion of the Chair the 'ayes' have it and the Motion is adopted."

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

127th Legislative Day

July 1, 1988

Representative Cullerton. Matijevich."

Matijevich: "Mr. Speaker, I'm going to make an introduction that probably doesn't mean a lot to some of you here but to some of those old timers like me that served with former Representative Jack Hill. Guys like Fred Tuerk and Gene Hoffman and Zeke and some of them, at this time of the session every year, first of all I'm going to introduce Jack Hill, former Representative Jack Hill's son, David Hill, who is going to DePaul University but like John Dunn, he's my witness, at this time of the year and I use to give an impersonation of Jack but I'm not going to do it because his son's here but at this time of the year, Jack Hill sat right over here, and he used to, from the back of him you could see him getting red in the neck, his face would get filled up, he'd get so red and I often heard Jack Hill on, Jack Hill on the telephone, his wife's name was Velva, God bless Jack, he's since passed away, former mayor of Aurora too. But Jack would get madder than hell and he'd put his leg up on the chair next to him and he'd scream to the Speaker and he'd say Mr. Speaker do you know that we all have families. Do you know that I've got a five year old son at home, my son five year old David Hill is waiting for me at home, do you know my wife Velva's at home, she's screaming at me, I can't talk to her on the phone because she's mad at me, but my loving son David is waiting for me at home. David Hill five years old and you won't let me go home, Mr. Speaker do you know what you're doing to me, and all the rest of us. God bless Jack Hill my good friend and God bless Dave Hill, he's now twenty-one years old, twenty-one years old."

Speaker Giglio: "Representative Shaw."

Shaw: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House. I wanted to take this opportunity Dale Swinford, would you

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

127th Legislative Day

July 1, 1988

wait a minute Dale, Dale Swinford who is a part of the staff and has been my issues person every since I was elected here for the last six years and who's done an outstanding job as an issues person and have helped me. As a matter of fact, Dale is the cause of, my being re-elected and I have to contribute that to Dale. But truthfully Dale has been a great help to me and I met Dale and we have on occasion come up to my office and help me out and now that he will be leaving on July 8, I believe it is, going on to some new endeavors and better I hope and I think, Dale, and I would like for the House to recognize his contribution to not only me other Members of this House and I certain..."

Speaker Giglio: "Give the Gentleman your attention please."

Shaw: "I'm certain that other Members of the House that Dale has worked with will probably have something to say but I want to say publicly thank you so much Dale for your help. You've been a lot of help to me and the people in the House here will miss you very much."

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

Rice: "In supporting what the previous Speaker said, Dale really had a task to work with him and to work with myself because we were like a spectrum dicotomie between Shaw and myself. He told me something yesterday and I will always remember it. Be your own man. He has certainly been my counselor for the six years I've been here and I trust that he will be successful with his new onlook his new task, but Dale I want to say one thing to you personally, you're welcome to come to Chicago and learn what real politics is about. This is just a scremage we've been through in the last two days."

Speaker Giglio: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Members of the House. I'd like also to give my best wishes to my good buddy, Dale

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

127th Legislative Day

July 1, 1988

Swinford. He's certainly helped me and I know he's helped a lot of Members on our side of the aisle and he's taught us a lot about politics and taught us targets how to stick around for awhile, that's what we're working for not to become untargeted. So Dale best wishes to you and your family and don't get turned red and your a good guy and we're going to miss you. Best wishes to you."

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

Kulas: "Yes, Mr. Speaker. Some of the mushrooms were inquiring if in the deal that was cut between the four leaders, dinner was included?"

Speaker Giglio: "It was but it's gone. Representative Curran."

Curran: "Thank you, Mr. Speaker. I rise in a point of personal privilege. You know other people have risen to pay tribute to Dale Swinford, I quite frankly have a bone to pick with him. Not long ago he lived inside my district and could vote for me, he worked for democrats and could work for me, put a sign in his yard, bumper sticker on his car, well, the guy's moved out of my district, moved into a plush republican neighborhood, and now since he's going to go to work for republicans he can't even put a bumper sticker on his car or sign in his yard. I'm not sure that's the best of all possible worlds for me Dale, I appreciate you anyway, thank you."

Speaker Giglio: "Mulcahey."

Mulcahey: "Mr. Speaker, I think everybody pretty much showed up back here tonight at 6:30 with the expectation that we were going to get some sort of an idea rather we were going to go home tonight, come back tomorrow, rather we were going to stay tonight and work, and I don't think a hell of a lot of people mind doing either one of those things but is there any idea what's going on. Does the leadership have enough courtesy to say, look things are being printed,

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

127th Legislative Day

July 1, 1988

we'll be back with you in about an hour and a half, we'll be ready to go. Give us some idea of what is happening anyway. These are intelligent people that you know we're not robots, just some idea of what's going on."

Speaker Giglio: "Representative McPike in the Chair."

Mulcahey: "We'd be willing to wait to probably 10:30 if we knew what we had to do."

Speaker McPike: "Representative Mulcahey, to try to give you the answer as the best the Chair know it at this time, the four leaders and the Governor have been meeting in Senator Rock's office since 4:00 this afternoon. And the last word that the Chair had from the Speaker was that there were hopes that an agreement was very close on all the issues before them. If that proves to be true I would imagine we would stay in session tonight as late as possible in order to accommodate those agreements. And if it does not happen then we should know in an half hour to an hour. The Chair would presume we would adjourn and then come back tomorrow but if the agreements are reached within some reasonable amount of time the Chair would plan to stay here and finish very late tonight. Representative Mulcahey."

Mulcahey: "Thank you Representative McPike, we appreciate that very much."

Speaker McPike: "You're welcome. Representative Giglio in the Chair."

Speaker Giglio: "Representative Countryman."

Countryman: "We want to know if that's a democratic half hour or a republican half hour?"

Speaker Giglio: "The Chair would like to remind the Body that the rules allow the people to take pictures so the cameras are on. Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. Just to remind everybody along with you and leadership that another hour and four



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

127th Legislative Day

July 1, 1988

minutes it's going to require eighty-one votes. In case anyone knew about that."

Speaker Giglio: "The House will come to order. All those people not entitled to the House floor, please retire to the gallery. The House is about to get back to the business...all those people not entitled to the House floor please retire to the gallery. The House is about to conduct its business. On Supplemental Calendar #6 appears House Bill 3464. The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The second conference committee on House Bill 3464 contains only one element. That is, it is identical to House Bill 4144 without an immediate effective date. In other words this Bill will take only 60 votes to pass and it is the, as I indicated House Bill 4144 reincarnated. House Bill 4144 you may recall was the Bill that provides for a special tax to be levied by five community college districts in the state, without a referendum. Yes indeed Ladies and Gentlemen, there is no referendum in this, so vote your conscience but let's not have an hour or so of speeches at this time tonight on the subject because we've already seen this Bill three times. This Bill, however, because without the immediate effective date, as I indicated, will take only 60 votes to pass, that's why I bring it back to you because as I believe we could have passed it last time if we had not had that provision or if it had been this form. So I return it to you for your consideration, move for adoption."

Speaker Giglio: "I would ask one more time that those people, lobbyists, people who are not entitled to the House floor those people who are guests please retire to the gallery. The Chair will start to ask people by name to leave. Those

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

127th Legislative Day

July 1, 1988

people not entitled to the House floor please retire to the gallery. You heard the Gentleman's Motion. Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "It's late, just so I'm clear, there is no increase without referendum for unit or..."

Bowman: "Consolidated."

McCracken: "Or secondary, yea."

Bowman: "No, that's out of the Bill."

McCracken: "Okay, so it's just these community college districts."

Bowman: "Yes, it's just only community colleges. It affects only five community college districts in the state. Not even my community college area by the way. Only five community college districts in the state. It does not deal with the elementary and secondary schools."

McCracken: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Weaver: "Representative Bowman, what five are they?"

Bowman: "Okay, let's see. Blackhawk, Thornton, Belleville, Lakeland, Blackhawk East. Did I say Blackhawk already? Well there's Blackhawk East and Blackhawk West but I thought they were both part of the same district. I believe there is one other. They are. Okay, just a second. Kankakee, I'm sorry, Kankakee."

Weaver: "Thank you."

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

Stephens: "Thank you. Do I understand that the language for those area colleges is still in here and there is still a

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

127th Legislative Day

July 1, 1988

backdoor referendum, Representative Bowman?"

Bowman: "No, no, what we have in lieu of that is a rather lengthy process that includes certification by the Illinois Community College Board and public hearings, I'm sorry."

Stephens: "Let me rephrase my question."

Bowman: "Sure."

Stephens: "If there is going to be a property tax increase in those areas will there be an opportunity for the people who live in that district to vote?"

Bowman: "No."

Stephens: "Thank you. I call that a backdoor referendum Ladies and Gentlemen and I still stand in opposition."

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

Bowman: "I'd like to yield my closing to Representative Steczo who is the original Sponsor of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. We those Members of the Legislature that represent the areas that these community colleges are located in realize that in some of the cases some of these community colleges since their inception have never been able to benefit from some of the additional increases that other community colleges established since have been able to enjoy. This is a lengthy process that they have to go through. This is a levy that is valid for only one year. And the college must be in this kind of financial strait in this fund for three years previous to requesting this assistance from the State Community College Board. We think that it's something that is very very necessary, it would certainly supplement the educational process in those communities colleges and I would encourage an 'aye' vote on the adoption of the second conference committee report."

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

127th Legislative Day

July 1, 1988

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor of the second conference committee report to House Bill 3464 vote 'aye', 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 Cook, Representative Bowman."

Bowman: "I just wanted to say, this does not have an immediate effective date so we only need 60 votes on this, Ladies and Gentlemen, and I'd appreciate another nine of you considering this favorably. As Representative Steczo said this is really only for one year, it is for a special purpose, for repair and renovation. Each of these five are in pretty sad straits, I wish you could come to the districts and actually see the facilities and then you'd know why we need this legislation, why they need this legislation. It's not the kind of thing that will go on and on forever. Once they get up to their facilities up to par so I do urge eight more 'aye' votes on that."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I hate to disagree with my colleague on the other side of the aisle but it's my understanding that this can be repeated year after year after year after year. If I'm wrong I stand corrected but I was originally informed that."

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

Wolf: "Thank you, Mr. Speaker. I know that we're on the vote and I can't ask the Sponsor any question but I would just if he will explain his vote maybe he can assure me that in order to qualify a community college does have to establish this rate below the state average for a period of three years before they're eligible for this program. Is that not

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

127th Legislative Day

July 1, 1988

correct?"

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, and Members of the House. The community college board has really been very conscientious in trying to draft this legislation to make it extremely limited. We realize that no one really wants to pay additional property tax but when you get to the point where your buildings are deteriorating and you cannot repair them, you can not maintain the investment that you already have in them it becomes counter productive not to have the ability to do upkeep on those physical plants. If we are not able to give people more money through income tax or other methods to provide for maintainance of their buildings then we have to resort to giving them the ability to raise the taxes locally. It is fool hardy for us to deprive these districts of that ability because it is so strictly crafted it will only apply to a maximum of five districts and not all of those districts will necessarily have to issue the tax. Only if they decide that it is in their own best interest to do that. And so I think that it is wise for us to pass this legislation to allow them to preserve their capitol investment."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Madison, Representative Stephenson, Stephens."

Stephens: "Regretably just to ask receive the requisite number of votes to ask for a verification."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 53 voting 'yes', 38 voting 'no' and 21 voting 'present'. And on this question the House fails to adopt second conference committee report. Representative Phelps."

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

127th Legislative Day

July 1, 1988

Phelps: "Mr. Speaker, let the record show if I'd been able to vote I'd been voted 'no'."

Speaker Giglio: "Let the record so indicate. On this question there are 53 voting 'yes', 38 voting 'no', 21 voting 'present', and the House fails to adopt the second conference committee report on House Bill 3464. Representative Breslin in the Chair."

Speaker Breslin: "On Supplemental #6 appears House Bill 3946, Representative Hoffman. Representative Hoffman. Is the Gentleman in the chamber? Out of the record. House Bill 3946, Representative Hoffman is the Sponsor, Representative McCracken ask leave to handle that Bill for Representative Hoffman. Does he have leave? Representative Mulcahey objects Representative McCracken. Representative McCracken. Representative McCracken."

McCracken: "I make a Motion available to any Member. I move the adoption of a conference committee report, 3946."

Speaker Breslin: "Good point. The Gentleman moves...Representative Matijevich on Representative McCracken's Motion."

Matijevich: "No I have a parliamentary inquiry. I would like the parliamentarian to check this conference committee report to see if it meets the constitutional requirement as to a single subject matter. There's a whole lot of subjects carried on. A whole lot of germaneness issues in this one. They covered everything but. Is everything in here but legislative salaries and if you give somebody that idea they might put that in to."

Speaker Breslin: "While the clerk...reads...rather while the parliamentarian reads that over Representative DuPage...Representative McCracken why don't you tell the assembly all of the things that are in this conference committee report."

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

127th Legislative Day

July 1, 1988

McCracken: "This Bill is identical to House Bill 3739 presented yesterday by Representative O'Connell and passed by this chamber. It makes a class A misdemeanor for parent or step parent to knowingly permit an act of criminal sexual abuse as defined in the code and makes the moves the same language as chapter 38 to Chapter 33 because it's more appropriately under that chapter. Requires law enforcement or other agencies to transmit to the state police fingerprints and descriptions of minors. Excludes crane games from the definition of gambling advice found in chapter 38. Makes changes in the act by deleting criminal justice information authority and replacing it with the department meaning the Department of State Police. Makes the required change to the department's keeping of minors fingerprints and descriptions and unlawful use of weapons and all forceable felony charges. States that each member of the Prisoner Review Board is to serve on a full time basis and makes other changes to that. All located in chapter 38. Makes investigators for the Department of Corrections conservators of the peace. Gives them full peace officers powers. This was the controversial section which I believe is the basis of the opposition to the Bill in large measure. It was debated fully yesterday. It also amends the Unified Code of Corrections also found in chapter 38. Provides that the department shall establish a parent and child reunification program. Allows home invasion at the request of State's Attorney Daley to be charged when after unauthorized entry into a dwelling where no one is home, where the person remains and then commits violence. What else does it do?"

Speaker Breslin: "Excuse me. Did you mean to say that only State's Attorney Daley could prosecute such cases?"

McCracken: "No. No. It was at his request."

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

127th Legislative Day

July 1, 1988

Speaker Breslin: "I see."

McCracken: "And other changes all to the various chapters relevant to the subject matter. It's late at night."

Speaker Breslin: "You have heard the Gentleman's Motion. It is to adopt the first conference committee report on House Bill 3946 and on that question the Gentleman from Bureau, Representative Mautino."

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

Speaker Breslin: "He will."

Mautino: "Tom, I don't happen to be an attorney but on page 9 will you please explain something to me."

McCracken: "I'll try."

Mautino: "It says it is an affirmative defense to a charge of home invasion when the accused who knowingly enters the dwelling place of another remains in such dwelling place until he or she knows or has reason to know that one or more persons is present etc. Does that mean if two people enter your house without a weapon and you're in there and you say 'stop'. What does this do..."

McCracken: "May I defer to Representative O'Connell on that point. I believe he's got your answer."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. In response to the question by Representative Mautino, the reason why there was a affirmative defense language in there was because the current statute on home invasion does not include a situation where an individual goes into a home that is unoccupied and lies in wait for an individual who does come into the home and then commits a felonious attack on that person. Obviously there are other charges that could be brought but there was no charge of home invasion which can be a class X. What we also...so we provided that that would be a home invasion if that person lied in wait for



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

127th Legislative Day

July 1, 1988

the individual to arrive into the home. What we did as a gesture to the ACLU and the criminal justice attorneys we provided that there would be an affirmative defense available to an individual home invader who attempted to withdraw without committing any personal attack on the individual."

Mautino: "Does that...you see you kind of lost me in the woods. But does that mean if somebody is in my house and they back out that means that I can't, they can't be charged with home invasion. Is that what it means?"

O'Connell: "No, but he can be charged with burglary. Home invasion."

Speaker Breslin: "Are you finished?"

O'Connell: "Home invasion is a more serious penalty."

Speaker Breslin: "Okay. Do you have any further comments? No. The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. Maybe to simplify it for those who would be concerned about that language. This provision if adopted would be tougher law than is current law because it includes a new course of conduct in the classification of people who commit home invasion. That being people who go into someone's home with nobody home and wait until they get there. The affirmative defense only pertains to the newly included conduct and so when read together the new law would be a tougher law than what we have on the books now. So I think that's probably a saying as simply as possible and I think it's a good change and one that ought to be supported."

Speaker Breslin: "The Gentleman from Perry, Representative Goforth."

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

Speaker Breslin: "He will."

Goforth: "Is this provision in here still in here to give

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

127th Legislative Day

July 1, 1988

correctional officers full police powers."

Speaker Breslin: "Representative McCracken or Representative O'Connell to answer the question."

O'Connell: "The answer is yes. If I could add the original 3739 did not have an effective date on the Bill. This provides an effective date on the Bill. In addition there are two other issues that were brought in related one related to a condominium and eminent domain. Right now in order to condemn a have any eminent domain authority over a condominium you have to serve notice on each one of the unit owners. What this provides, if there is a common element within the condominium that the service of process must be on the condominium association and not each one of the individual unit owners."

Goforth: "Well to the Bill, Madam Speaker. Ladies and Gentlemen of the House, we passed this Bill out of here one time before and because they messed up on it, messed up the effective date on it, now we've got to hear it again. You know, we said before, we've got to many police officers out there running around with guns now. And the ones we have have been risking their lives for years. Now these people have got a second shot at this Bill. I can't even get the first shot at a pension Bill to give people out there that have worked their rear end off protecting you people all their lives, I can't even get the first shot at getting them a pension Bill. Thank you."

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

Williams: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "Representative O'Connell to answer the questions."

Williams: "Representative O'Connell wasn't it originally when the

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

127th Legislative Day

July 1, 1988

first conference committee is this the original conference committee report on this Bill or is this the second conference committee report on this Bill?"

O'Connell: "This is the first conference committee report on House Bill 3946. House Bill 3739 is on the Governor's desk, it does not have an effective date on it however. Therefore, in order to effectuate an effective date we found another Bill which is House Bill 3946. There are other, two other issues which I just mentioned relating to eminent domain that we added to 3946."

Williams: "Okay, now in the other conference committee report which basically had the substance there was an Amendment that dealt with the that provided for the that the Department of Corrections shall establish a parent and child reunification program. Well wasn't that Amendment #1 to the original I mean to the other Bill? And they are now receding from Amendment #1 in this Bill."

O'Connell: "No, if you'll look we have this is a different Bill. This is a House Bill 3946. So they're receding from the original Senate Amendments #1 and 2 on Senate Bill rather House Bill 3946. If you look on page the child...the child reunification language is on page 23 subparagraph H."

Williams: "Yes, thank you. That's all I want to know."

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

Leverenz: "Would the Sponsor yield?"

Speaker Breslin: "Which Sponsor? Mr. O'Connell?"

Leverenz: "Any of them."

Speaker Breslin: "Okay, Representative O'Connell will answer your questions."

Leverenz: "Et al. That good."

Speaker Breslin: "Yea."

Leverenz: "Okay."

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

127th Legislative Day

July 1, 1988

Speaker Breslin: "Not to convoluted either."

Leverenz: "Oh don't do that. I understand that there was as explained by a previous Speaker on the other side of the aisle, a screw up in drafting which principally said that there was no enactment date in the original conference committee report. So my question is what is in this one over and above adding a effective date that was not in the first one? Just to be perfectly clear."

Speaker Breslin: "Representative O'Connell."

O'Connell: "There is the substance of House Bill 3946 which provided that in an eminent domain action on a the common elements of a condominium that instead of the notice of service of the action on each unit owner the service could be on the condominium association. That was the basis for House Bill 3946 which was deleted from another Bill. That's what was added to this."

Leverenz: "I follow up to that. I draw your attention to page 20 line 31, and ask if that was in the original conference committee report?"

O'Connell: "Yes. That was."

Leverenz: "Could you explain what that means?"

O'Connell: "Presently in order to be on the prisoner review board the language is such that an individual would not be able to hold any other even a part time position so if someone wanted to moonlight or work on a part time basis the current language is such that that person would be precluded from doing so. This language makes it clear that the prisoner review board would be a full time position but it would not preclude the individual from another part time position."

Leverenz: "Thank you."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

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

127th Legislative Day

July 1, 1988

Countryman: "Madam Speaker, may I ask Representative O'Connell a question?"

Speaker Breslin: "Surely. Proceed."

Countryman: "Representative O'Connell I was a little confused when you first started talking about the eminent domain proceedings and what you said. I want to be clear. These eminent domain proceedings in this notice only applies to the common elements, is that correct?"

O'Connell: "Representative I believe it is only as to the common elements because I don't think they could condemn an individual unit within the condominium and then obviously notice would have to go to that individual unit owner. The problem as I understand emanates from a situation where there was a condemnation action on a common elements for a condo. The title abstract costs 36,000 dollars the valuation of the common element was 29,000 dollars."

Countryman: "Well it could be even a lot less than that but I just want to make sure if an individual unit is condemned that person is than served. If it is a common element than this act would apply. Is that correct?"

O'Connell: "Your absolutely correct."

Countryman: "Thank you."

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

Flowers: "Madam Speaker will the Sponsor yield?"

Speaker Breslin: "He will."

Flowers: "On page 27, line D you talk about certification of temporary imprisonment, what constitutes appropriate institutions? How is that defined?"

O'Connell: "Appropriate institutions is not defined in the Bill. I will say that what the basis for this is, is a joint effort on the part of the sheriff of Cook County, the States Attorney of Cook County and the President of the County Board to provide what would be commonly referred to

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

127th Legislative Day

July 1, 1988

as privatization of jail facilities. That there are situations where there would be low security and this would afford a privatization of some facility...appropriate facility that would be secure enough and serve as an alternative to a county jail."

Flowers: "Are there any guidelines anywhere for the privatization or and the certification of prisons?"

O'Connell: "I'm sorry Representative can you repeat the question?"

Flowers: "Are there any guidelines for the certification of private prisons?"

O'Connell: "There are no guidelines other than the sheriff has to certify the appropriateness of the facility. For us to set forth guidelines would be a very difficult thing to do from a Legislative standpoint. We are taking the approach that the sheriff who is obligated to secure his inmates, would find an appropriate facility."

Flowers: "What protections are there in the Bill that will cause for the sheriff not to put the inmate in an inhuman place or inhumane place?"

O'Connell: "There are current statutes that mandate that a sheriff must keep clean, sanitary facilities. So there is present statutory mandates that a prisoner cannot be placed in a black hole of Calcutta."

Flowers: "Well you and I both know right now that our prisons are not what you call the best kept and sanitary..."

O'Connell: "Absolutely."

Flowers: "So therefore that means the sheriff's now are in violation of this very law if it became law. Am I correct?"

O'Connell: "Well I can't...I can't dispute..."

Flowers: "Thank you very much."

Speaker Breslin: "The Gentleman from Lake, Representative

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

127th Legislative Day

July 1, 1988

Matijevich."

Matijevich: "Madam Speaker, I would not ordinarily have asked for a Parliamentary inquiry on a single subject matter, but I feel very strongly as Wayne Goforth does. Wayne Goforth is a former trooper, he feels that troopers, state troopers ought to have the same pension rights as every other policeman, as all fire fighters in Illinois. He has been trying to do that with a Bill, with a Pension Bill. He can't get that done because one Senator's got his nose out of joint and here we have a Bill that allows that investigators who aren't police officers, who aren't police officers are going to get full police powers. Now I think it makes more sense that we take care of our troopers who have had training, who want the same pension benefits that all other law enforcement officers have, that all fire fighters have, before we start taking care of investigators, giving them police powers, giving them weapons etc. That's why I ask for the Parlia...Parliamentary inquiry. I'll tell you get the Bill back in conference, put the benefits for the troopers on it and I won't question the single subject matter at all. That's all I'm trying to do in this Madam Speaker. And I think that others ought to feel as I do. Wayne Goforth doesn't ask for much around here, he has a heavy work with troopers having been troopers...a trooper, he feels for them and he ought to. And I do to."

Speaker Breslin: "Representative Dunn. Excuse me, the Lady from Cook, Representative Davis. Representative Davis do you wish to speak?"

Davis: "Yes, I'm sorry Madam Speaker. I'd like...will the Sponsor yield?"

Speaker Breslin: "He will."

Davis: "Yes, I would like some clarification on the keeping of

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

127th Legislative Day

July 1, 1988

fingerprints and descriptions of all persons who are arrested or charged with any violation before reaching the age of 17."

Speaker Breslin: "Representative O'Connell to answer the question. Mr. O'Connell to answer the question."

O'Connell: "This is restricted to forceable felonies and unlawful possession of a weap...a lawful use of a weapon."

Davis: "But it's on arrest? It isn't on conviction, it's on any juvenile who's been arrested or taken into custody. It is not for one who had been convicted of anything. Why is it just arrest? I mean for example, somebody could commit a burglary or a robbery or be arrested for it and then found not guilty, but are you saying that we're still going to keep the fingerprints and description of these innocent people?"

O'Connell: "Well if you look on page 14, it provides for an expungement upon an adult or a current adult or a minor prosecuted as an adult."

Davis: "So they would have to go through the legal expense of having this false arrest expunged?"

O'Connell: "There's a distinction between false arrest and acquittal or a dismissal of the case it's, not a false arrest."

Davis: "But it is a false arrest if they're not convicted...I mean isn't that a false accusation, no? I would agree with Representative Matijevich that I think you need to do some more work, I think you need to do some...find some more clarity in the language here. I don't think you meant Representative O'Connell to...I don't think you meant to have the records of all young people who are arrested or detained or held in custody, but later found to be innocent of charges, I don't think you mean for the state to maintain their fingerprints and the description of those



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

127th Legislative Day

July 1, 1988

young people, do you?"

O'Connell: "Is that a question? Well in answer to your question, everybody who is arrested don't use the word 'false arrest'. This is referring to a bona fide arrest. Every person that is arrested now has some kind of evidence that those records were taken. Every one of them is subject to expungement. We're talking about juveniles who are charged with unlawful use of a weapon and a forceable felony from ages 15 to 17. So I didn't make a mistake, it's an appropriate inclusion in the Bill."

Davis: "You did make a mistake. Well you know if every..."

O'Connell: "I didn't say I made a mistake, Representative, I did not say I made a mistake. I said it was not a mistake."

Davis: "Everybody who is charged...everyone who is charged is not found guilty or convicted and I think it would be a bit unfair to make children live under something that adults would not have to live under. An adult would not have to if he's arrested and found not guilty, do you maintain that same standard for him?"

O'Connell: "Every person that is charged with a forceable felony or unlawful use of a weapon is fingerprinted. If that person is acquitted or the charges are dismissed then that person may have all records of that arrest expunged."

Davis: "Do they have to go through a legal expense?"

O'Connell: "They have to request the expungement. If there is any expense it is a minimal expense."

Davis: "I agree..."

O'Connell: "That expense is incurred only after a bona fide arrest."

Davis: "I agree with your intent. Representative I certainly agree with your intent however I think the language here leaves a lot to be desired. And I think it would cause us not to protect some innocent people who should be

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

127th Legislative Day

July 1, 1988

protected."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

Wolf: "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, the main question is put. Representative O'Connell to close."

O'Connell: "I think they called this the second bite out of the apple..."

Speaker Breslin: "Excuse me, I have to rule on Representative Matijevich's question. And the ruling...Representative Matijevich. Representative Matijevich."

Matijevich: "Since your...this ought to be a good one, because since you asked him to close, I know how you're going to rule. But I want to see how good you do at it."

Speaker Breslin: "Yes, Sir."

Matijevich: "And I think it's a bad, bad ruling. I know what you're going to make and it's a bad, bad ruling."

Speaker Breslin: "It is the ruling of the Chair that the Bill does...that the Conference Committee Report does not violate the single subject law. Representative O'Connell."

O'Connell: "Madam Speaker, there's been enough debate on this Bill. It was passed out, the only inclusions are those that I mentioned. I would ask for a favorable adoption of this Conference Committee Report."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3946?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Regan one minute to explain your vote."

Regan: "Thank you, Madam Speaker, Members of the House. I rise

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

127th Legislative Day

July 1, 1988

in support of this Conference Committee Report. And I certainly rise in support of its Sponsor who has gone through this three times for technicalities. There's a lot of good things in this Bill and including the sexual abuse of kids and people allow them to have it happen. I think that certainly with the explicit explanations that the Sponsor has gone through he deserves all the votes we can give him. I rise in support."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative McPike one minute to explain your vote."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think Representative Homer really spoke to the meat of the Bill earlier. I understand that a lot of people have got some problems with the Bill, Representative Mautino questioned whether or not this was going to be easier on home invaders or tougher on home invaders. Representative Homer said if you want to make the law tougher against home invaders and protect private property, protect the home owner, protect your house then you want to vote for this Bill. You want to vote in favor of those individuals that break into your house and lie in wait for you, break into your house to commit a crime then vote against it. That's really the question on this Bill whether or not you believe that the criminal shall be prosecuted or he should be pampered. So I'm voting 'aye'."

Speaker Breslin: "71 votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 60 voting 'aye', 24 voting 'no', 31 voting 'present'. Representative Preston. And the Conference Committee Report is not adopted. Representative O'Connell and Representative McCracken do you wish to request a Second Conference Committee? Yes."

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

127th Legislative Day

July 1, 1988

Representative O'Connell requests a Second Conference Committee. So Representative Giglio and Representative Tuerk I understand you both have Motions. Representative Giglio there's an interest on both sides to go to a conference. Representative Giglio and Representative Tuerk ask for conferences of their respective parties. The Democrats will go to 114. The Republicans in Room 118. Until 12:30, until 12:30. Meet back here at 12:30 p.m. The House is in recess. Representative Leverenz."

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

Speaker Breslin: "State your inquiry."

Leverenz: "Well as you know we've been going on with this trivial question and I think we may have an answer and we just wanted to check with you. And the answer is nothing."

Speaker Madigan: "Ladies and Gentlemen, Ladies and Gentlemen. First I want to apologize for not having an exciting event for you tonight as we did last night. I think the change is the color of John's...John Dunns coat, that's the change. The plan is to adjourn to 10:00 a.m. in the morning. The Republicans are still in caucus. At 10:00 a.m. why we'll come back and we will continue a discussion of our favorite issue to see if we can't work to a Resolution some time tomorrow. After the question of the Chicago schools there are only a handful of other issues left, so if we put our minds on this question we may be able to get out of here tomorrow. So Mr. McPike moves that the House stand in recess until 10:00 a.m. in the morning. Mr. Clerk you wish perfunctory time? Okay no perfunctory time. We stand in recess until 10:00 a.m."

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JULY 01, 1988

p. 175 correction

HB-2051 CONCURRENCE	PAGE	113
HB-2993 MOTION	PAGE	2
HB-2993 MOTION	PAGE	33
<del>HB-3085 MOTION</del>	PAGE	172
HB-3100 MOTION	PAGE	55
HB-3199 MOTION	PAGE	107
HB-3204 MOTION	PAGE	47
HB-3205 MOTION	PAGE	48
HB-3216 MOTION <del>CONCURRENCE</del> motion	PAGE	4
HB-3227 MOTION	PAGE	62
HB-3228 MOTION	PAGE	63
HB-3231 MOTION	PAGE	64
<del>HB-3233 MOTION</del>	PAGE	63
HB-3237 MOTION → HB 3240 motion p 65	PAGE	64
HB-3242 MOTION	PAGE	65
HB-3270 MOTION	PAGE	65
HB-3273 MOTION	PAGE	4
HB-3403 MOTION	PAGE	66
HB-3448 MOTION HB 3470 motion p. 32	PAGE	9
HB-3464 MOTION	PAGE	14
HB-3464 MOTION	PAGE	177
HB-3512 MOTION	PAGE	108
HB-3548 MOTION	PAGE	115
HB-3636 MOTION	PAGE	137
HB-3636 MOTION	PAGE	143
HB-3671 MOTION	PAGE	24
HB-3683 MOTION	PAGE	114
<del>HB-3705 MOTION</del>	PAGE	104
HB-3946 MOTION	PAGE	182
HB-4282 MOTION HB 4295 motion p. 23	PAGE	147
HB-4296 MOTION	PAGE	23
HB-4297 MOTION	PAGE	23
SB-0591 SECOND READING	PAGE	34
SB-0591 THIRD READING	PAGE	41
SB-1615 MOTION	PAGE	41
SB-1689 MOTION	PAGE	66
SB-1690 MOTION	PAGE	67
SB-1692 MOTION	PAGE	68
SB-1693 MOTION	PAGE	78
SB-1694 MOTION	PAGE	79
SB-1695 MOTION	PAGE	81
<del>SB-1696 MOTION</del>	PAGE	82
SB-1719 MOTION	PAGE	88
SB-1742 MOTION	PAGE	82
SB-1751 MOTION	PAGE	83
SB-1781 MOTION	PAGE	116
SB-1781 MOTION	PAGE	143
SB-1856 MOTION	PAGE	87
SB-1860 MOTION	PAGE	92
SB-1897 MOTION	PAGE	85
SB-1955 MOTION	PAGE	92
SB-2022 MOTION	PAGE	85
SB-2028 MOTION	PAGE	128
<del>SB-2232 SECOND READING</del>	PAGE	43
HR-0188 MOTION	PAGE	144
HR-0714 RESOLUTION OFFERED	PAGE	140
HR-0715 RESOLUTION OFFERED	PAGE	140
HR-1440 MOTION	PAGE	139
HR-1671 MOTION	PAGE	136
HR-1716 RESOLUTION OFFERED	PAGE	140
HR-1717 RESOLUTION OFFERED	PAGE	140
HR-1718 RESOLUTION OFFERED	PAGE	141
HR-1719 RESOLUTION OFFERED → HSR 0188 p. 144	PAGE	141
SJR-0104 RESOLUTION OFFERED	PAGE	140

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JULY 01, 1988

SJR-0111 MOTION	PAGE	<del>131</del> 136
SJR-0114 RESOLUTION OFFERED	PAGE	141
SJR-0130 RESOLUTION OFFERED	PAGE	140
SJR-0161 MOTION	PAGE	134
SJR-0162 MOTION	PAGE	135

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - <del>FATHER CASSIDY</del> Father Hugh Cassidy	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE GIGLIO IN THE CHAIR	PAGE	63
COMMITTEE REPORTS	PAGE	107
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	114
AGREED RESOLUTIONS	PAGE	140
GENERAL RESOLUTIONS	PAGE	141
RECESS -> Rep. Giglio in the chair p. 141	PAGE	141
HOUSE TO ORDER -> recess 141	PAGE	141
HOUSE TO ORDER - REPRESENTATIVE GIGLIO	PAGE	141
REPRESENTATIVE BRESLIN IN THE CHAIR -> House to Order Rep. Giglio p. 141	PAGE	177 142
RECESS -> Speaker Madigan in the chair p. 196	PAGE	182
	PAGE	196
ADJOURNMENT	PAGE	196