

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Giglio: "The hour of 10:00 o'clock having arrived. The House will come to order. Chaplain for today will be the Reverend Calvin Campbell, the Stonington Church of the Nazarene in Stonington, Illinois. Reverend Campbell is the guest of Representative Noland. Our guests in the gallery may wish to rise for the invocation."

Reverend Campbell: "Shall we pray? Heavenly Father, we thank You for the opportunity we have to be here this morning, and we thank You, dear God, for these Representatives and the districts they represent as we perhaps enter into this last day. We pray, Jesus, that You'll guide them and help them as they make the decisions to lead our great State of Illinois. We pray, Heavenly Father, that You'll touch each one of them and help them, Lord, to realize their responsibility. And Lord, that they represent their people. God, we pray that You'll just keep Your hand upon this Session. And Lord, if it is the last Session that everything will be done smoothly and according to Your will. Lord, as we enter this Session we pray that each one will realize their responsibility not only to their...those that they represent, but, God, will realize their responsibility to You, too. God, we pray that You'll just help them, Heavenly Father, in this day that You have given them to not only honor You, but to lead this great State of Illinois. We pray that You'll just have Your own way. In Jesus Name, Amen."

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

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

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Giglio: "Roll Call for Attendance. Representative Kulas?"

Kulas: "Yes, Mr. Speaker. Does the Reverend know something that we don't know? Is today going to be our last day?"

Speaker Giglio: "He's closer to the Guy upstairs than you and me. Representative Matijevich, are there any excused absences?"

Matijevich: "Mr. Speaker, on this side of the aisle the excused absence due to illness is Representative Robert LeFlore."

Speaker Giglio: "Let the record so indicate, Mr. Clerk. Representative Weaver?"

Weaver: "Thank you very much, Mr. Speaker. I just...a query of the...of the Chair. I noticed in the Tribune this morning in the inc. column, there was an article concerning your abilities in making meatballs, and although it referred directly to you. The picture was someone that I really didn't recognize. I wonder if that was your son or if it might have been you in a prior life? Could you explain that, Mr. Speaker?"

Speaker Giglio: "According to the rules I'm not allowed to comment...comment on anything while I'm in the Chair."

Weaver: "Well, I...I figured that might have been a high school picture or something from a few years ago. Just for clarification...maybe that was a bar mitzvah picture perhaps?"

Speaker Giglio: "I guess it is something that Mom picked out. Representative Kubik, is there any Republican absences?"

Kubik: "Mr. Speaker, there are no Republican absences. And you look very fit this morning. I understand why you don't put on weight eating all those meatballs."

Speaker Giglio: "Take the record, Mr. Clerk. 117 answering the Roll Call. A quorum is present. The House is ready to do its business. Supplemental Calendar Announcements?"

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Giglio: "Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 207, offered by Representative Munizzi. Senate Joint Resolution 208, offered by Representative Matijevich. House Resolution 2101, offered by Representative Weller."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, we've examined these congratulatory Resolutions. I move the adoption of the Agreed Resolutions."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Resolutions are...have been adopted. Representative Leverenz, for what purpose do you rise, Sir?"

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

Speaker Giglio: "Proceed."

Leverenz: "Now?"

Speaker Giglio: "Not now. Later."

Leverenz: "I see. Let me just ask this question. Is she clearing her throat? Normally, before you sing you clear your throat. I just asked if she is clearing her throat?"

Speaker Giglio: "We're working on it."

Leverenz: "We're working on it. Thank you."

Speaker Giglio: "Representative Leverenz."

Leverenz: "Yes, Mr. Speaker, a small observation to the Chair. Sometimes you look for an omen, and I had the pleasure of meeting an omen today. Damion was the page that responded to my light. Damion Dodd. And I immediately offered up a larger tip."

Speaker Giglio: "Very good."

Leverenz: "So, we could get out of here."

Speaker Giglio: "Supplemental Calendar #1. Conference Committee Reports. House Bill 954, Representative Andrew McGann.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative McGann. Out of the record. Representative Steczo, House Bill 2181. Steczo, McPike, Keane, McNamara, Curran, Cullerton, Leitch, Trotter, White, Preston, Ryder, Breslin, Bugielski, Hicks, Kubik, Steczo and Currie. The following Representatives have Bills on Supplemental Calendar #1, and if you want your Bill called, I would suggest that you be prepared. Representative Steczo."

Steczo: "Thank you, Mr. Speaker. Members of the House, House...Conference Committee Report #1 on House Bill 2181 provides that...asks that the House concur in Senate Amendment #1. And that the other provisions be added to this legislation. And I'd like to take this moment to go through some of the points that the conferees added. Conference Committee Report #1 on House Bill 2181 adds language relating to the Jackson - Union County Regional Port District, which allows them to guarantee loans and make grants. It makes...clarifies a provision in the law with regard to fire departments and that all Members of a fire department shall be eligible to be elected officers of that department. It makes changes relating to boards of appeals as they relate to Congressional townships and separate townships where current law requires that board Members must be from separate congressional townships. House Bill 2181 provides...changes the requirements to separate townships. The Conference Report adds language with regard to the Lake County Health Department and their Septic Ordinance, which has drastically restricted the development of individual homes on previously approved lots. Evidently, after approvals were secured, the rules were changed, which have found these properties unbuildable. So, this clarifies that those permits granted at the time should be the ones adhered to. It provides that annexations by districts covered by the North Shore

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Sanitary District Act by the Fire Protection District Act by the Public Library District Act and the Park District Act as well as the Sanitary District Act of 1907 extend to the far side of any adjacent highway. It clarifies some changes with regard to membership on the Upper Illinois River Valley Development Authority and also makes changes in the township Open Space Act, which allows open land to be acquired by means other than condemnation after the applicable two or three year period during which the land may be acquired by condemnation. I'd answer any questions, Mr. Speaker. And I would ask for the adoption of the First Conference Committee Report to House Bill 2181."

Speaker Giglio: "Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Hultgren: "Terry, I have two questions and I genuinely don't understand, with respect to the change that you talked about, providing eligibility for all fire department personnel to be officers of the department, what's the current rule?"

Steczko: "It's been interpreted, Representative Hultgren, to...to be the fire chief, I understand, in terms of who is an officer, so it was requested and agreed upon by all the conferees that to...that to specify that all Members of the fire department are eligible as election of officers...as officers that pretty much provides what the Legislature intended."

Hultgren: "Second question I had, I'm not acquainted with the term, and maybe I should be, congressional township. Is that strictly a suburban..."

Steczko: "It is strictly a downstate...a downstate provision, I guess. Congressional townships are pretty much defunct,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

and there are still some provisions in the state statutes, which relate to, though, the congressional township. It was requested I believe, George Ryan and Representative Novak, I believe have requested language that takes the board of appeals out of the congressional township realm and puts it...puts the appointments in separate townships, which are pretty much what we understand today."

Hultgren: "Do you know what a congressional township is?"

Steczo: "I used to."

Hultgren: "Okay."

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

Stern: "Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Stern: "Two questions, Representative. In our analysis on item #4 it talks about the Lake County Health Department's problems with unbuildable lots. It says in order to avoid costly litigation, the home builders are seeking a legislative solution. I'm just not clear on what that legislative solution is. Does it simply state that unbuildable lots are not buildable?"

Steczo: "Not quite. We didn't go quite that far, Representative Stern, what the legislation says is that when you have applied for the permit, and you have received approval for the permit, then the provisions of the ordinance as they relate to that permit stand. The county then cannot come back later and say we are going to make it more restrictive. If they change their ordinance and make it more restrictive, then applications for permit made after they have become more restrictive would apply. I mean, the more restrictive standard would apply...So, this puts it in the realm of...having the provisions of the ordinance be what you thought they were when you applied to receive permitting."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Stern: "In other words...okay. And on item #7 on the township open space district, if I understand this paragraph correctly, the township open space district may condemn land to acquire it for a three or two year period. What is...and then they may no longer condemn?"

Steczo: "No. The current open space law says that you have two or three years to condemn, no longer after that. However, the law also, I think, puts that two to three year time frame on acquisition of property by means other than condemnation. This provisions says, and it has been agreed to by everybody, that to purchase property by means other than condemnation, you can go beyond the two or three year period."

Stern: "Okay. Thank you, Sir."

Speaker Giglio: "The Gentleman from Du Page, Representative Barger."

Barger: "Thank you, Mr. Speaker. Would the Gentleman yield for some questions?"

Speaker Giglio: "Indicates he will."

Barger: "Terry, as I read this about the fire department, there is a...there's more than one type of an organizational structure. Is this command structure? There is also a pension plan structure for these elected people, and I would assume that there is a social structure for the organization itself, independent of government and independent of control."

Steczo: "Representative Barger, it is intended to be...to resolve the situation where Members of the fire...fire department that wish to be officers would have that chance...would be allowed that opportunity."

Barger: "Alright. Would a fire lieutenant be an officer?"

Steczo: "If you look on the conference report on page five, beginning at line 19, it says the corporate authorities of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

municipalities containing less than 250,000 inhabitants, which is organized, the fire department shall pass an ordinance providing for the election of officers of that department by Members of the department. So, there has been a question as to who can be eligible to run. What it was intended by the Legislature and what this clarifies is that if you are a Member of the department you can run to be an officer. You are eligible to be an officer. So, it is just that simple clarification. And these officers shall include a treasurer and others, so, that's what it is intended to do."

Barger: "I think we really ought to differentiate between this association officership and command position such as fire lieutenants, fire captains and all of these other people who are not association officers, but are actually command officers and the ranking for those is set by the Board of Police and Fire Commission."

Steczo: "Representative Barger, I think we have, because we are putting in that section of the statute which deals with...with that specifically and not with anything else. So, by the fact that we did not amend other sections of the statute it limits this to the scope of that section only."

Barger: "So, what it does, then this also would allow a fire chief or the fire chief's secretary to also be an association officer?"

Steczo: "However, all Members of the department is defined. I'm not sure if the secretary would be a Member of the department."

Barger: "Well, when the...the local municipality sets up their structure, quite often they will put the printing department, the photographer for the city, and these people either in the fire department or in the police department, so they will be in the department. All of the civilian



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

help, the people who answer the telephone and the likes of that will be put into the department that they work in. So, therefore, they become under this all Members being eligible, does not limit it merely to fire fighters."

Steczo: "I hear your statement, but I would take issue with that. In fact the conferees met and really had no great problem in terms of making...making this change, because we all thought it was pretty much insignificant and just a clarification."

Barger: "Normally, the chief of police is not part of the structure of...of officers of the association, if they have an association. And normally the civilian employees are not included in it either, because it normally is a fire fighters association as opposed to a department of municipal government. So, what you have done here is, you've said that the organization treasurer can be elected from that; but normally, in the fire department the city treasurer fulfills that function, the mayor is a Member of the association, the police...the fire chief is normally left out. Are we going to have any municipal representatives in this organization?"

Steczo: "Representative Barger, the statute is already clear on who is a part and who is not. All we're specifying is that Members of the department would be eligible to be elected officers, because evidently in some places it is not been inter...it's been pretty much strictly interpreted as to who the officers are, when it was the intention of the Legislature to...to do more than that. So, all this is is a simple clarification. And if you look at the rest of this statute it tells you about the treasurer and...and everything else you really need to know. So, we are just making that little clarification. That's all we are doing."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Barger: "Okay. Fine. Thank you, Terry."

Speaker Giglio: "Let the Chair remind the Body, this is our first Bill and there are twelve lights blinking up here. If everybody wants to talk, that's fine. We're going to have the timer on and if everybody wants to leave at a reasonable hour, they will hopefully confine your remarks to a...the Bill. Representative Peterson."

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

Speaker Giglio: "The previous question has been moved. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Previous question has been moved. Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. Just quickly in closing, the conferees and the individuals that worked on this conference report took great care to include items only that...that we felt were noncontroversial and yet needed to be made. So, I would just move for the adoption of the conference report and urge an 'aye' vote."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2181?' And on that question all those vote 'aye', opposed vote 'no'. The voting is open. This is final action. Representative Black, one minute to explain your vote. Representative Black."

Black: "Thank you very much, Mr. Speaker. I had my light on very early. I just wanted to ask the Sponsor for purposes of legislative intent, why the Jackson Union County Court District wanted this particular language. And I thought it was important that he read that into the record as to intent as to why they wanted the language."

Speaker Giglio: "Representative Steczo."

Steczko: "Specifically, Mr. Speaker, just in answer to the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Gentleman's question, because they were having problems guaranteeing loans. So, they came and asked for this clarification, as we've done with some other similar kinds of entities throughout this Session."

Black: "Alright. Thank you very much."

Speaker Giglio: "Representative Klemm, one minute to explain your vote."

Klemm: "Thank you, Mr. Speaker. I have concerns over page 8, and that is where we have our preventing a county, who since 1976 has improved and changed its zoning and permitting process for septic fields, would deny those improved standards. And what you've done here is said that the county can no longer control that if, in fact, they are denied a septic field permit and they can go back to the provisions of 1976 and older. And it seems to me in my area we are trying to clean up septic areas that are polluting. And this would go just a step backwards in the whole process. And it certainly doesn't hurt...help the rural areas whatsoever. That's the reason I am opposed to this entire package. I think that should be rewritten and I would look for your help on that."

Speaker Giglio: "Representative Steczo."

Steczko: "Speaker, just a response. First, that provision applies to Lake County only. But secondly, let me just respond to Representative Klemm's question. It is not a situation where we are trying to limit anything by the...by that local government. It just simply says that from that 1976 date, if you've applied for a permit and the county has said it is okay, then you should be able to pursue building or do whatever you need to do. And not have the county come back and say retroactively we're going to take your permit away, which is what has been happening."

Speaker Giglio: "Have all voted who wish? Have all voted who

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

wish? Take the record, Mr. Clerk. On this question, there are 101 voting 'yes', 11 voting 'no' and 5 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 2181 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2967, Representative Keane, the Gentleman from Cook."

Keane: "Thank you, Mr. Speaker. I move to adopt Conference Committee Report #1 to House Bill 2967. The original Bill had two pieces. One, we took care of a problem that existed in Naperville on impact fees, we also...the Senate put on another Amendment, which clarified the language that impact fees upon state roads must be allocated for improving those state roads. And then the one, the Senate Amendment that I nonconcurrred on was Senate Amendment #2. And what we've done is we've worked out an agreement on that. The Conference Committee reverts on Senate Amendment #2 to the language...original language that the courts may order a municipality to demolish and so forth. It also provides that a municipality can be involved in demolition and clean up pursuant to a court order. Also, that a municipality then...can then file a notice of lien for expense incurred in the demolition and clean up. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Question is, 'Shall the House accept the First Conference Committee Report to House Bill 2967?' And on that question all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 117 voting 'yes', none voting 'no'. And the House does accept the First Conference Committee Report to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

House Bill 2967 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3024, Representative McNamara. Representative McNamara? Out of the record. House Bill 3051, Representative Curran, the Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Conference Committee Report on House Bill 3051 is noncontroversial as far as I am aware. It changes reference to the operation, building and maintenance for purposes tax to the operation and maintenance purposes tax. It extends from one to two years the period for contesting boundary changes. It provides that when districts are consolidated by splitting one or more districts among one or more other districts, the resulting district shall qualify for existing supplementary consolidation incentive payments. It includes districts that annex one or more districts among those entitled to receive three years of supplementary state aid based upon the number of full-time certified employees. And provides that two or more contiguous units, school districts or one or more unit districts and one or more high school districts, all of which are contiguous may desolve and form a single new high school district and new elementary district each based upon boundaries of the former unit districts."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 3051?' And on that question all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 112 voting 'yes', none voting 'no' and 1 voting 'present'. And the House

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

does accept the First Conference Committee Report to House Bill 3051. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Cullerton, 3058. House Bill 3058."

Cullerton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill is the homelessness prevention program, which we passed out of the House. The Senate added an Amendment at the request of the Department. We nonconcur with that Amendment. We had a meeting with the Department of Public Aid and we reached an accomodation with them with regard to this program. And so the theory behind this law would be to obtain some federal reimbursements and with that money establish this program, which has been successful in New Jersey where people who are about to lose their homes, people who are renting and are about to lose their...be evicted would be eligible for, under some pretty tough guidelines, would be eligible for some one time grants, in order to avoid them from becoming homeless in the first place. That is the theory behind the law. We've accomodated the request of the department by making it discretionary with the department. It is not mandatory. The department has the authorization to do so. And we also make it clear that it's not to happen unless there is, as I indicated, reimbursement from federal monies for...not necessarily this program, but for other programs. And we believe that if that money can be obtained and it could be as much as \$3 million, then we would come in for a supplemental perhaps in order to fund this program. Right now there is no grants in the budget, because we don't know yet whether or not it would be established by the department, or whether or not we would qualify for the other federal matching dollars. But I can tell you, that it is a significant program for the homeless coalition. It

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

is their main project this year and it does have the agreement of the Department of Public Aid. So, I'd be happy to answer any questions and appreciate your favorable vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 3058?' And on that question all those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, 117 voting 'yes', none voting 'no' and none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3058 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Leitch, 3151."

Leitch: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Conference Committee for House Bill 3151 includes the language necessary to implement a federal court agreement in Peoria for electing the District 150 school board members. That passed virtually unanimously here on the House and the Senate. The Amendment corrects...is a technical Amendment which corrects the bonding for the life safety codes and makes it very clear that schools cannot be built with life safety codes without a referendum. I'd ask for your approval and would move to adopt Conference Committee #1."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3151?' And on that question all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 115 voting 'yes', none voting

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

'no' and I voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3151. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Trotter. House Bill 3164. The Gentleman from Cook, Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker. Members of this August Body, 3164, which began as the Local Government Health Care Fund, seemingly was an Act whose time hasn't come as of yet. As a consequence, 3164 in the Conference Report becomes the Bill. It incorporates five good Bills that sailed out of this chamber and have come back to us from the Senate either from a lack of vision or lack of opportunity. In numerical order the House Bill 299, which is a Bill that was presented by Representative Currie amended the Public Aid Code. House Bill 299 codifies the practice that the IDPA is currently doing by rules. It allows that community residents, who have spouses in nursing homes, to keep the highest amount of resources allowed under federal law. It keeps the community spouses from becoming impoverished to the point where they, too, may need to become recipients of public aid. And in the few cases that have been reported to me couples have actually gotten divorces so that they can retain the adequate resources so they could survive and live on. House Bill 1817 is another Bill that was discussed on this floor, and it amends the Public Aid Code in relationship to its implementation of certain options for extending Medicaid and medical assistance coverage for pregnant women and their children, which has been appropriated under the Title XIX of the federal Social Security Act. 1817, in 1817 the state recognizes the importance of getting prenatal care to pregnant women as early as possible. We know that this



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

addresses a horrendous infant mortality rate that we have had here in Illinois for the past nine or ten years. Implementation of this program will resolve some of those problems. Getting help for mothers in their first trimester of pregnancy is a very critical time. This Bill rectifies the problem we've had and it has become part of the Conference Act. House Bill 3318 was another Bill that was presented by Representative Currie and required the Department of Public Aid to specifically recognize their winter clothing needs of school age children. Our responsibility goes beyond just getting them out the womb, it also makes sure that they grow up and be healthy individuals in this life. 3429 presented by downstate Representative Phelps. It required the Department of Public Aid provide dental services and eye glasses to participants and aid education and training employment practices. House Bill 3483 is a Bill that was presented by Representative Lou Jones. It, too, sailed out of this chamber. 3483 codified an agreement with the Department of Corrections which would ensure that each qualified applicant receives within ten days of release an assistance check. This would be a strong measure the assure that people who are discharged from prison won't be faced with an economic hardships and resort back to the crimes that got them there in the first place. It has been demonstrated that the first two weeks after release are the most critical to establish an economically viable lifestyle and removing the necessity of returning to crime for economic reasons. And I'd move for a favorable Roll Call at this time."

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

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Giglio: "Indicates he will."

Piel: "Representative Trotter, I've got two quick questions. The first question is, can you tell me why no Republicans signed the Conference Committee Report?"

Trotter: "I don't know, Sir. You're Republican possibly you can tell me."

Piel: "I mean...you know...it has happened in the past where the last day, the last hours they just go around, get the six signatures and they push the thing through...And I was just wondering if this happened to be the case that whoever was circulating the Conference Committee Report didn't, you know, figure well we don't need the Republican signatures because we've got the six Demos on it."

Trotter: "No...No you were asked, Sir...Right. Well, the opportunity...the opportunity was presented to your side of the aisle to sign off on the report. They read the report, and they elected not to do so at this time. The rationale that they had, I don't know. But the opportunity was given to them."

Piel: "I noticed that you stated in your explanation of the Bill, that this took into account House Bill such and such, and House Bill such and such, and Senate Bill such and such and obviously what I think what it is is a lot of Bills that were killed in one chamber or the other. Can you tell us exactly how many different Bills that failed are incorporated into this Conference Committee Report?"

Trotter: "Five Bills."

Piel: "Five Bills that failed. Fine. Thank you very much."

Trotter: "Just for clarification, those Bills did not fail in this chamber. They did get out of this chamber before because they were good Acts then and they remain good Acts now."

Speaker Giglio: "Alright. Representative Currie."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Currie: "Thank you, Mr. Speaker. Members of the House, as far as I know the only controversial provision in this Conference Committee Report is one that should not be and that it the issue of spousal impoverishment, of making sure that the Illinois statutes reflect the current Illinois Department of Public Aid rules, that say that Illinois will participate to the maximum extent possible under federal financial participation, when agreeing to pay the bills of a person who is required to be in a long-term care facility. The point of this proposal is to say that the spouse who stays at home will have the opportunity to hold on to adequate income and adequate assets so that that individual does not fall below the poverty line. There is no cost to this provision, that is beyond the costs already committed to by the Department in its current rule, but it is critical that we protect the faith of the senior citizens of this state, that they will not find that suddenly that rule is pulled from under them without consultation with this General Assembly. So, I stand in strong support of this First Conference Committee Report and I invite all my colleagues who've consulted with their senior citizens on the issue of assets and income for community spouses to join with me in that support."

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

Wojcik: "Yes, Mr. Speaker and Members of the House, I think what we are looking at here is what we call a wish list. And that's exactly what this Bill is representing, and perhaps when it...when some of the things were not done here they were tried to get done over at the Senate and we're going to talk about money. That's what we're looking at again. We're looking at the cost of what some of these proposals would entail. And according to the fact sheet that I have here in front of me, we're looking at a fiscal impact of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

\$8.6 million and I think that satisfies why there are no signatures by the Republicans. We're trying to cut costs and yet every time we turn around we've got another Christmas tree that we're looking at. So, I would urge all of my colleagues to vote against this Conference Committee Report."

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

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

Speaker Giglio: "Yes. Yes. He will."

Ropp: "I noticed here on the first page of the Conference Committee, the last sentence it mentions something about an assistance check provided for from some emergency assistance grant. How much is that?"

Trotter: "Sorry, I didn't hear your question, Sir. I'm sorry."

Ropp: "How much is the assistance check for someone who is about to be released that comes from an emergency assistance grant. How much is that grant?"

Trotter: "I don't know. It is a regular grant. Presuming that they would be eligible for Medicaid when they are discharged. So, we are not giving them anything different. We're just asking that they expedite the process. So, whatever the bare minimum that you're giving them \$270."

Ropp: "But you're not changing the law, you're just saying that..."

Trotter: "We're asking that they expedite the process in which they are being paid."

Ropp: "Okay, then when you go on to about page..."

Trotter: "It is an agreement that is already in place by the Department of Public Aid and the Department of Corrections."

Ropp: "Okay, then on page 11 it mentions about on the second paragraph from the top...it mentions the Illinois Department shall notify in writing each institutionalized

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

spouse who is a recipient of medical assistance and then it goes on. It seems...I thought people who are incarcerated are automatically covered by health care anyway without having medical assistance programs."

Trotter: "No, Sir. I think you are confusing the two issues. The one you are actually looking at now is about the spousal impoverishment, and we're talking about persons institutionalized in nursing homes, not in our great penal system."

Ropp: "Okay. So, this has..."

Trotter: "This has no bearing on what you are saying right now. Those dollars there have actually been guaranteed by the federal government and that is up to \$62,000. We're just asking that we codify that language."

Ropp: "Okay. So, you are just putting in federal language into..."

Trotter: "...into our laws. That is correct, Sir."

Ropp: "Okay. Thank you."

Speaker Giglio: "The Gentleman from Du Page, Representative McCracken."

McCracken: "This Bill gives truth to the old saw that ideas never die in the General Assembly. How many times do we have to reconsider these matters? How many times do we have to say 'no' before the proponents get the message? These Bills got out of here, some on narrow votes, they all died in the Senate. And it is a death they all richly deserved. Just because you got the opportunity to throw a Conference Committee together, doesn't mean you should be voting for them. This is an excellent example of the abuses of a conference committee; throw everything together that's failed already once, and hope that the people are tired enough, or don't read it and they vote for it by mistake. This is a bad Bill. The constituent parts of it were bad.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

They failed in the Senate. Some of them had close votes in the House. And we should beat this again."

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

Cullerton: "Well, I disagree with the last Speaker, as this being an abuse of the Conference Committee Reports. These are four House Bills that passed out of the House...five House Bills that passed out of the House. They were killed, not on their merits in the Senate, but they were held up in the Senate Rules Committee. As were many Democratic and many Republican votes and there has been very many conference committees, of Republican Sponsors as well, of Bills that we passed out of the House, that we've added into a Conference Committee because they were killed in the Senate Rules Committee. Now, you can speak against the merits, that's fine, but it certainly is an abuse of the Conference Committee process. The votes on these Bills were 117 to 0 on house Bill 1817, 107 - 0 on House Bill 3318, 68 - 37 on House Bill 3429, and 109 to 1 on 3483. So, apparently there is one Bill that was deemed to be controversial that passed 68 to 37. That's what happened. So you're really talking about an Agreed Bill list except for House Bill 3429 that got 68 votes. So, I would say you know, if you want to vote against it on the merits, that's fine. But don't think that this an abuse of any Conference Committee Report process."

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

Trotter: "Thank you very much, Mr. Speaker. You know the past couple of days I've been giving a lot of thought to my first term down here in general and my last...this last year in particular. And I wasn't thinking necessarily about all the things we've done here, because that readily

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

comes to mind. Because it's very obvious that we do some things down here. For one, we just said that incinerators are okay in some neighborhoods and bad in others. We just took a lot of money from the road fund and gave it to another great department here in this state. I've also heard the insurance scams and I've seen a couple banking deals go across this floor. So, those things readily come to mind what we've done down here. Now, we've had a little chest thumping, we've even had a little flag waving on this floor this Session. But what I was thinking about in particular was some of the things that we have not done. We haven't done nothing to address the needy; the greedy take care of themselves. We haven't done nothing to address the concerns of the needy. We haven't done nothing to address the concerns of those who help the needy. We haven't helped the hospitals. We haven't recognized any of their problems in the trauma system. We've had this great health care summit. Nothing has come out of that. We've had a lot of things happen, but nothing has happened to those who actually need an opportunity to have some assistance given to them. This Bill 3164 as it comes out of this Conference Committee addresses some of those concerns. It addresses the concerns of the impoverished widow or the widower. It addresses those who do not have adequate clothing, which they need just to get through one of our harsh winters. It's not always going to be these 94 or 96 degree weather days. We're addressing also presumptive eligibility...our children. And I have a quote here, if I can just indulge myself and you for a moment. It is from a great American. It says a child is a person that is going to carry on what you have started. He is going to sit where you are sitting when you are gone, attend to those things which you think are important. You

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

may adopt all the policies you please, but how they are carried out depends on him. He will assume control of your cities, states and nations. He is going to move in and take over your churches, schools, universities and cooperations...corporations. The fate of humanity is in his hands. That great Illinoisan, Abraham Lincoln, had something going for him. I think we have something going for ourselves here in 3164. I would ask for a favorable Roll Call."

Speaker Keane: "The question is this, 'Shall the House adopt First Conference Committee Report on House Bill 3164?' Those in favor vote 'aye'. Those opposed vote 'no'. The voting is open. Representative Keane in the Chair. Representative Balanoff to explain his vote."

Balanoff: "Yes. To correct to help correct a misconception about the cost of this bill. My understanding is that the cost of this Bill will be at most \$400,000. The departments that we are talking about are already doing many of these things. This simply sends the message that they should keep on doing these good things and it sends a message to our less fortunate constituents that we have not forgotten them. This Bill certainly is hardly enough, but it is something. And I, for one, would be embarrassed if it did not pass, and so should all of you, because it is an embarrassment when the biggest issue down here is McDome. How to house a football team when we have thousands of constituents...what...when we have thousands of constituents who we are doing nothing for and who desperately need our help. And I urge this one to go out of here as many of the five Bills did in the past with a hundred, 115 really with 117 votes. Thank you."

Speaker Keane: "Representative Piel, one minute to explain your vote."



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Piel: "I spoke in debate, but this is on a point of personal privilege. I wanted to welcome the Governor of the State of Illinois, Jim Thompson."

Speaker Keane: "Welcome, Governor Thompson. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue there are 81 voting 'aye', 34 voting 'no', 2 voting 'present'. And the House does concur...adopt the First Conference Committee Report to House Bill 3164. This measure having received the Constitutional required Majority is hereby declared passed. House Bill 3562, Representative White. Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3562 would permit hospitals to provide services for...provide temporary custodial care for mildly ill children who are unable to attend school..."

Speaker Keane: "Representative...please punch Representative White. Representative White, please continue. Sorry."

White: "Mr. Chairman and Ladies and Gentlemen of the House, House Bill 3562 would permit hospitals to provide services for temporary...temporary custody for the young people who cannot attend the normal day care center or school because of illness. Senate Amendment 1 would segregate or separate the youngsters who have contagious diseases from those who are mildly ill. Senate Amendment 2 was deleted from the Bill. And Senate Amendment #3 would require the Department of Public Health to issue the minimum standards, rules and regulations for the operation of this day care center. I...I'd like to make a correction, Mr. Speaker. Senate Amendment #2 was not deleted. It was revised."

Speaker Keane: "Is there any discussion? Is there any discussion? Representative McCracken."

McCracken: "Thank you. The hospitals are allowed to set up these

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

sick child day care programs if they chose now. It is not required of them any longer, is that right?"

White: "Yes. That is correct."

McCracken: "And...what is the significance of Amendment #3 where the Department is required to promulgate rules and regulations? At one point I guess that section was permissive, what is the significance of that?"

White: "Well, the Bill says that they would be required to establish rules and regulations for the hospital. And I think that would be..."

McCracken: "...for the sick child day care program?"

White: "Yes. I think that would be...be the right body to set up these rules and regulations."

McCracken: "If you know, what was the thinking behind making them permissive in the first place? I mean, why have we abandoned that in favor of a mandatory rule making?"

White: "I'm not sure, but I think that if we are going to establish some rules and regulations for them, we want to make sure that the right body will make the right decision, or would have the authority to set the rules and regulations and guidelines pertaining to the subject. And so, I cannot respond other than the fact that I do believe that the Public Health Agency is the right agency."

McCracken: "Sounds to me like an exercise in bureaucracy. I don't know if that is enough reason to vote against the Bill, but I think I would have personally preferred permissive legislation rather than mandatory. Thank you."

Speaker Keane: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Keane: "Indicates he'll yield."

Harris: "Thank you. Representative, I'm looking at page 11 of the Conference Committee Report..."

White: "Mr. Chairman...Mr. Speaker, could you ask the Gentleman

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

to speak a little louder, or get a little quieter on the floor?"

Speaker Keane: "I will try to do that."

Harris: "I'm looking at page 11 on the Conference Committee Report does...do the provisions on page 11 prohibit what is commonly known as 'bypass' in the City of Chicago?"

White: "No. It does not prohibit, but it says that they must establish protocol."

Harris: "Well, you say it does not prohibit. It says, the protocols shall provide that a person shall not be transported to a facility other than the nearest trauma center."

White: "That is correct. That is federal language and that's designed to get at the anti-dumping issue."

Harris: "Okay. I'm being instructed. Thank you very much."

White: "Could you repeat that statement, Sir?"

Speaker Keane: "Representative White to close."

White: "Mr. Chairman and Ladies and Gentlemen of the committee, this is a simple piece of legislation. I move for the adoption of Conference Committee Report #1 to House Bill 3562."

Speaker Keane: "The question is, 'Shall the House adopt First Conference Committee Report to...Senate...House Bill 3562. All those in favor vote 'aye'. All 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. On this issue there are 116 voting 'aye', none voting 'no', none voting 'present'. And the House does concur with the First Conference Committee Report on House Bill 3562 and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3580, Representative Preston. Representative Preston."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Conference Committee Report contains provisions that were all recommendations of the Speaker's Blue Ribbon Task Force on Foster Care. These provisions were included in Bills that passed the House, but were held in the Senate Rules Committee. The Department of Children and Family Services is not opposed to this Conference Committee Report. And I'd like to go over briefly what the report contains. The report incorporates a provision that was in House Bill 3578, that I had sponsored, that amends the Department of Children and Family Services Enabling Law and requires the Department to set room and board payments for foster children by July 1st, 1994. The original Bill that passed talked about requiring that by July 1st, 1991. This is in accordance with what DCFS had wanted and brings up the date of compliance by July 1, 1994 at 100% of the United States Department of Agriculture cost of raising a child in the urban mid-west. It also incorporates the provisions of House Bill 3579, which Representative Trotter had sponsored that amends the Department of Children and Family Services law to clarify the department's program of reimbursing licensed state and private welfare agency foster parents for damages resulting from malicious or negligent actions of foster children that are in their care. This has to do with the insurance reimbursement provision, so that there is some reimbursement for additional costs that a foster family may incur by virtue of having their homes insured and yet having a foster child in that home. It also incorporates the provisions of House Bill 3582, which I had sponsored and which passed this House, that amends the DCFS Act and the Juvenile Court Act and requires that when a minor is placed in a home of a close relative, the Department...DCFS must conduct a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

background check on that family member and members of that household within ninety days of placement to make sure that there have been no indicated events of child abuse or child neglect of those family members. I'd be glad to answer any questions. This has been the result of a great deal of work and effort on behalf of a number of people on both sides of the aisle including members of the Department of Children and Family Services, who've spent a great deal of time and effort in helping put this Conference Committee Report together, and I ask your 'aye' vote."

Speaker Keane: "Representative Regan."

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

Speaker Keane: "He indicates he will."

Regan: "Representative, how does the reimbursement for insurance premiums work?"

Preston: "Right now the Department self-insures for the most part for those expenses and this would require the Department to...if a foster family has to purchase insurance for their home, and if there is an increase in the premium because of the placement of a foster child in that home, the Department would reimburse for that additional cost. However, in many cases as was pointed out in hearings, I think you were present at those hearings, in many cases there is no additional costs that insurance companies levy for that insurance. So, it really would have a very limited effect. Only effective when a given insurance company has a provision where the insurance premiums would, in fact, be greater."

Regan: "Well, do you have any evidence that it would ever happen? Has ever an insurance company rated or rejected a family because they took a foster child into their home?"

Preston: "Well, we had some testimony to that effect, that they

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

did, but at the same time we had testimony from insurance companies that they don't. So, it is very possible that this provision will not have any application; but it may if a family incurs that additional cost."

Regan: "My only concern, Representative, is that the wording in here can cause tremendous legal amplifications. You could have court cases go on and on and on about putting wording in about insurance companies are responsible to do that."

Preston: "Well, not according to DCFS, that problem doesn't exist, but you may be right."

Regan: "So, to the Bill. I've investigated this issue very carefully, because I was concerned that the insurance industry is taking a bad rap, and if it deserves to take a bad rap, I want to rap them just as hard. But I found out throughout the industry that this is not the case. People with foster children, people that take foster children into their home are offered home owner policies at exactly the same rate as if they would be if they had their own disobedient children. The homeowner coverage on general liability covers property damage no matter who causes the property damage. If your child burns your house down, it's covered. If a foster child burns your house down, it's covered. You can get general liability for a third party if a foster child hits the neighbor kid over the head with a bat it is covered. You can get umbrella coverage for about \$45 a year that goes all the way up to a million dollars of general liability. The insurance company does not reject or rate foster parents. This part of this Conference Committee Report is completely unnecessary. We had testimony as the Representative indicated, right here in Springfield from one of the most conscientious foster parents that I've ever met in my life. He's had thirty-five children, I believe, in the last ten years and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

many of them special education places, problem children. He has never had a problem with insurance. In closing on the opposition, there is no reason to confuse any insurance laws or the Department of Children and Family Services with this part of the Conference Committee Report. And I would request that you vote opposing it and send it back for a second Conference Committee Report with that part taken out. I urge a 'no' vote."

Speaker Keane: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, I think we are getting tripped up by a very minor detail that does not cost the State of Illinois anything. I was a Member of this Blue Ribbon Task Force on Foster Care and at the risk of reminding you again I'm also a former foster parent. Let me say that there is no more needy population that we serve than the foster children of Illinois. They need families. They need care. They need the loving homes that are available to them through this program. It is up to us to make it possible for people who are willing to give this kind of service to children, to do so. We must take as many of the roadblocks out of their path as we possibly can. This Bill attempts to start doing that. It attempts to make it possible for a lot of youngsters who need mothers and fathers and love to get it. And I hope you will support its passage on the First Conference Committee Report."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to 35...House Bill 3580?' All those in favor vote 'aye'. All those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Terzich 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 98 voting 'aye', 10

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

voting 'no', 7 voting 'present'. And the House does concur...does adopt the First Conference Committee Report to House Bill 3580. This Bill having received the required Constitutional Majority is hereby declared passed. With leave we will now go to Representative Ryder for nonconcurrency on Senate Bill 1798. Representative Ryder?"

Ryder: "Thank you, Mr. Speaker. I would refuse...ask the House to refuse to recede from the Amendment and ask that a Conference Committee be appointed."

Speaker Keane: "Question is 'Is there leave?' All those in favor say 'aye'. All opposed 'no'. The 'ayes' have it, and the House refuses to recede from House Amendment #4 and requests the appointment of a Conference Committee. Now we'll go right back to Representative Ryder again on House Bill 3639. This is on the Concurrence Calendar, Representative Ryder. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to accept Conference Committee Report #1...to adopt Conference Committee Report #1. It is the same as originally passed both Houses with the exception that it does have an immediate effective date. Thank you."

Speaker Keane: "Is there any discussion? Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Keane: "He indicates he will yield."

Pullen: "Was this Bill declared an emergency by the Rules Committee, Sir?"

Ryder: "I'm certain that it was, otherwise we wouldn't be considering it."

Pullen: "Thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3639?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open.



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 111 voting 'aye'...Representative Cullerton, for what purpose do you rise?"

Cullerton: "Yes. I wanted to find out if this was the retired Governor's license plate Bill. And if it is, I wanted to know if the Governor was on the floor to lobby for it...and I wanted to know if it meant that the former Governors get to use these license plates or the former Governors get to make these license plates?"

Speaker Keane: "We will allow the Sponsor to answer that. Representative Ryder."

Ryder: "In response, Representative, to your question, I should indicate to you at no time has the current Governor ever asked that this Bill be passed. It was an idea that was developed apart from him and since there are only three people that will...two now, three in January of '91 that qualify for this. The direct answer to your question is...the Republicans earned them, and the Democrat got to make one."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', 1 voting 'no', 1 voting 'present'. The House does concur...does adopt the First Conference Committee Report to House Bill 36398. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3771, Representative Breslin. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I move to concur in the First Conference Committee Report on House Bill 3771. As you will recall, I moved to concur earlier on the Senate Amendment to this Bill, when I was interrupted and it was brought to my attention that there

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

was a...an error, a technical error in that Amendment. So, we've taken it back. That's all that the Bill contains. The Bill passed the House 95 - 17 originally. I would move to concur. To adopt rather. It's already been..."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House adopt this concurrence?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Mr. Clerk, take the record. On this...on this issue there are 110 voting 'aye', 5 voting 'no', 1 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3771. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 4178, Representative Bugielski. Representative Leverenz? Out of the record. House Bill...I'm sorry Senate Bill 1491, Representative Hicks. Out of the record. Senate Bill 1532, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Members of the House, I'd move for adoption of the First Conference Committee Report on Senate Bill 1532. This legislation deals with the issue of clinical psychologist licensure. And when the House adopted Amendment #1 we realized that there were technical deficiencies in that...in that language. So, this report correct the problems that were experienced by Amendment #1 and, in addition, adds a section relating to continuing education by the...for the Real Estate Licensure Act, which was requested by the realtors that just gives that an immediate effective date. I would move for the adoption of the report."

Speaker Keane: "Representative McCracken."

McCracken: "Yes. I just have a question. Is this increase in hours and the decrease in the months in which they must be

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

earned, is that agreed to?"

Steczo: "That on the clinical psychologists, Representative McCracken?"

McCracken: "Yes. Right."

Steczo: "That is evidently what happened. And the language that was contained in Amendment #1 made it more restrictive rather than less, and this is an attempt to correct that, and put it back the way it was supposed to be."

McCracken: "So, your Amendment #1 would not be on this Bill then, is that it?"

Steczo: "That's correct. The Conference shows that the House recedes from Amendment #1."

McCracken: "And the correct language is agreed to in substance as well as form by the...psychologists or whatever? Right?"

Steczo: "...by the parties...yes...that...this. Evidently, although I've not taken part. This concept has been the...there have been some...many, many difficult discussions about what this was supposed to have done, and I guess, what is contained here is what they could all agree on...or most could agree on."

McCracken: "Okay. Thank you."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, a question of the Sponsor?"

Speaker Keane: "Indicates he will yield."

Currie: "This has we are trying to help people who by virtue of changes we made a few years ago would find that they were not able to stand for the Psychology Licensing Program, is that right?"

Steczo: "That is correct."

Currie: "So, my understanding is that we are trying to, in effect, grandfather in some of the people who either received their doctorates or were studying for it under the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

old Act to help them meet the criteria under the new Act and the old Act to find an approved program as one at an accredited institution or a substantially equivalent program approved by the department. And there is some language here also that deals with the words 'under this Act' and I take that to mean that someone who satisfactorily met the experience requirements under the old Act would also be grandfathered because they, under this Act, would mean new people. That would be my understanding of the Bill and I think it makes sense."

Speaker Keane: "Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Keane: "Indicates he will."

Levin: "Representative Steczo, this issue, I think, was before the Joint Committee on Administrative Rules about three or four months ago. And at that point there was a concern that new graduates from the University of Chicago School of Psychology were not eligible to be licensed under the statute. Does this take care of that problem? Will they be able to be licensed?"

Steczko: "Representative Levin, there still may be a problem. Yet, if the JCAR rules are allowed to go in effect, it will create even more of a problem. So, this Bill is an attempt as it passed the House to try to address the problem of some. It does not address and correct the problem for all."

Speaker Keane: "Representative La..."

Levin: "What then...what does this do in terms of the rules that JCAR suspended? Does it do anything?"

Steczko: "JCAR, from my understanding, adopted rules that were extremely restrictive. And Representative Countryman, I'm sure could...could expand on that. This Bill is an attempt to try to take into account the restrictive nature

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

of the JCAR rules and open up the process to some of the clinical psychologists that would have found themselves having difficult problems. However, there are some still that this will not...this will not help. That will still be could in the switches, if you will. But it is an attempt to address the problem for many. And Senator Jones and others have been deeply involved in trying to address the problem."

Levin: "Okay. This is satisfactory to Senator Jones?"

Steczo: "This is extremely satisfactory to Senator Jones."

Speaker Keane: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, and Mr. Steczo, I couldn't hear all that Representative Currie said. Does this cover the situation of an individual who could have sat for the exam prior to the new rules, but the new rules preclude that...like the situation you and I discussed earlier?...I..."

Steczo: "Representative Stern, there still may be a problem with some of them...that many people met...there were many concerns. Many of the concerns were addressed but not all as I indicated to Representative Levin. The committee that meant...that met and has been meeting on an ongoing basis to address some of the concerns, tried to do the best that than can. But some individuals still...were not able to be helped. But just to reiterate what I said before, if this legislation is not passed and the JCAR rules are allowed to go into effect as they have been proposed, then there is going to be great upheaval. So, this attempts to help at least some."

Stern: "...fall outside. Thank you, Sir."

Speaker Keane: "Representative Steczo to close. Question is 'Shall this...the House adopt the First Conference Committee?' All those in favor vote 'aye', all opposed

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none voting 'no', none voting 'present'. And the House does concur with...does adopt the First Conference Committee Report to Senate Bill 1532. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2190, Representative Kubik. Representative Kubik. 2190. Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee #1 on Senate Bill 2190 is a product of a lot of negotiations between a number of parties. It is the...it is a...an initiative sponsored by the Citizens Council on Women and Citizens Council on Public Aid. Essentially, what the Bill does is to create a program of administrative hearing officers instead of judges to decide most child support and paternity questions. It is not a statewide program, but a demonstration...it allows for demonstration projects. Senate Bill 2190 authorizes the creation of the expedited child support system in individual counties, circuits and multi-circuited areas. Beginning on July 1st, 1991. It grants the Department of Public Aid the authority to establish a demonstration program in one or more counties with a nonfederal one-third share funded out of the state Child Support Trust Fund. Nondemonstration counties may chose to implement the system. However, the nonfederal share will be borne by the county. Administration of the expedited child support process in 1990 is vested with the Illinois Supreme Court, which is given the authority to review, approve or modify implementation plans and promulgate rules specific to the operation of the Act. The day to day operations in the individual counties will be

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

under the auspices of the Chief judge of the implementing circuit. The system is applicable to all IV-D cases for the establishment of parentage and/or for the establishment, modification and enforcement of child support obligation. The Act operating within the confines of the Illinois Constitution, all recommended orders written by administrative hearing officers will be reviewed and entered by the presiding judge or his or her designee. Hearing officers will have the authority to accept consent orders, settlements and acknowledgments of parentage. They will be able to take testimonies, supervise all stages of discovery and prepare proposed findings of fact and recommended orders for judicial action. All other domestic relations matters such as visitation, custody, property will be directed to a judge. The court will review the administrative hearing officers proposed findings of fact and recommend orders, and where appropriate, enter the recommendations as orders of the court. A judicial hearing will occur if either party does not agree to the recommended order, or if a party absent at the administrative hearing objects in a timely manner to the entry of an order. If either party disagrees with the recommended order, a judicial hearing is immediately scheduled. Similar to the arbitration model the judicial hearing is conducted without prejudice to either party in that only a written statement indicating an agreement was not reached is transmitted to the judge. The administrative hearing officer's proposed findings of fact and recommendation orders relevant to the disputed matters may not be made a part of the official court record unless both parties agree, nor can the parties or the court compel an administrative hearing officer to testify on the judicial hearing. What...I might point out a couple of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

things in closing and then offering to respond to questions. First of all, thirty other states have a...have some sort of a judicial administrative procedure to handle child support orders. In addition, this Bill is the product of the discussions between the Illinois Conference of Chief Judges, the Illinois Bar Association Family Law Section Council, the Illinois Task Force on Child Support, the Cook County Clerk's Office, the Cook County State's Attorney Office, the Legal Assistance Foundation of Chicago, the Junior League of Illinois, the Illinois Department of Public Aid and the Illinois Attorney General's Office. I would be happy to respond to any questions. The Conference Committee has been adopted by the Senate by a 58 - 0 Roll Call. And I'd be happy to answer any questions. And would appreciate your support of this Conference Committee Report."

Speaker Keane: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Hultgren: "Jack, I have a couple of questions. First of all, do you know where these demonstration projects are going to be located? What counties?"

Kubik: "No. Those have not been determined as of yet, Dave. Representative, what will occur is that the rules will be established with the Supreme Court and the Department of Public Aid. They will essentially qualify counties and then, depending upon funding, the Department...let me go back. They will qualify them. The counties will submit a plan and depending on the amount of funds that are available, the Department of Public Aid will...will chose the county to do a demonstration in."

Hultgren: "My second question is, in the nondemonstration counties you said that a county could elect to adopt this



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

kind of a plan. And in that case at least one third of the cost would be borne by the county that...that voluntarily chose to participate. Who within the county makes that election for voluntary participation in the nondemonstration counties?"

Kubik: "It is my...the county board must approve and the Chief judge must also submit a plan in that particular county."

Hultgren: "Thank you. That answers my questions."

Speaker Keane: "Representative Harris?"

Harris: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Keane: "He indicates he will yield."

Harris: "On the last page of the Conference Committee Report, Representative it indicates that the provisions of this Act are exempt from the State Mandates Act, if there is any mandate which is created. What sort of mandates might be created, would you know?"

Kubik: "Well, Representative, there is no mandate. We're not mandating that any county adopt this...this plan. What we are doing is allowing them to opt into this plan. So, this program does not mandate any county to go into an expedited child support process. The court must establish the rules. A funding mechanism must work and then they can apply for a demonstration project. So, I'm not quite sure exactly what it refers to, but the Bill does not mandate that this process be forced upon a county."

Harris: "I understand that it doesn't mandate that they join, but apparently there is some expectation that some mandates of some sort might be created, or else we would not exempt the provisions of the State Mandates Act. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House, I think the...the intent of the Act is laudible and the Sponsor certainly addressed all the issues. I simply have a concern that if we are putting in there an exemption from

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the State Mandates Act, then we are expecting that some mandate is going to be created that somebody is going to have to pay. Now, if the state is creating the mandate, somehow through this legislation, then it is the state's responsibility to pay and we ought to do that, that's what the State Mandates Act is all about. So, for those of you who are concerned about mandates, I simply draw your attention to that and you may want to consider it. Thank you."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Keane: "He indicates he will."

Countryman: "Mr. Kubik, this...well you called it a demonstration program, but it is my understanding it could be in any county in the state as long as the county itself pays for it, is that correct?"

Kubik: "On IV-D cases the only counties really that will be eligible are those that don't meet the time frame for expedited child support as set by the House...Health and Human Services...Department of Health and Human Services that demonstrate the non-IV-D cases they could...they could create a system if they have a vote of the county board and the Chief judge provides a plan for...for expedited child support."

Countryman: "But they have to have a backlog of IV-D cases, is that correct?"

Kubik: "Correct."

Countryman: "Now, I raise the question to the people that brought this forward. Does this provide an unequal discrimination against the non-IV-D cases, the children who...who are not subjected to IV-D or in essence on public aid, whose parents mothers may need or fathers may need that child support money as much or more than the people on the IV

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

(d). I mean the IV (d) they are at least getting public aid and the money is going over to public aid, but the ones that are just over the public aid level and are trying to make it on their own, those people won't get an expedited hearing. They have to go through the same drug out process that has backlogged the courts right now, is that right?"

Kubik: "Well, yes. If...if the county in question doesn't adopt a non IV-D expedited child support process. Yes."

Countryman: "You're saying they can't adopt a non IV-D expedited process under this Bill?"

Kubik: "Yes. With a vote of the county board and they can..."

Countryman: "I thought this would only apply to IV-D cases. Am I wrong in that? Anybody can apply to be covered by IV-D?"

Kubik: "No. No..."

Countryman: "I thought you had to be on public aid."

Kubik: "In IV-D cases, which are public aid cases, there are only certain counties in our state which have backlogs sufficient for them to apply for a demonstration project, which is paid for by the state and federal government in IV-D cases."

Countryman: "Is there a sunset in this Bill?...When is it?"

Kubik: "Yes...The sunset is in 1990...June 30th, 1994."

Countryman: "So, what you are saying then is that we ought to do this for a while and see how it works, and if it doesn't work well, let it expire. And if it works well, extend it. Is that right?"

Kubik: "That would be the intention of the parties who have sat down and essentially negotiated this legislation. Yes. That...that's their intention."

Countryman: "Thank you."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, like Representative Harris, I was a little surprised to see the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

language exempting this Bill from the State Mandates Act. Since, no matter how carefully I read the Bill, I couldn't find any reason to think that we were creating any mandate. And my only explanation for the appearance of that paragraph is that early in the life of this program there was a serious question where would the money be found, how would the program operate? And I suspect that the drafters remembering that early issue insisted on putting this language in. But if you look at the Conference Committee Report, it is absolutely clear that no county need participate in this program. The state has no financial responsibility for the program. The monies will come from the Child Support Trust Fund, and if those monies are not available then the demonstration project comes to a screeching halt. So, there are no cost implications for counties or for the state in this proposal. It's a program that has been worked through with the State Bar Association, with the Department of Public Aid. It has the support of the Chairman of the Conference of Chief Judges, Judge Comerford in Chicago is for it, Judge Ellison, who chairs the Child Support Advisory Committee of the Conference of Chief Judges, is for this program, too. The Illinois Task Force on Child Support Enforcement is behind the proposal as well. This is a program we ought to give our Department of Public Aid and our courts the opportunity to try, that's all this Bill is about. And I would urge your strong support."

Speaker Keane: "The question is, 'Shall the House adopt the First Conference Committee Report?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 111 voting 'aye', 2 voting 'no', 2 voting 'present'. And the House

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

does adopt Conference Committee Report #1 to House Bill 2190 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Olson, Myron Olson."

Olson, M.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Republicans request a conference one and a half hours in Room 118 to begin immediately. Thank you."

Speaker Keane: "Representative...okay. If we have an agreement to do two nonconcurrences, so we can get the paperwork started on them, and then we'll do that. First nonconcurrency is House Bill 3843, Representative Steczo. And the second one is Representative McGann. So, we'll start off with Representative Steczo on 3843. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Members of the House, I move to nonconcur with the Senate Amendments to House Bill 3843. There was some language contained in here relating the fees of the circuit court clerks outside of Cook in the collar counties around Cook. There was an error with that. We need to correct it. So, I'd move for...I'd move that the House nonconcur."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2?' All those in favor say 'aye'. All opposed 'no'. The 'ayes' have it and the House nonconcurs in Senate Amendments #1 and 2 and requests a Conference Committee. Representative Steczo, would you also handle House Bill 3720 on Senate Amendment for Representative McGann? Senator (sic - Representative) Steczo on Amend...Senate Amendment #2."

Steczko: "Thank you, Mr. Speaker. I'd also move that the House nonconcur with Senate Amendment...all the Senate Amendments to House Bill 3720."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Keane: "The Gentleman has moved to nonconcur in Senate Amendment #2 of House Bill 30..20..37 1 and 2 of...House Bill 3720. There being none...No discussion. The question is, 'Shall the House refuse...nonconcur in Senate Amendments #1 and 2 to House Bill 3720?' All those in favor say 'aye'. All opposed 'no'. The 'ayes' have it. And the House does nonconcur in Senate Amendments #1 and 2 to House Bill 3720. The House will now...All Republicans will go to Room 118 for a conference. The...the Democrats can have a lunch and be back at 2 o'clock. Return at 2 o'clock. Representative Leverenz, for what purpose do you rise?"

Leverenz: "Just a...I believe a housekeeping matter on three appropriation vehicle Bills. Want to extend the deadline to November 30th on House Bill 3265, 3266 and 3269."

Speaker Keane: "I'm sorry. The Chair was...can you...could you restate your Motion?"

Leverenz: "Surely. I would now move that the House would extend the deadlines to November 30th of 1990 on three vehicle Bills: House Bill 3265, 3266 and 3269."

Speaker Keane: "Representative Piel."

Piel: "Just a question of the Sponsor of the Motion. Has this been cleared with the other side? Teddy?"

Leverenz: "I haven't talked to anybody. I just know we have to have vehicles available in the fall."

Speaker Keane: "Can you hold off for just one second while Representative Stephens talks? ...Representative Piel."

Piel: "Could the Gentleman take this Motion out of the record until we...we can handle this when come back from conference. We...after we had a look at these issues?"

Speaker Keane: "Could you hold one?"

Piel: "I'm sorry, what?"

Speaker Keane: "Could you just hold on for one minute we're

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

trying to work something out up here."

Piel: "Okay."

Speaker Keane: "Representative Leverenz, for what reason do you rise?"

Leverenz: "I too, amend that Motion and that it is agreed, also for 3270. 3270, of which I am a principle hyphenated Sponsor. And it is agreed on the other side."

Speaker Keane: "Representative Klemm."

Klemm: "I.."

Speaker Keane: "I'll tell you what, let's...we're getting into a little bit of a stalemate with this. We'll adjourn or we'll break, recess, the Republicans will have their caucus. We'll try to get back at 2:00, and we'll pick this stuff up then."

Klemm: "My...my...We have another agreed..."

Speaker Keane: "That's it. Did you have something? Representative Leverenz."

Leverenz: "The following is an agreed deal. The hi...I would ask the House now and move that the House reconsider the vote by which House Bill 3656 passed. So that it can be put in a Conference Committee and the next Motion will be that we will nonconcur in the Senate Amendments."

Speaker Keane: "Representative...Representative Klemm."

Leverenz: "30...3056 is the Store Water Bill."

Klemm: "I just have a Parliamentary Inquiry. It seemed like the Chair did have an announcement that we were in caucus. Many of the Members around me got up and left, now we're conducting business of the House. It seemed like we're having a conflict here. I don't think we have any problems with what the Gentleman's trying to do, but after the Chair did announce we were be in conference until 2:00, many, as you can see, of my Members got up and walked out thinking that we had recessed until that time. So, I think you are

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

putting us at an unfair advantage now, to further conduct business of the House."

Speaker Keane: "The Chair indicated that there were a number of issues that we had to move into a Conference Committee before we left. The Chair specified that before we recessed to go to conference and to go to lunch, that we had a number of issues that we wanted to get into conference so that they could be worked upon...worked on during our recess, by staff."

Klemm: "Alright, extending the time is not putting it into conference. And obviously, and I think that is the difference we're talking about."

Speaker Keane: "We're not doing the extensions."

Leverenz: "I thank you. I now renew my Motion to reconsider the vote on 3656. Leave for the attendance Roll Call."

Speaker Keane: "Is there leave for the Attendance Roll Call on Representative Leverenz's Motion? Anyone stand in opposition? No, but there...since there's no opposition, the question is, 'Shall Representative Leverenz's Motion pass?' All in those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And it has passed by the use of the Attendance Roll Call. Now, Representative...now, Representative Leverenz on a Motion to nonconcur."

Leverenz: "Thank you, Mr. Speaker. I would move now that the House would not concur on Senate Amendments 1, 2 and 3 to House Bill 3656 and a Conference Committee be appointed."

Speaker Keane: "Is there leave? Is there any discussion? There being none, the question is, 'Shall the House nonconcur?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. The House does not concur on Senate Amendments...in the Senate Amendments 1, 2 and 3. Representative Myron Olson."

Olson, M.: "As Representative Leverenz would say, now?"



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Keane: "Now. Yes. We'll all attempt to be back here at a quarter after two. Thank you very much for your patience. Recess."

Speaker Keane: "The House will come to order."

Clerk Leone: "Supplemental Calendar #2 has now been distributed. On a request for a Second Conference Committee, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I would ask that we send back send back Conference Committee #1 and ask for Conference Committee #2 as we do not accept the confer...Conference Committee #1."

Speaker Keane: "The Gentleman has moved...we do not accept Conference Committee Report #1, and request that a Second Conference Committee be appointed for...is that House or Senate Bill? Representative McGann?"

McGann: "That's in House Bill 954, Mr. Speaker."

Speaker Keane: "House Bill 954. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House requests a Second Conference Committee Report. We left off on Supplemental 1. At this time we can go back, Representative Leverenz, on House Bill 4...4178. Do you wish to call it? Alright, we'll continue on. Representative Steczko, do you want to...alright. Representative Currie, do you want to call 2253?"

Currie: "Well, 2253, shall we go for it?"

Speaker Keane: "Rep...Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The Conference Committee Report on Senate Bill 2253 includes all the provisions that were in the Bill as the Bill left this chamber. That means the initial Bill, which were Amendments to the Toxic Pollution Prevention Program, which means the program would draft...review draft Administrative rules before submission to determine the potential impact

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

on this program and update every two years the list of toxic substances to which it applies. Secondly, it included a provision for state recycling and source reduction operated jointly by the Department of Central Management Services and the Department of Energy and Natural Resources. And, in addition, the Bill has had added to it another administration Bill that deals with penalty provisions that deal with...with penalty provisions of the Pollution Control Board and some specific language about...about filtration problems in the Rock Island area and finally a proposal from Senator Welsh that sets municipal waste incineration standards. And one final proposal which is the...which is an issue about the certification requirements for solid waste site operators, that was agreed to by the Solid Waste Industry and the Environmental Protection Agencies. I would be happy to answer you questions and would appreciate your support for the Conference Committee report."

Speaker Keane: "Representative Black."

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

Speaker Keane: "She indicates she will."

Black: "Thank you. Representative, bear with me now, I want to make sure that we're not doing anything that we're not aware of here. The state tipping fee is already imposed state-wide, is it not?"

Currie: "This is a new proposal. The...it was not on the Bill as it left this chamber. The municipal waste incineration standards and this was a program that was worked on by Senator Welsh and people in the industry with some of the environmental people as well. And my understanding is that the Environmental Protection Agency is okay on this proposal. It would impose a new tipping fee for

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

incinerators, the same rate that now applies for landfill."

Black: "But, it would be...that fee would go down then on January 1, 1992, correct?"

Currie: "It will sunset at the same time the landfill thing does."

Black: "Okay. Is there a particular reason why we exempt the City of Chicago from that provision?"

Currie: "They already have a program like this in existence."

Black: "And it doesn't do anything to the Village of Robbins, on a issue that we've discussed previously in this chamber?"

Currie: "The standards do apply to Robbins, although not as astringently as they might to others. And the...Robbins, the people are comfortable with this language."

Black: "Are there any underlying Bills incorporated in this other than 2102 and 2068?"

Currie: "As I said we added a...an administration Bill that deals with penalty provisions in the...of the Pollution Control Board. And I don't remember what the number of that was. I'm sorry, that was 2102. But that's new since we saw this Bill in this chamber."

Black: "Okay. Thank you very much."

Speaker Keane: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Hultgren: "Representative, my understanding is that in a prior draft that was considered by the Conference Committee, you considered including the provisions of Senate Bill 2111, which would have required tracking garbage. And I...I understand it is out of the draft that comes to the Floor. My question is really a hypothetical one. Those of us...many of us are concerned about out of state wastes coming into Illinois and the provisions of Senate Bill 2111 were intended to track that out of state waste coming in.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

I'm wondering if we were to reject this report, whether you as a Sponsor of the Bill, think that the Conference Committee would consider, again, adding the provisions of Senate Bill 2111?"

Currie: "Representative, I like the provisions of 2111 as well. But I think there's not a chance that a Second Conference Committee Report on this Bill would include those provisions."

Hultgren: "You understand my concern for...for..."

Currie: "And I...hey, I hear your concern, I was for that, too. But what we're asked to vote on now, is something that doesn't include that provision and because it isn't here, I think it's not a good reason to vote 'no'."

Hultgren: "You're...you're feeling is that while you support the provision that there is simply not a majority support in the Conference Committee?"

Currie: "That's exactly right."

Hultgren: "Thank you."

Speaker Keane: "Representative McNamara."

McNamara: "Yes, Madam Speaker...Mr. Speaker, I'm sorry about that. My eye glasses need changing today. I'm sorry, your voice was a little high. The Sponsor will yield for a question? I understand that there is a tax on all new facilities...incinerators that will be coming on after a given date 1991. That tax on the new incinerators is one dollar per ton. Is that correct?"

Currie: "I believe that is right."

McNamara: "Yes, thank you. And two, this...this Conference Committee Report. I don't know if it is our intent to establish a new tax right now on incinerators. Regardless as to who is in or who is out of those incinerators. It seems to me that with the technology and the garbage problems that we have, to take a one dollar tax per ton on

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

incinerators is actually eliminating a lot of...a lot of the good things that can be done throughout the state. It is also limiting us completely, to make no...no bones about it at all. It does increase the tax one dollar per ton, which will go directly to each and every individual that dumps their garbage. What are costs of landfill and the tipping fees progressed at \$45 per ton, raising it to \$46 per ton in 1991-92 etc. That burden can become so horrendous and the amount of good that is being done by those tax dollars collected is very small, that amount of good is supposed to be, as far as education is concerned, are the people in terms of waste. So, I oppose this measure."

Speaker Keane: "Representative Balanoff."

Balanoff: "Mr...hello, yes, Mr. Speaker, this Conference Committee Report is a good example of what happens in Conference Committee Reports. There are eight parts of this Conference Committee Report that are not bad, and in some cases, good. And there is one portion of this Bill that is questionable at best. I'm talking about the portion that deals with incineration. First of all, it does exempt the Village of Robbins and the incinerator that has recently been permitted there and what it says is that the owner or operator shall provide information programs to those communities serviced by the owner or operating concerns concerning recycling and separation of waste not suitable for incineration. Well let's talk for a minute about what is considered suitable for incineration. They will not tell them anything about cardboard, they will not tell them anything about paper or about plastics, because they work very well in an incinerator. As a matter of fact, often they are the mainstays and so that makes them in direct competition with recycling efforts. The kind of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

things that they're going to point out that are not suitable for incineration are glass, metal and yard waste which is already mandated to be kept out of incinerators and landfills. The...it also says here that such provisions may be performed at the site. This is regarding recycling efforts of the new municipal waste incinerators. Well, right now we're locked into or we...we're going towards a goal of 25 percent diversion by 1996. So, if we're...the only way we're ever going to be able to exceed that is to have curb side recycling programs, buy back centers and the like. But what this is going to do is this is going to make...make our ability to raise those goals almost impossible. And 20 percent of our garbage is already going to be diverted with composting that scheduled to happen in a couple of weeks because at in many of communities have set much higher standards. Everybody in this legislature knows that I oppose incineration as a technology because it's just not save and the idea of trying to figure out and set standards of what we can do and what we can't do certainly is pretty outrageous. I would hope and I've always hoped there could be Second Conference Committee Report because there are certain provisions is here that I think are tremendous. But if this does happen to pass, I would hope that the Governor acts very wisely and amendatorily vetos out this portion. Certainly the idea even of keeping the Village of Robbins out, and the incinerator in the City of Chicago should raise questions in everybody's mind. So, I think before you vote either 'yes' or 'no', you should very carefully consider the provision on incinerators. Thank you."

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise to oppose the Motion to adopt the First

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Conference Committee Report on Senate Bill 2253. There are a lot of good things in this Conference Committee, but there are also some things that shouldn't be in it. And I think these things should be taken out and put in a Second Conference Committee Report. One of the items I object to is the part dealing with the incinerators on the...on the Bill. The problem with incineration is part of the whole negotiation problem. The whole negotiation thing that we're doing on the solid waste problem. It's part, it's on the table with the siting, with the reduction, with the recycling. And it shouldn't be in this legislation; therefore I oppose this Motion and I would ask you all to vote 'no' on this Motion to adopt the First Conference Committee Report, so we can bring back a Second Conference Committee Report. Keep the good portions of this legislation and take out the ones that aren't needed. Thank you."

Speaker Keane: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...I rise in...in support of this First Conference Committee Report. Certainly whatever we put in a Conference Committee Report somebody on this Floor is not going to be happy with and none of them are perfect. But I feel as though the things that are in this Conference Committee Report is...is fair, and the...the people as someone had mentioned about the incinerator in Robbins. And certainly the people of Robbins have spoken through their elected officials and they have said that they wanted this. And it's in this report and certainly the people of Robbins is desirous of this and this Conference Committee Report should be adopted. And I urge for it's adoption."

Speaker Keane: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. Some

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

object to the provisions that are not in this Conference Committee Report. And some of those provisions I would support as well. Some object because there are provisions in this Conference Committee Report that might have occurred in a different Conference Committee Report. The point is that we have one report before us, the First Conference Committee Report to Senate Bill 2253. I think each and every provision of this Conference Committee Report can stand and can stand reasonably well on it's own two feet. I think those of us who care about doing something worth while for the environmental issues this session have basically this chance to put ourselves in line with better resource reductions...reduction and recycling programs in state government with clarity for penalty provisions before the Pollution Control Board with an effort to do better with our toxic pollution prevention program and with the establishment of state standards in respect to municipal incinerators. There is not a new tax in this Bill. We're merely extending the same tipping fees that now apply to landfills to incinerators as an alternative. So I hope that you will decide on the basis of the merits of each of the proposals that is in this Conference Committee Report. That the strong vote, the right vote, the environmental vote on this Motion is 'yes'."

Speaker Keane: "The question is, 'Shall the House adopt First Conference Committee Report on Senate Bill 2253?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 80...Representative Hallock 'aye'. On this issue, there are 81...82 voting 'aye', 31 voting 'no', 3 voting 'present'. And the House does adopt First Conference



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Committee Report to Senate Bill 2253. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 3242, Representative Leitch. Representative Leitch?"

Leitch: "Thank you, Mr. Speaker. This Bill is amended totally in the Senate and is a simple Bill now. It would add two Members, taking two...making seven Members on the Historic Preservation Advisory Board. And I would appreciate concurrence."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt...Alright the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3242?' All those in favor vote 'aye', all 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. Mr....yes, Representative Black."

Black: "Thank you very much, Mr. Speaker. Before you take the record, an inquiry of the Chair. The board says adopt First Conference Committee Report. I thought I heard the Gentleman say to concur and is it a concurrence or Conference Committee Report?"

Speaker Keane: "I stand corrected. It's on the Order of Concurrence."

Black: "Thank you very much. Thank you."

Speaker Keane: "The question is, 'Shall the House concur?' Have all voted who wish? Mr. Clerk, take the record. Representative Edley votes 'aye'. On this issue, there are 112 voting 'aye', none voting 'no', none voting 'present' and the House does concur in Senate Amendments to House Bill 3242. And this Bill having received the required Constitutional Majority is hereby declared passed. We will go back through Supplemental Calendar 1 and pick up those

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Bills that have not been called earlier. House Bill 964, Representative McGann has a nonconcurrent and that has been returned. House Bill 2388, Representative McPike. That Bill will be handled by Representative Cullerton. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a result of the Agreed Bill process which is utilized with regards to all U.I. Bills. It addresses the problem of the \$9 million short form under Administrative Funding. I wish the Department of Employment Security is expected to occur during Fiscal year 1991. There will be a \$7 million employer contribution to be used to fund the department's administrative expenses. Currently all of their expenses are paid for out of federal dollars, while all employer contributions go into the Illinois Unemployment Trust Fund where they're available for payment of unemployment benefits. The Trust Fund surplus now is approximately 1.5 billion. The Conference Committee provides that during 1991 Fiscal Year, 7 million in employer contributions will be channeled to a new Employment Security Administrative Fund where they will be used to finance those administrative expenses of the department not covered by federal dollars. The mechanisms by which the employer contributions will be transferred to the new Employment Administrative Fund is...is as follows: the Illinois employers are currently liable for payment of a special fund building tax equal to point four percent of each employers taxable wage payroll. The Conference Committee Report provides that during the Second calendar quarter of '91, one quarter of each employer's fund building tax for a total of point one percent of the taxable wage payroll for that calendar quarter shall be transferred to the Employment Security Administrative Fund.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

When the Governor determines that the Employment Security Administrative account has accumulated an amount in excess of that needed to fund that department's administrative expenses, that he or she shall order the excess amounts in the fund to be transferred to the Unemployment Trust Fund where they will be available for payment of benefits. So, as I indicated, the Agreed...the results of the Agreed Bill process, I ask for it's passage."

Speaker Keane: "Is there any discussion? Representative Didrickson."

Didrickson: "Yes, thank you, Mr. Speaker, Members of the House.

A couple points that I think need to be made. This is an Agreed Bill process and of course we usually tune out when we hear that. But I think for the sake of the record we all should understand that the reason we are in this pickle or predicament is not because the employer community hasn't sent their FUDA taxes to the Federal Government, it is simply that the Federal Government then has not sent back to the state particularly Illinois, the need \$9 million for administrative operations of employment security. With this agreement, we will indeed keep open those Employment Security jobs service offices that many of you have been concerned about. There will not be any layoffs of employees and of course we have managed to avert putting a tax on the business community. But you should know how generous the business community has been, I believe with this agreement. They have agreed to divert from two of the funds dollars, tax dollars that they have already put in there. Then they have, in order to bring labor to the table, have agreed to sign off on a \$3.5 million benefit increase. I plan to vote for this and I did sign the Conference Committee Report, but I think that it certainly was a very generous Agreed Bill process with regards to the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

magnanimous nature of the business community in agreeing that labor where who is going to benefit from this agreement should get increased benefits. I say that just as a word of caution and for record."

Speaker Keane: "Representative Shaw."

Shaw: "Certainly, I was...thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Shaw: "The...this is...is this the \$9 million that...that the Bureau of Unemployment Security needed to keep them running into a short form?"

Cullerton: "Yes, that's what it addresses. That problem."

Shaw: "And as a result, I heard the previous Speaker talking about as a results of receiving this \$9 million it won't be necessary, it had been some talk about two to three hundred, four hundred employee layoff statewide."

Cullerton: "That is the concern, right. As a...that's as a result of that concern, this Agreed Bill was put together."

Shaw: "It was put together and now you're saying that there will not be a layoff?"

Cullerton: "That is correct. As a result of this diversion of these funds from other accounts. We will be able to avoid the layoffs."

Shaw: "Thank you."

Speaker Keane: "The question is, 'Shall the House adopt Conference Committee Report #1?' All those in favor vote 'aye', all opposed vote 'no'. 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 Bill, there are 116 voting 'aye', none voting 'no', none voting 'present'. And the House does concur...does adopt the First Conference Committee Report to House Bill 2388. And this Bill, having received the required Constitutional

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Majority is hereby declared passed. House Bill 3024, Representative McNamara. Out of the record. House Bill 4178, Representative Bugielski. Representative Bugielski. Representative Bugielski yields to Representative Leverenz. Leverenz."

Leverenz: "Thank you, Mr. Speaker. In the explanation of the Conference Committee Report 4178, that I move to accept, this is a one line change that would have the following impact. When a public aid person goes to a hospital with a public aid medical card, the hospital is allowed to charge a contracted rate or what we know as ICARE. For example the charge might be \$677 dollars a day. When a public aid person happens to be a participant in an HMO the hospital is allowed to charge whatever it wants. In one instance that I am personally knowledgeable about, the hospital is charging \$4,000 dollars a day. This is the only state in the country I understand where a public aid person and with the state, ends up paying two different rates depending upon whether they go direct or through an HMO. I think that's not correct and the right thing to do. This will have the impact of the following. From a financial impact to the Department of Public Aid we can then help more people that are public aid recipients with this or in the alternative we will be able to help the same number of people for less money. I think this is the right thing to do, the language was drafted for me by the department. The department I understand is neutral on the Bill, and the Hospital Association has waived the red flag to everyone, and the bottom line with that issue is that the main two HMO's that handle the bulk of public aid patients, mostly in the metropolitan Chicago area, those HMO's are contesting the rates and the rates are not being paid and their going through litigation. When things go to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

litigation, the lawyers make more money and this would put an end to that practice also. I'll answer any questions you might have and I move for the adoption of the Conference Committee Report."

Speaker Keane: "Representative White."

White: "Will the Sponsor of the Conference Committee respond to a question?"

Speaker Keane: "He indicates he will."

White: "Representative, is the Illinois Hospital Association in accord with this Conference Committee Report?"

Leverenz: "I don't know that they agree with the Conference Committee Report. I did talk with Ms. Dunn and the attorney for the Hospital Association and I suggest that within a short time the hospitals would come in and impress upon the department to renegotiate the ICARE rates."

White: "Well, I'd like to follow this up with a further question. Do you think it's fair for HMO's to be treated like the Illinois Public Aid Department would treat the hospitals, you know give them a lower rate?"

Leverenz: "Would you state your question again?"

White: "Do you think that it's...do you think it's fair for the HMO's to be treated like the ICARE agreements that have been arranged by the hospitals and the Illinois Public Aid Department? This is a private entity HMO's, as compared to a state agency entering into an agreement with the hospital association."

Leverenz: "I think they should be treated the same in the alternative, let me explain it this way. If I come to Springfield and ask a hotel to give me a state rate. I would expect that you and I would get the same state rate, I don't think that they would, it would be proper for them to charge me a higher rate just because I come through the General Assembly and you come through perhaps the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Department of Public Aid. But this is a consideration, I believe, more of a fiscal impact on the state and I am interested in helping more people and having the Department of Public Aid treat the same individual. Let me explain it perhaps in a different way, perhaps the public aid recipient last year with a medical card goes in the hospital. The state pays X number of dollars for that person, as of July, that person joins an HMO it doesn't matter whether that person went in the hospital direct last year or in the new calendar fiscal year that they be a member of an HMO, they are still a public aid recipient and the state should pay one rate for that public aid recipient and that is what this Bill does. I believe it will be a benefit to the state and a benefit to the entire system and of course, probably eliminate a lot of legal hassles that are going on currently."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to Conference Committee Report 1 to House Bill 4178. About 13 hospitals throughout the State of Illinois have had to close because of their inability to collect fees for services rendered. And I think that this move right now on this Conference Committee Report is not working in the best interest of hospitals. My name appears on the Conference Committee Report, I must admit that I did not read the Conference Committee Report entirely and so by me standing up indicating my opposition to it at this time is an admission of my oversight. Nevertheless, I do vehemently oppose this Bill and I would hope that the Members of this Body will join with me in voting 'no' for Conference Committee Report 1 on House Bill 4178."

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose the adoption of the First Conference

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Committee Report. I can tell you that the Hospital Association is very much against this proposal. While this Amendment proports only to make a minor change and it will actually pervert the ICARE medicaid contracting system. This system was designed to permit the Department of Public Aid to negotiate medicaid rates with hospitals, as you know the department has enormous bargaining power and therefore has been successful in getting deep discounts from hospitals. This proposal would force hospitals to accept the same rate of payment from HMO's for treating public aid receiptents as those hospitals have negotiated with the Department of Public Aid under the ICARE program. In other words, the HMO's are merely trying to piggyback the work that the hospitals have accomplished in creating these discounts and all this will do is create greater profits for the HMO's it won't benefit citizens of the State of Illinois at all. This result would be contrary to the negotiated agreement that was established when we established the ICARE program. At that time all the interested parties, hospitals, labor, the insurance people, the Department of Public Aid and the Governor, all agreed to limit the application of ICARE rates to contracts negotiated between the department and hospitals, and to specifically prohibit the application of those rates to HMO's. Let's not do this, this is wrong this is simply an effort to create greater profits for HMO's. Let's continue to allow the hospitals to negotiate the best rates for themselves. That is what will benefit the State of Illinois. Please vote 'no'."

Speaker Keane: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. I, too, concur with the last two Speakers. I think that we should look at this legislation, I did sign a Conference Committee Report



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

but, in further, thought I feel, that it would be a deterrent to the private pay patient, and we certainly should not put any more added burden upon them, so I would concur with the last two Speakers."

Speaker Keane: "Any further discussion? There being none the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 4178? All those in favor vote 'aye'. All opposed vote 'no'. 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 issue...Representative Leverenz?"

Leverenz: "Well, I think I have arrived. Pardon me?"

Speaker Keane: "Let me announce the vote. I'll get that...let me announce the vote."

Leverenz: "No, no, no..."

Speaker Keane: "Yeah, ye..."

Leverenz: "I did introduce Damian, this morning and this is two omens in the same day and we ask for a Second Conference Committee Report and would move now to nonconcur."

Speaker Keane: "On this issue there are 7 voting 'aye', 104 voting 'no', 1 voting 'present'. And on that Representative Cullerton."

Cullerton: "Well, I just thought I'd explain to some of the Members what the Brian D. Duff Award is. Judge Duff when he was a Member of the House when we had 177 Members, won an award, or established an award traveling trophy for the Bill having the lowest number of votes. I think the...I think in his particular case it was one or two...one vote. Now, if we could get some people to change their vote we might for in the future since nobody knows Brian Duff anymore, we could call it the Teddy Leverenz award. I think I want to verify some of these people."

Speaker Keane: "Do you persist in your Motion, Representative

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Cullerton? Representative Leverenz for what purpose do you rise?"

Leverenz: "We must request a Poll of the Absentees."

Speaker Keane: "Representative Shirley Jones for what purpose do you rise?"

Jones, S.: "Mr. Speaker, I would like to vote on this issue. Since he is going to get an award I would like to vote 'no'."

Speaker Keane: "Representative Shirley Jones votes 'no'. Representative Lou Jones votes 'no'. Representative Balanoff votes 'no'."

Leverenz: "I ain't switching, Mr. Speaker, don't ask me."

Speaker Keane: "Representative Morrow votes 'no'. Representative Kubik...votes 'no'. Representative Flowers. Representative Flowers votes 'no'. Representative Mautino so what purp...Representative Mautino for what purpose do you rise?"

Mautino: "After sixteen years of supporting my roommate and my office mate I'm here for the duration, I'm staying green."

Speaker Keane: "Representative Barger for what purpose do you rise?"

Barger: "Thank you, Mr. Speaker as a person who has always championed unpopular causes I would like to change my vote to 'yes'."

Speaker Keane: "On the wrong side again. Now your starting to come back, come on."

Leverenz: "Mr. Speaker?"

Speaker Keane: "Yes, Representative Leverenz."

Leverenz: "I would like to be recorded as voting 'no'."

Speaker Keane: "Representative Leverenz votes 'no'."

Leverenz: "And ask my partner in crime to vote 'no'. I wouldn't let him hang out to dry like that."

Speaker Keane: "Representative Mautino?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Mautino: "Well, I'd be happy to accommodate my very good friend, Representative Leverenz and I guess I'll be on the prevailing side then won't I? Change me to 'no'."

Speaker Keane: "Change him to 'no'. Representative Shirley Jones?"

Jones, S.: "Mr. Speaker, I'd like to do a verification on the green votes please."

Speaker Keane: "In a moment it won't be necessary. Representative Martinez wants to vote 'no'. Representative Barger has finally seen the light and votes 'no'. Mr. Clerk, take the record. On this Bill there are...Representative...Representative Leverenz. Representative Leverenz."

Leverenz: "I want to verify the Affirmative. I think I deserve that right."

Speaker Keane: "The Gentleman is within his rights. Clerk will call, will ver..."

Clerk Leone: "Poll of the Affirmative. Representative Wyvetter Younger, no further."

Leverenz: "Where is she when I need her?"

Speaker Keane: "Representative Younger. Is the Lady in the Chamber? Is the Lady in the Chamber. Remove her from the Roll Call. On this question, there are 0 voting 'aye', 113 voting 'no', 1 voting 'present'. And Representative Leverenz has provided us with a Bill we have refused to adopt the First Conference Committee on House Bill 4178, and Representative Leverenz request a Second Conference Committee. I'm sure you'll do better. Representative Hicks on 41...1491. Representative Hicks."

Hicks: "I understand, Mr. Speaker, I could do no worse than's been done since I've been out of the House chambers. I apologize. On Mr...Clerk, on Senate Bill 1491. I don't know."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Keane: "Representative Hicks."

Hicks: "Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Bill 1491 and adopt the First Conference Committee Report. The First Conference Committee Report is without House Amendment #2 of Representative Ropp's. He may want to speak to that. I don't know. The other provision is actually repeals the ATV Act as we passed it in the House in the first place. And I move to concur. Ask for green votes."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. What this Bill now has is only the provision..."

Speaker Keane: "Representative Leverenz. Representative Leverenz. Representative Leverenz, the Bart Simpson Award has...Bart's come to wish you good luck on his last Bill. I would ask...I would ask the Sergeant of Arms to ask Bart to go to the Senate where he would be more appreciated. The Sergeant of Arms will escort Bart to his proper home. I'm sorry for that delay, Representative Ropp. Will you proceed?"

Ropp: "Thank you, Mr. Speaker and Members of the House. This provision now in this Bill only states that you must drive your ATV Bill...your vehicle very cautiously across a crossing. We have repealed the provision that some of us felt was important in attempting to train young people how to drive an ATV for their own life safety. We have repealed the provision which, in fact, would have generated some funds in order to build an ATV trail in Illinois for the purpose of recreation. We have in fact repealed the provision that would have provided the funds to take care of any damages that people may have caused who use ATV's on unwarranted property and we have repealed the provision which would, in fact, administer this proposal. We had an

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Amendment in there that would have generated some funds. It is my hope, even though I am going to vote 'no' on this; and would urge others to it because I think it is important that we have some kind of protection and help in training young people and others how to ride ATV. As well as to provide them with a place in which to ride, that we get some kind of support in an honest manner from the Department of Conservation, who frankly have drug their feet in a very serious unpolitical like type manner that I think is a travesty. When we were told certain things by this agency, they have totally decided to noncomply by the law. Senator Watson, it's good to see you over here today. No, I haven't given up my commitment. I'm just telling you what the facts are on this particular Bill. And I really hope that there is some sincere efforts in order to save lives for young people, rather than to let them go unconcerned and continue to be harmed and mamed as is the case as we were attempting to address. So, I'm voting 'no' on this Bill because I think we need to have some care and concern for people in the State of Illinois who have ATV's and more so for young people. And finally for those who are desperately looking for tracks in which to ride them on in Illinois, rather than go to Missouri and spend Illinois money there."

Speaker Keane: "Representative Hannig."

Hannig: "Yes, will the Gentleman yield for a question?"

Speaker Keane: "He indicates he will."

Hannig: "Yes, Representative Hicks, this...does this Bill repeal the...Representative Hicks, does this Bill repeal the provisions which require?"

Hicks: "Yes. My colleagues on this side of the aisle tell me it does."

Hannig: "For those individuals who've ready purchased them, it

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

was my understanding that they were buying like a three year sticker. Will they have any provisions to get a refund, since in effect we're repealing the whole thing?"

Hicks: "The answer is yes, there is a provision to get a refund."

Hannig: "Okay, there is. Thank you very much."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House...I'm sorry, Representative Cullerton.'"

Cullerton: "Yes, Larry could you explain the...where this money would be going. Right now there is some money that is being collected. Is that correct? And that it goes into a fund. How does this Bill deal with that...that money?"

Hicks: "Yes, in this Bill we have the authority to refund those monies that have been collected in the past. So, there is authority within the Bill itself to refund that money. So, all that money that's been coming in on the collection before will be going to.."

Cullerton: "And where does the money go if you can't find the people it's going to be refunded to?"

Hicks: "Well John, if there's some where you'd like for it to go, I'm sure we might be able to move it, that way...I don't think it amounts to very much money."

Cullerton: "Now, when we repealed the ATV Act..."

Hicks: "So far John, there's been about \$125,000 collected and what we would be seeing would be a refund out of that pool of money."

Cullerton: "When we repeal the ATV Act, there's a number of provisions in there I know that when we first passed it, it was supported by the industry that manufactures these vehicles. What were some of the provisions in there that we're repealing now? That they find offensive? Or that you find offensive? Weren't there some requirements, some safety requirements, wearing helmets or something like

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

that? Is that the problem?"

Hicks: "John, I understand that the safety requirements that we had in the original legislation were not the problems with the Bill itself. In fact, the retailers who came to us in the first place to establish this, are now having placed themselves a \$50 rebate program for a safety program themselves that they built into their own sales of it. So, the safety provisions of the Bill, actually we're repealing all of it, but the safety provisions of the Bill that were of concerns of everybody is being retained."

Cullerton: "Okay, there was some restrictions with regard to operating while under the influence of alcohol. Is that still in there?"

Hicks: "It's still in the Bill as I understand it. It's the intent that at least wise to have that stay in the Bill."

Cullerton: "I seem to remember something about a...you know, I'm interested in these helmets. There seemed to be something in there about wearing a helmet. Some requirement in the original Bill we're repealing. Do you remember? Oh, I know."

Hicks: "I do not believe there's any thing dealing with helmets in this Bill at all. So, if in the original Act there was helmet legislation, it would be taken out of this."

Cullerton: "Alright, now we have...we did have some age of operators. There was a requirement that no person under the age of six, may operate an ATV and nobody under the age of 16 could operate it unless they had...they were under the direct control of a parent or guardian. Is that added back in, or are we eliminating that requirement?"

Hicks: "There is nothing in this whatsoever about the age."

Cullerton: "Was that, did that prove to a problem or...what in other words, why not is I guess...why don't you think we need an age requirement?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Hicks: "Well, John, I...I it's not in the Bill as it is here. I...I would say that if it's in the original legislation, then probably that part's coming out of it also. But it's my understanding, that was...wasn't a problem in the first place; but, so I'm not aware of any of the six or seven year old whatever that was category as being part of this."

Cullerton: "Okay, thank you very much."

Speaker Keane: "Representative Hartke."

Hartke: "Yes, will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Hartke: "Representative Hicks, I understand from the questioning of Representative Hannig, that those individuals who applied for stickers and so forth will be allowed a refund on that sticker, correct?"

Hicks: "That is correct."

Hartke: "They must apply for this? Will the department send them notice or is it going to be refunded automatically from the roles or are they going to have to apply within a certain amount of time?"

Hicks: "It's my understanding, they're going to have apply for that. That it will not be an automatic pay back to them. I think the cost of the department to try to locate people who have paid this over the last year, with people moving and everything else would be quite...what we'll do is advertise the fact that a refund is available to people. And I'm sure people know they can get some \$45 refund as in three years would be. I'm sure they'll looking to find that rebate. And I would suggest to you, Representative Hartke, that you get that press release out immediately."

Hartke: "Okay, they should contact the Department of Conservation and they will be sent a form for their rebate, correct?"

Hicks: "That's...that's correct, Representative Hartke. We'll make sure that...that you're provided with the proper



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

number in which to put in that press release so that they're calling only one number and it's the right place."

Hartke: "Okay, thank you very much, Representative Hicks."

Speaker Keane: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1491?' All in favor vote 'aye, all opposed vote 'no'. Voting is open. Have all voted who wish? Representative Weaver, vote 'aye'. or vote 'no'. Representative Weaver, for 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 92 voting 'aye', 21 voting 'no', 1 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1491. And this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 2222, Representative Steczko. Oh, I'm sorry."

Clerk Leone: "Copies of Roll Call for House Bill 4178 are now down at the desk for those Members that have requested it. That's House Bill 4178. Zero voting 'aye, 113 voting 'no'."

Speaker Keane: "Representative Leverenz."

Leverenz: "I'll be very happy to sign any of those, should you want an original signature. And Damien is passing around my copy that I would appreciate your signature as a small memento of this occasion."

Speaker Keane: "Representative Steczko on Senate Bill 2222. Out of the record. We will now go to Supplemental Calendar #2. The...we will take the Appropriation Bills first. And the Appropriation Bills Sponsor's are Representative Ryder for four or five of them and then Representative Stephens. So we will start out with 3458, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move that we approve this Conference Committee Report on House Bill 3458. It is a Capitol Development Board Projects. The Conference

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Committee Report recommends that the House concur with Senate Amendment #1 and further amends House Bill 3458 by some additional projects that were taken from the list I think provided by the Board of Higher Education and others. Be glad to answer any questions."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report of House Bill 3458?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bugielski, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 103, voting 'aye', 12 voting 'no', none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3458, and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Ryder, House Bill 3462. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. House Bill 3452 (sic - 3462), I would move that we accept Conference Committee Report #1. This report recommends that the House concur on Senate Amendment #1. Further...and makes some further Amendments to the Bill. I would be glad to answer any questions."

Speaker Keane: "Is there any discussion? There being none the question is, 'Shall the House concur...or shall the House adopt the First Conference Committee Report of House Bill 3462?' Representative Wennlund."

Wennlund: "A question...question for the Sponsor?"

Speaker Keane: "He indicates he'll yield."

Wennlund: "Does this contain the diversion?"

Ryder: "Representative, this is the Department of Transportation's Bill and in sense that...this Bill is their Appropriations, the diversion and the pay back on the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

diversion was a separate Bill. Thank you."

Speaker Keane: "Representative Giglio."

Giglio: "A question to Sponsor. I didn't...part of that last one Representative Ryder, there was some...there some rumors that it was supposedly money cut out of the original budget. Is this...is this part of that? Something like \$15 million?"

Ryder: "Representative, there was \$15 million cut out of the operations, but it's my understanding that seven and a half or 50 percent of that amount has been returned to the operations of the department."

Giglio: "And is this...this Conference Committee report is...is the total transportation budget?"

Ryder: "Yes."

Giglio: "Thank you."

Speaker Keane: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3462?' All in favor vote 'aye', all 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. On this Bill, there are 94 voting 'aye', 12 voting 'no', 2 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3462. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1802, Representative Ryder. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would ask that we adopt the First Conference Committee Report to Senate Bill 1802. This is the budget for the Department of Commerce and Community Affairs. We...this reports asks us to recede from a number of Amendments. It also makes several changes to the budget for the operations of the Department of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Commerce and Community Affairs. In the event there's any questions, I would be glad to answer them."

Speaker Keane: "Representative Granberg."

Granberg: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Granberg: "Representative Ryder, is this the budget...does this contain the additional dollars for the Chicago Symphony Orchestra and some other add ons?"

Ryder: "Yes, it does."

Granberg: "It does not?"

Ryder: "It does."

Granberg: "Thank you."

Speaker Keane: "Representative Hartke."

Hartke: "Representative Ryder, I noticed the absence of any funds to the Soil and Water Conservation District. Is that a fact?"

Ryder: "I'm sorry, I'm glad to yield to the question. But I didn't hear it."

Hartke: "I said, I notice the absence of any money for the Soil and Water Conservation Districts. Is that a fact?"

Ryder: "Yes, excellent observation skills."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1802?' All those in favor vote 'aye', all opposed vote 'no'. 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 Bill, there are 75 voting 'aye', 34 voting 'no', 6 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1802. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1803, Representative Ryder."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Ryder: "Thank you, Mr. Speaker. I would ask the House to adopt Conference Committee #1 to the Senate Bill 1803 which is the Department of Conservation's budget. There is some reallocations in this budget and there are some spending changes from the time that it left committee that is to accommodate the cuts made in the Senate. Be glad to answer any questions."

Speaker Keane: "Representative Brunsvold."

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

Speaker Keane: "He indicates he will."

Brunsvold: "Representative Ryder, what's is the difference between last year's budget and this year's budget? As we passed the budget last year, is there an increase and how much?"

Ryder: "Representative Dunn, if you'd mind just a minute, I'll be glad to answer that question."

Speaker Keane: "Representative Ryder."

Ryder: "Representative Brunwald...Brunsvold, be glad to answer the question as best I can. Thank you. Estimated FY 90 expenditure was approximately \$101 million. The Conference Committee Report would expend a \$187,500,000 an increase of about 87 million. The reason it is so large, if I may anticipate your next question is, there's a number of dollars in this Bill of reappropriations for the continuing expansion and improvement of state parks within the State of Illinois. A project that you and I both supported in the past and as a result, those dollars are reappropriated from last year's expenditure or appropriation."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "I support that Representative. Thank you for your answer."

Ryder: "I apologize by the way for...I mistook your...you for someone else, and I...my error and I apologize for that."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Brunsvold: "Thank you, Representative."

Speaker Keane: "Representative Bob Olson."

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

Speaker Keane: "He indicates he will."

Olson, B.: "Representative, as we move through out the  
Conservations Appropriations process, the heavy equipment  
section, was in and out, in and out, where is it in this  
Conference Committee Report?"

Ryder: "In. It's in."

Olson, B.: "It's in. Thank you."

Speaker Keane: "Representative Mautino."

Mautino: "The Gentleman yield?"

Speaker Keane: "Indicates he will."

Mautino: "Representative Ryder, as I look at 1803 I see that the  
Amendment...the Conference Committee eliminates totally the  
Illinois Conservation Corps. Is that correct?"

Ryder: "Correct."

Mautino: "That means the all those individuals who do the grunt  
work during the summer season at all of the state  
facilities around us...the State of Illinois with...this is  
no longer a portion or our policy of the Department of the  
Conservation."

Ryder: "The..."

Mautino: "And this was the directors request?"

Ryder: "The...the director did not make a request to me directly.  
We offered opportunities to reallocate dollars within  
budgets. And what you see is reallocation within this  
budget based on the severe economic problems that you and I  
faced in the Appropriations Committee all spring."

Mautino: "Okay, well, I'm going to take it one step further, but  
we are putting the money into the kids for conservation  
which is basically public relations. Is that not what it  
is? And some printing, ect?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Ryder: "No. I'm not sure I would categorize it that way. Let me explain it as this. There is a mandate within the laws of the State of Illinois that requires education concerning conservation. That law has been ignored for many years. Within the recent years, and I would suggest within the last two or three years, there's been an effort on the Department of Conservation to involve children in school in a conservation program. Pilot projects and initial project have been completed. This is a continuation as a way to fund that mandate that we have provided in the past. This is educational materials, teaching materials in a way to teach our children how to conserve and to be good stewards of that which we have been so lucky to behold."

Mautino: "Oh, I understand your concern and your eloquent description of t-shirts and coloring books, okay? And I think, yes..."

Ryder: "You and I...you and I understand that...that when you try to trivialize...trivialize by calling it t-shirts and coloring books that the content of teaching conservation, of teaching children that we can not continue to use the...the good and the bounty that we have received frivolously. If you wish to call it t-shirts and coloring books that's certainly one of the ways that children are taught. Be that as it may, Representative."

Mautino: "Well...Tom, you're doing an excellent job. Let me point out the philosophy that has worked so well over the past 16-17 years. The Illinois Conservation Corps, those individuals that go out and repair those facilities in all the park systems of the state. They also the individuals that do just an abundant amount of maintenance, clean up, and putting our parks and recreation facilities, so they can in good shape, so they can be used by the general public. To take them completely out of the Bill and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

substitute a third of a million dollars, for that...for the kids of conservation, I think we're doing an injustice because if we continue that policy you're not going to have people to take care of the parks. The kids of conservation are so concerned about through the educational process."

Ryder: "Representative, if I could. Since I received some recent information during the time in which you were very well expounding your point. The Conservation Corps is a seasonal employer...seasonal employees, so these are folks that don't look at this as their full time job by any means. I understand that it is 50 people all total. And they're...it's required because of the budgetary constraints of which I think you have better knowledge than most. Because you sat through those committees this spring and knew the tough decisions that we had to make, in fact made some of those tough decisions yourself. As a result of that, a balance was made and this is the draw that was accomplished. To say that I, or you, like all of the decisions that we had to make this spring, I don't think is correct. We make our draw, this is the draw that was made."

Mautino: "Okay, I understand. I believe there was more than 53 people involved because the appropriations \$807,000. If that was the case, those part time 120 day jobs would amount to about 30,000 or 10,000 a month per person. I think that's incorrect. By the same token, I think that if this Bill is going to pass in it's current form, I request my colleagues here that as a show of protest and not maintaining those facilities we provide only 60 votes. There are a lot of good things in this appropriation. But I certainly would not want to see an overwhelming amount of support for a policy that eliminates the maintenance of our whole park system in the State of Illinois. I think it's



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

crazy to do it that way. I hope that we only get 60 votes for that Conference Committee."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Representative, I think you had an opportunity now to talk to a representative of the department. It's my understanding that the Illinois Youth Conservation Corps probably employs 400 people during the summer. Not 50. Is that...am I close to the target on that?"

Ryder: "Just a moment, Representative. I'll do my best to get...a answer for you. I'll stand corrected Representative, and exceed to your head count."

Black: "It exceed even 400, correct? Alright, let me ask you another question. I would assume that this Bill would pass today, if I'm assuming correctly, that would mean that all the kids in the youth...all the young men and women who work for the Illinois Youth Conservation Corps would not be able to come to work Monday, correct? This would be their last day?"

Ryder: "I don't have information to the contrary, so I'll grant that."

Black: "Alright. Thank you very much, Mr. Speaker, to the Bill."

Speaker Keane: "Proceed."

Black: "The Sponsor of the Bill has been accurate in his presentation. It has been a very difficult budget year, there is no question about that. I admire the man's integrity and courage to put forth an issue that is not popular and I'm not even sure he agrees with, but you have to make some cuts. But I think a previous Speaker pointed something out that we need to pay attention to. You're not really cutting, you're transferring it to another program."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Kids for Conservation, a great program, but I would submit to you we don't have the full time manpower to maintain the parks now. So you're going to strip the state parks of their seasonal temporary part time workers. Well, what parks are going to be there for when the Kids for Conservation grow up and come out to see it? This is one of those transfers that doesn't really make any sense. I appreciate what the Gentleman has said about tough budget decisions and he's worked very, very hard. But this is one of those transfers that simply doesn't make any sense. If you have a state park in your district that's trying to exist, let alone improve services. I can't in good conscience support the Bill."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I rise in support of the Bill; however the following is true. The Director of Conservation has walked away from the path of cutting the weeds, keeping up the parks, and someone else will have to do it unless it just never gets done. This is probably the first Bill that will provide unemployment next week for some folks in state government. Their summer jobs will be gone and those that worked in a prior year will not be called back in lieu of that, the director wants his pet program of printing coloring books and t-shirts to be done. So for his pet, I would ask you to provide 60 green votes for this Bill to pass as a protest to the director. Thank you."

Speaker Keane: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1803?' All those in favor vote 'aye', all 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.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative... 'present' for Representative Mulcahey. Any other changes of votes? The re... on this issue there are 63 voting 'aye', 26 voting 'no', 23 voting 'present'. And this Bill... having received... and the House does adopt the First Conference Committee Report to Senate Bill 1803. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1827, Representative Stephens."

Stephens: "Thank you, Mr. Chairman, or Mr. Speaker. I move the House adopt the Conference Committee Report #1 on Senate Bill 1827. The Conference Committee Report recommends that the House recede from House Amendment #3 and that the... that Senate Bill 7... 1827 be further amended an additional \$2.1 million in GRF for various programs, funding of day care, etc. I would move it's adoption... move it's passage and be glad to answer any questions."

Speaker Keane: "The Gentleman has moved the adoption, is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1827?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', none voting 'no', 1 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1827. And this having received the required Constitutional Majority is hereby declared passed. Senate Bill 1829, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Senate Bill 1829 is Guardianship and Advocacy Commission. I move the acceptance of Conference Committee Report #1 on Senate Bill 1829. The..."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Keane: "The Gentleman...the Gentleman has moved the adopt...adoption of the First Conference Committee Report on House...on Senate Bill 1829. There being no discussion, all those in favor vote 'aye', 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. On this Bill, there are 110 voting 'aye', none voting 'no', none voting 'present'. The House does adopt the First Conference Committee Report to Senate Bill 1829. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3727, Representative McPike...Leverenz. Representative Mc...is Representative Leverenz on the floor? Representative Leverenz? House Bill 3727, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This is a General obligation Bond Act authorization. Authorizes an additional authorization of 200 million for the general obligation college savings bonds which is included in the total. If there are any questions I'd answer them and ask for your 'aye' vote to accept Conference Committee Report #1 on 3727."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3727?' All those in favor vote 'aye', all oppose vote 'no'. The voting is open. Have all voted who wish? Hello? Okay. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 91 voting 'aye', 15 voting 'no', 6 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3727. And this Bill having received the three-fifths Constitutional Majority is hereby declared passed. House Bill 3824, Representative Stern. Representative Stern."

Stern: "Mr. Speaker and Members of the House. As soon as I get

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

myself together here. House Bill 3824 is the Agreed Bipartisan Election Omnibus Bill presented and it includes I think 10 different pieces of legislation. None of which were controversial and were passed upon by both sides of the aisle. One of them...shou...do you want through them? Are there questions or are you content that we've gone through this at Second Reading and Third Reading."

Speaker Keane: "Representative Myron Olson. Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I merely want to embellish what Representative Stern has said. This is a...an Agreed Bill, Senate Amendments that were not pleasant to the House have been struck. And I would urge Members of this side of the aisle to vote unanimously for 3824, concurrence."

Speaker Keane: "There being no further discussion, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3824?' Those in favor vote 'aye', those opposed voted '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. On this Bill, there are 114 voting 'aye', none voting 'no', none voting 'present'. And the House does adopt the First Conference Committee Report to House Bill 3824. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Santiago, for what reason do you rise?"

Santiago: "Thank you, Mr. Speaker. I would like to recognize here today. We have up in the gallery the Whiteside County Hispanic Coalition that's visiting us here today. I would like this House to recognize them. Thank you."

Speaker Keane: "Welcome. Senate Bill 1884, Representative Giorgi. Out of the record. Senate Bill 1960,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative Flowers. Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I move to concur (sic - accept Conference Committee Report) with Senate Bill 1960. Senate Bill 1960 only made some technical corrections in the Conference Committee Report. And I move to concur with it."

Speaker Keane: "Representative Black."

Black: "Did the Sponsor ask for concurrence or to accept the Conference Committee Report?"

Speaker Keane: "The correct motion is the...move to adopt."

Flowers: "I move to accept the First Conference Committee Report."

Black: "Okay, thank you."

Flowers: "Thank you, Sir."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1960?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', 3 voting 'no', 1 voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1960. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2306, Representative Cullerton. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. The purpose of this Conference Committee is to amend the Bill to...that we passed out of the House which was...which is kept in tact dealing the notice of lien of cost incurred by municipalities or counties for the repair or demolition of dangerous and unsafe or abandoned buildings. Originally the Bill said they must be filled within a 120 days instead of 60. We amended it in the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

House to change 120 to 180. And the Conference Committee keeps that AMendment, that House Amendment to the Bill. If further amends the Bill to allow for administrative adjudication of Sanitary Code violations. Amends the Municipal Code to empower municipalities over 100,000 to establish a Code Hearing Department to adjudicate issues by sanitary inspectors. This would establish procedures for the issuance and the service of citations. Indicates that a citation by a inspector is prima ficie evidence of the violation, authorizes hearing officers to take evidence, make finding a fact, and impose sanitations. The proceeding of course would not be bound by the rules of evidence; however there is the right to appeal pursuant to the Administrative Act. Hearing officers finding are subject to judicial review as I've indicated in accordance with the Administrative Review Law. The final judgement would be both in remand and persona thus a new property owner take subject to the judgement provided it's as properly recorded. And a person can not escape the judgement by transferring the property. The liability for Sanitary Code violations is imposed on persons contracting to care for vacant property or residential property with HUD or other Federal Agencies. It makes it an intentional violation of the provisions a business offense with up to a \$1,000 fine. Also provides a streamline procedure whereby administrative findings may be reduced to judgement and executed. Changed provisions regarding the election of municipal officers to clarify that when the terms begin for the clerk in the Chicago City Clerk, the City Treasurer and the Aldermen to make it clear that they begin at noon on the first Monday of the month following the election because right now it's unclear as to when the terms begin. I'd be happy to answer any questions and ask for an 'aye'

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

vote."

Speaker Keane: "Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Keane: "He indicates he will."

Countryman: "I just noticed that our Members didn't sign this, do you know why?"

Cullerton: "Sir, I do not know. I...I see that Senator Fawell and Senator Woodyard have signed but it's just possible that the names had not been added at the time. No, they had not been appointed at the time the people were passing the Conference Committee around and that's why...I see that they're not even typed in, so I would guess that's the reason."

Countryman: "There's...all of the matters that are in here are matters that we dealt with at some point or other during the year?"

Cullerton: "No."

Countryman: "Well, did we deal with the terms of the city officers at some point, when they took office?"

Cullerton: "I...I...you know I don't remember. All it does is clarify. Right now it's a little unclear as to when their terms begin, so it just takes a date and time certain. It may have been the subject matter of another Bill, but I just don't remember it."

Countryman: "Okay, thank you."

Speaker Keane: "Representative Shaw."

Shaw: "Yeah. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Keane: "Indicates he will."

Shaw: "On dealing with the...with the HUD property, what are we doing...exactly what are we doing here?"

Cullerton: "Yes, what...what were saying here is that when it comes to the Sanitary Code, having to keep your buildings



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

in livable conditions that a person who has a contract with the Federal Government, including HUD, to care for cer...vacant residential real estate buildings, they shall be responsible for maintaining that property to prevent and correct Municipal Health and Sanitary Code violations. So it makes it clear that there's someone responsible for keeping vacant residential real estate up to speed with the code. In...in case there was some confusion as to whether or not since it's vacant and it's Federally run property we want to make sure there's someone who's responsible. And so in this case, it makes it clear that the person who contacts with the Federal Government, including HUD, to care for vacant residential real estate, they shall be responsible for maintaining the property."

Shaw: "Are you aware that we passed a Bill here dealing with same identical to this last year and it's now law in the city? I sponsored the legislation. It's now law."

Cullerton: "I'm sorry, what is the Bill that we passed?"

Shaw: "The Bill that I sponsored last year identical to the language that you have in here and I've talked to the corporation council up there in Chicago about it and they answered to me that they don't like to charge people under state charges, they would rather deal with the ordinance. And that's why they're not using the legislation or the law that we passed here last year. Are you..."

Cullerton: "I'm not familiar with that legislation unfortunately."

Shaw: "And the other question that I have. Is this something that the City of Chicago wanted? That was my next question."

Cullerton: "Yes."

Shaw: "Have...did you confer with the corporation council about it?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Cullerton: "Not directly, no. I conferred with the corporation council representatives down here in Springfield though."

Shaw: "I guess there's nothing wrong with it. To the legislation. But certainly we passed law down here and I'm plagued in my own community by the exact things that are problems that this law covers and that's why I've been in touch with the corporation council up there and the assistant corporation council, relative to this...section. They are just...they just failed to act and maybe somebody, maybe we can get them a message out of here and where that they could go after the people who are in charge of the responsibility of maintaining the HUD properties. Because many of those people are contracted to take care of the HUD properties in my communities and other communities; but they grab the money and don't do anything for the money. So certainly in...instead of just a Class A, I believe, and a \$1,000 fine, maybe we should...maybe we should increase this somewhat. And maybe they would be more applicable to charges and some of those offenders under this section. Thank you."

Speaker Keane: "Representative Flinn. Monroe Flinn."

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

Speaker Keane: "The Gentleman has moved the previous question. And there is really no need for that. The question is, 'Shall the House concur...adopt the First Conference Committee Report to Senate Bill 2306?' And on that question, the voting...those in favor vote 'aye', those opposed vote 'no'. 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 Bill, there are 61 voting 'aye', 51 voting 'no', 2 voting 'present'. Representative McCracken. For what purpose do you rise?"

McCracken: "I was going to say, we don't understand the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

significance of the Bill. We can read it, but we don't understand it's value or whether it's good or bad. Can we talk about it, maybe? Well, I guess we're in the middle of a Roll Call, huh?"

Speaker Keane: "Representative Cullerton."

Cullerton: "Yes, well, again, I didn't think there's any controversy to it. I it...I spent some time explaining it. The Sanitary Code violations would be handled through an administrative adjudication procedure. That's basically what the Bill does. And it's all pretty rote standard administrative adjudication you know we have in a lot of other...a lot of other areas. For that reason I can go through the explanation again. I'd be happy...if you have a specific question, I imagine the advocacy is that you don't have to go to court. So you take everything out of court."

Speaker Keane: "Representative Paul Williams votes 'aye'. Representative Anthony Young votes 'aye'. On this issue, there are 63 voting 'aye', 49 voting 'no', 2 voting 'present'. And this...the House does adopt the First Conference Committee Report to Senate Bill 2306. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1884, Representative Giorgi."

Giorgi: "Mr. Speaker, on Senate Bill 1884, it's the First Corrected Conference Committee Report. It was the original intent to use this Bill for a...more legislation but we've decided against it. The Bill now is in it's original fashion except that the deletion of the effective immediate date is out of it because that was the reason we used the Senate to the Senate so that they wouldn't concur and we'd strike a Conference Committee. All this Bill allows now is it permits the occasional sale or the dispensation of liquors

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

at the Rockford State of Illinois Building. It allows a one day dispensation of liquor in the DeKalb County Court House for a celebration and allows the Department of Conservation to do some things they want to do. And there's no objection to the Bill."

Speaker Keane: "Is there any discussion? There being...yes, Representative McCracken. Representative Giorgi, would you take the Bill out of the record?"

Giorgi: "No."

Speaker Keane: "Why?"

Giorgi: "Okay."

Speaker Keane: "Out of the record. Representative Myron Olson."

Olson, M.: "Thank you very much. We appreciate the indulgence of the Chair and the Members we need 15 minutes and we will be back here precisely 15 minutes. All Members of the Republican Conference go to room 300. Thank you very much."

Speaker Keane: "There will be a conference for 15 minutes. A Republican Conference in room 300. The Democrats will stand at ease and stay here. We will begin again at 4:15."

Speaker Keane: "The House will come to order. We will go to House Joint Resolution 18, Representative Mulcahey. Representative Mulcahey."

Mulcahey: "Thank you...thank you, Mr. Speaker, Members of the House. House Joint Resolution 18. I move to concur with Conference Committee Report #1. What it does, it establishes a joint committee on School Aid Formula. It provides a new formula and it should...shall insure adequate state funding throughout the State of Illinois. It...it is made up of 12 Members of the General Assembly, three appointed by each one of the four leaders. There are eight members of the public, two appointed by each of the four legislative leaders. And we also included in there

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the State Superintendent of Schools. And I move for it's adoption."

Speaker Keane: "The Gentleman has moved the adoption of the First Conference Committee Report on House Joint Resolution 18. Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Resolution, there are 116 voting 'aye', none voting 'no', none voting 'present'. And the House does adopt the First Conference Committee Report to House Joint Resolution. Is Representative Giorgi in the chamber? What we'll do is we'll go back and see if the people we passed over a few of the Supplemental...the Bills on Supplemental 1. Go back to Sen...Representative Myron O...alright, we'll go back to Supplemental Calendar 1 and see if they're are a few that we haven't run there. See if the Sponsors wish to call them. House Bill 3024, Representative McNamara. Out of the record. House Bill...or Senate Bill 2222, Representative Steczo. Out of the record. Representative Giorgi on Senate Bill 1884."

Giorgi: "Mr. Speaker, I'll give the explanation again."

Speaker Keane: "It's the First Conference Committee Report, Mr. Clerk."

Giorgi: "It was our intention to make Senate Bill 1884 a carry of other needs, but we decided against it. So this is a corrected Conference Committee Report. And the Bill is in it's original...it's in the original fashion as it came out of the House. It allows liquor to be dispensed at the Rockford State Office Building. It allows a one day celebration at the DeKalb County Court House. And it allows the Department of Conservation to do some things

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

they want to do. I know of no objection to the Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1884?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', 4 voting 'no', none voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 1884. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Giorgi, for what reason do you rise?"

Giorgi: "Would you please clear the board? They're all wondering what that Rockford SOB is. It's not us. Clear the board."

Speaker Keane: "We ought to have a photograph of the two of you guys standing side by side. Representative Cullerton for what purpose do you rise?"

Cullerton: "Yes, Mr. Speaker, I have an inquiry of the Chair. I've just had an opportunity, although we've been busy, to look at the sport's page, and I have a question. I see that the Chicago Cubs, which I used to be a big fan of, I really am a White Sox fan, the Chicago Cubs apparently have lost more games than any other team in baseball; however they seem to still be ahead of the Cardinals in the standings. And I'm trying to understand how that could be, they've lost 44 games, there's no other team that's lost that many. And yet the Cardinals, if you look at the Chicago paper they have...they have the St. Louis Cardinals underneath the Cubs in the standing. Now maybe the St. Louis paper is different, but I wondered if anyone here can explain that to me."

Speaker Keane: "Representative Parke for what purpose do you rise?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I might not be able to respond to the problem that the Cardinals are having, other than the same article has very little to say on that same page about the Chicago White Sox who now have swept two-three game groups. It's the first time they had back to back sweeps since 1983 and certainly are on track to become the next world champions of baseball. So, I want to remind the media that there are White Sox fans in Chicago and through out the State of Illinois. And perhaps we might want to highlight the grand events that are happening with the Chicago White Sox."

Speaker Keane: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. This is all according to a greater plan. I think that first of all, the paper might be being read upside down, Representative Cullerton. But if, per chance, the Cardinals are, indeed, in last place, it's probably in recognition of their sorrow of their inability of the Cubs to maintain their position of last year. And out of a sympathy vote like a 'present' vote that you get from this side of the aisle on occasion. But I appreciate the sign that the...that I saw at White Sox park last week, but it just said, yuppy, scum...yuppy, scum Cub fans go home."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I just wanted to know how Representative Cullerton was coming along with his broom. This...how is your broom today? Are you able to work it pretty well, because according to the paper that I'm looking at, it says that a certain Chicago team has lost 44 games. And another team that you mentioned of Red Bird fame only lost 43, so I...seemed to me it's clear that the team that loses the most obviously is not quite as good who loses lesser."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Keane: "Since you used Representative Cullerton's name in a bad way..."

Ropp: "Yes, I did and I would like a clear explanation as how he is using it."

Speaker Keane: "We'll let him respond."

Cullerton: "Well maybe you didn't hear my first comment. I...I asked a question of the Chair. I indicated the Chicago Cubs appeared to have lost more games than any other team in baseball and yet when you look at the standings, I see they are ahead of the St. Louis Cardinals. And I asked for an explanation. They're seemed to be ahead of them. They seemed to be higher in the standings than the Cardinals even though the Cardinals have lost more games. I also understand that we have a Bill here, Wyvetter Young - Stephens Bill, that is moving the St. Louis Cardinals to East St. Louis and building a domed stadium for them. So that maybe I should become a East St. Louis Cardinal fan. And I also wanted to point out that if anybody needs a broom back, I think it will be the Cardinals after they lost three in a row to the New York Mets."

Ropp: "Well, one of the reasons is that as you'll read if your good in math is that the Cardinals have played two less games. So, even if..."

Cullerton: "And they lost them. Lost."

Ropp: "They played. They played two less."

Cullerton: "And they lost them."

Ropp: "No, no, no. They haven't lost them yet. They may. They may, but they haven't yet."

Cullerton: "They're going to."

Speaker Keane: "Representative Robert Olson."

Olson, R.: "Yes, thank you, Mr...Mr. Speaker. Representative Cullerton, back home a couple of weeks ago, I seen a poster and it was in a barber shop. I tried to liberate it, so I



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

could bring it down and present it to you, but the crowd was around admiring it. But it said the top line, 'this is your brain' and it had a Cub, excuse me, it had a Cardinal logo. After that it said, this is your brain on drugs and it had a Cub logo. But as I say, the sign was drawing such...drawing such a crowd, I couldn't relieve it from it's position and bring it to you."

Speaker Keane: "And Representative Countryman to finish the attack."

Countryman: "Well, I just wanted Rep...answer Representative Cullerton's question. So, I went to the source of all Cub knowledge on the House of Representatives, Representative Mulcahey. And he says the answer to the question is, 'wait till next year'."

Speaker Keane: "Okay, we have Senate Joint Resolution 177. Representative Hasara. Senate Joint Resolution 177."

Hasara: "Thank you, Mr. Speaker. I move to bypass Committee and place on the Speaker's table for immediate consideration Senate Joint Resolution 177."

Speaker Keane: "The Lady requests leave by the Attendance Roll Call to bypass committee for the immediate consideration of Senate Joint Resolution 177. Is there any discussion? Is anyone in opposition? There being none, the Lady has leave by the use of the Attendance Roll Call to bypass committee and immediately hear Senate Joint Resolution 177. Representative Hasara."

Hasara: "Thank you, Mr. Speaker."

Speaker Keane: "Leave has been granted."

Hasara: "Thank you, Mr. Speaker. This Resolution is at the urging of the Illinois Department of Veteran Affairs and it urges the U.S. Department of Veterans Affairs to allow veterans to receive outpatient medical services in Springfield. Currently, veterans in the Springfield area

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

must travel 100 to 150 miles for treatment in V.A. outpatient clinics. There are 70,000 veterans eligible for such treatment that live within a 50 mile radius of Springfield. And Springfield, as most of us know has excellent medical facilities. Many groups are behind this Resolution and I would urge it's adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House...Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I certainly will concur in the Lady's Motion, but I would just like to remind her there is an outstanding medical center in Danville a mere 124 miles to the east and we'll certainly extend a warm welcome to the Representative and any of her constituents over at the Veteran's Medical Center in Danville."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt Senate Joint Resolution 177?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House does adopt Senate Joint Resolution 177. Representative Hultgren for what purpose do you rise?"

Hultgren: "Well, an inquiry of the Chair. It's...it's been a practice in the past in the wanning days of the session, as we work beyond the supper hour, for the Chair to treat the Members to a dinner. And as the dinner hour approaches, I'm just wondering whether that past practice is going to be followed again this year, or whether we should make alternative arrangements on our own."

Speaker Keane: "Well, if that question is addressed to the temporary Chair, you will get even skinnier before we leave."

Hultgren: "Well, Mr. Speaker, I was just looking through here on your campaign account and it would appear to me, there's no

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

problem for this evening. It shows the balance on hand of some \$26,000 and certainly ought to be enough for...for tonight. And...and quite frankly, pizza would be fine with me."

Speaker Keane: "Unfortunately...unfortunately, my campaign committee is alot smarter than I am and I can not sign a check. It...it's for exactly for times like this. It comes in handy. Representative Matijevich."

Matijevich: "Speaker, I know that we all took that in jest, but yesterday when this book was floating around I said that what is going to happen is that on many, many Bills, somebody's going to get up and start talking about somebody's campaign, what they've got in it, and they're voting that way because of it. I hope this is the last time that anybody refers to that book. I don't think it does a service to anybody that's serving here. That book, whatever the public can get from it, is alright. But I don't think we ought to be pointing the finger at each other based on the figures in that book and I hope that's the last time we hear about it."

Speaker Keane: "Rep...Representative Saltsman."

Saltsman: "Yes, Representative Matijevich, I agree with you very much and I think that one thing about these books, the only one...people that's going to buy them is the General Assembly. And I didn't have one, but it will probably will be collectors item because I don't think anyone else wants them."

Speaker Keane: "Representative Currie for what purpose do you rise?"

Currie: "House Joint Resolution 144. I'd like to move for immediate consideration, bypassing the Committee on Assignment."

Speaker Keane: "I c...I'm sorry, I didn't hear you."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Currie: "On House Joint Resolution 144, I thought you were going to move to that Order of Business."

Speaker Keane: "The Lady has moved for the immediate consideration of House Joint Resolution 144. And on that Representative Ewing."

Ewing: "Mr. Speaker, I've talked with the Sponsor of this House Joint Resolution and we have no objection to that."

Speaker Keane: "Alright, the Lady asks leave using the Attendance Roll Call to bypass committee and hear House Joint Resolution 144. On that question, all in favor say 'aye', opposed 'no'. The 'ayes' have it. And there...the Lady has received use of the Attendance Roll Call to hear House Joint Resolution 144. Representative Currie on the House Joint Resolution."

Currie: "I now move adoption of the House Joint Resolution 144. What the Resolution is about is the creation of the new academy for mathematics and science teachers in Chicago which was the brain child of Dr. Leon Letterman and is up and ready to go this September. The point is to help refurbish math and science teachers skills so that our math and science curriculum can be improved."

Speaker Keane: "Is there any discussion? Representative Ewing."

Ewing: "Yes, would the Sponsor yield for some questions?"

Speaker Keane: "She indicates she will."

Ewing: "I...I think everyone ought to pay a little attention to this Resolution because it deals with a very important subject matter. This Resolution, is in the end, talks about help and cooperation and answering to the success and meeting the goals of establishing this new academy to train math and science teachers, is that right?"

Currie: "Actually, it is retraining current math and science teachers. So, it is short term courses that will be available to teachers of mathamatics and science using as

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

faculty some of the people from industry and from Argonne and places like that. So, it's not a new teacher training. No, no, no, this will not be a degree granting institution. It is really an opportunity for teachers to brush up their own math and science skills."

Ewing: "So, it's not a four year...now is this funded, how is this academy funded at this time?"

Currie: "My understanding is that they have a fairly sizeable grant from the Federal Department of Energy. Their plan is to apply for state literacy grant money from the Illinois State Board of Education. I think they are also looking for city funds and I'm sure that they more than welcome private contributions."

Ewing: "And you're sure, what?"

Currie: "I'm sure that they would more than welcome private contributions."

Ewing: "But the purpose of this Resolution is not necessarily to set the stage for a future appropriation from the state's general fund?"

Currie: "That's right."

Ewing: "It is not."

Currie: "That's right. The purpose is to say that we're...we're keen to help in way...whatever ways we can. As I say, my understanding is that they would plan at this stage to apply for some of the scientific literacy money that is available through the State Board of Education. But this Resolution would not commit us to any kind of direct appropriation."

Ewing: "I see. Is there one or more individuals who are major promoters of this academy?"

Currie: "Well, Dr. Leon Letterman who is the Chairman of the Governor's Advisory Committee on Science, was the person who initiated this proposal and I believe the council that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

has organized the academy is composed of the presidents or their designees of the 13 universe colleges and universities in the Chicago area. So they've been working very closely in cooperation with people from Fermi Lab, from Argonne, and from all 13 Chicago area colleges and universities."

Ewing: "Where is this facility going to be located?"

Currie: "My understanding is that they have arranged space in a building that is owned by the Illinois Institute of Technology. But where it's located, I don't know."

Ewing: "Fine, thank you, Representative."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt House Joint Resolution 144?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. Representative Ewing, requests a Roll Call. All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Resolution, there are 104 voting 'aye', none voting 'no', 1 voting 'present'. And the House does adopt House Joint Resolution 144. Representative Giglio in the Chair."

Speaker Giglio: "For what purpose does Representative Hicks seek recognition?"

Hicks: "Thank you very much, Mr. Speaker. I just want for the record. I was out of the chambers working on some horse racing stuff when we voted on House Bill 3528. I was accidentally recorded as 'no'. It was my own Bill that I sponsored. I would like for the record to reflect that I should have been voting 'yes'."

Speaker Giglio: "Mr. Clerk, let the record so indicate Representative Hick's request to vote 'aye' on his Bill. Representative Hensel."

Hensel: "Thank you, Mr. Speaker. I was noticing that on

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Conference Committee Report 1803, I was recorded as 'no' and I'd like to be recorded as 'yes'. Let the record show..."

Speaker Giglio: "Let the record so indicate that Representative Hensel would like to be recorded as voting 'aye'. Calendar announcements."

Clerk O'Brien: "Supplemental Calendar #3 has been distributed."

Speaker Giglio: "The Chair would like to make an announcement with regard to the request by Representative Hultgren. The House...the House will be provided with chicken tonight between 7:30 and 8:00. So if you like chicken, it should be here between 7:30 and 8:00. Representative Countryman."

Countryman: "Mr. Speaker, we understand that from today's paper that you're quite a chef. And we thought, you're not doing anything up there, why couldn't you cook us up a little Italian meal?"

Speaker Giglio: "Oh, I'd really love to, but I'd need a little more time than today."

Countryman: "Well, we got a bunch of pages that'll go out to the store and get whatever you need."

Speaker Giglio: "Representative Hicks. Is Representative Hicks in the chamber? On page three of the Calendar, under Second Reading, Senate Bill appears Senate Bill 2083. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2083, a Bill for an Act to create the Savings Bank Act. This Bill's been read a Second time previously. Amendment #3 has been adopted previously."

Speaker Giglio: "Are there further Amendments?"

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

Speaker Giglio: "Withdraw Amendment #4. There further Amendments?"

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

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Hicks."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks on Amendment #5."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2083 as amended by Amendment #3 to this Bill which was inadvertently explained incorrectly even though we adopted the correct Amendment yesterday. Now let me just refresh you a little bit of what Amendment #3 did. Amendment #3 had several things dealing with the Bank Act, but in Amendment #5 we're taking those things out. The only thing that will remain after the adoption of Amendment #5 will be the Retail Installment Sales Act of part...portions of Amendment #3. That will be the only thing left in the Banking Act. I will be happy to answer any questions."

Speaker Giglio: "Heard the Gentleman's Motions. Any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I have a question for the Sponsor if he will yield?"

Speaker Giglio: "Proceed."

Parke: "Yes, Representative Hicks, in the Bill as it is now presented, is there any reference to banks selling insurance?"

Hicks: "No, Sir, there is not."

Parke: "Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman asks leave for immediate consideration by the Attendance Roll Call. Hearing none, leave is granted. Read...read the Bill, Mr.



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Clerk."

Clerk O'Brien: "Senate Bill 2083, a Bill for an Act to create the Savings Bank Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. As I explained in the adoption of Amendment #5 to this Act. This Bill now deals strictly with the Retail Installment Sales Act Provisions of the Banking Act. It has nothing dealing with banks. I'd ask for passage of the Bill."

Speaker Giglio: "You heard the Gentleman's Motion. The Gentleman from Cook, Representative Bowman."

Bowman: "Just a question or two of the Sponsor, please."

Speaker Giglio: "Proceed."

Bowman: "Did I understand you correctly to say that it now has nothing to do with banking?"

Hicks: "Pardon me?"

Bowman: "Did I understand you correctly to say that it now has nothing to do with banking?"

Hicks: "I can..."

Bowman: "Did I understand you correctly that you said that the Bill now as amended has nothing to do with banking?"

Hicks: "The only thing still left in with the Amendment #5 dealing with the Banking Act, the banking provisions are taken out. The only thing still dealing anything dealing with the Banking Act deals with the public aid and the electronic transfer of those public aid funds. Other than that, there is nothing else dealing with the Banking Act. There is all the Bank Bill that actually went into this for a short while yesterday are taken out of this."

Bowman: "Does it deal with...have anything to do with saving and loans associations?"

Hicks: "No."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Bowman: "And the laws that regulate them?"

Hicks: "No."

Speaker Giglio: "The question is, 'Shall Senate Bill 2083 pass?' All those in favor signify by voting 'aye', opposed 'no'. This is final action. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 116 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 2083 having received the Constitutional Majority is hereby declared passed. On the Order of Special Order, Calendar on Concurrence, State and Local Government, appears Senate Bill 1767. And on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House refuse to receive from House Amendment 1 and 3 to Senate Bill 1767 and request the appointment of a Conference Committee."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to receive from the House Amendments to Senate Bill 1767 and a Conference Committee be appointed. Representative Leverenz."

Leverenz: "Yes, just to pass a little information on to the Chair, on House Bill 4178 it got 7 green votes in the Senate. And because it did get some green votes in the Senate, any of you that wish to join with me, I might make a Motion to reconsider having voted on the prevailing side."

Speaker Giglio: "We're going to try to go over some of the Bills that are on the Supplemental Calendar #1, #2 and then proceed to Supplemental Calendar #3. Representative McNamara. House Bill 3024. Representative Homer, Senate

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Bill 1518."

Homer: "Thank you, Mr. Speaker. This is the Shock Incarceration Boot Camp Proposal that would...we've already passed out the House Bill that is identical to the provisions of Senate Bill 1518. I would move the adoption of the First Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1518?' All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no', none voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1518. And this Bill having received the required Constitutional Majority is hereby declared passed. Mr. Clerk, let the record indicate on the previous Bill, the House Bill or Senate Bill 1518, that Representative Hallock and Representative Stephens wishes to be recorded as voting...and Tenhouse, Stephens, Hallock and Tenhouse to be recorded as voting 'aye'. Supplemental Calendar #2 appears House Bill 2896, Representative Stange. Representative Stange in the chamber? Out of the record. Supplemental Calendar #3. The Gentleman from Cook, Representative White. Jesse White. Out of the record. Representative Regan. Representative Regan in the chamber? Out of the record, Mr. Clerk. Representative, Representative, Representative Homer, 3610. The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. House Bill 3610 is the Drug Asset Forfeiture Procedure Act which sets forth a procedure by which the state shall conduct forfeiture of assets that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

are used in or the fruits of drug transactions. The Bill has been thoroughly negotiated between all of the parties of interest. It reconciles some conflicting and contradictory provisions that we have passed in previous years and establishes a uniform procedure for notice and hearing and due process and rights of the parties affected by the seizure and forfeiture of assesses subject to the Act. And also establishes a formula, a uniform formula for distribution of the proceeds; wherein 65 percent would be distributed to the law enforcement agencies in proportion to their involvement in the investigation and prosecution of the case. Twelve and a half percent would go to the state's attorney of the county in which the prosecution took place. Twenty-five percent in Cook County would go to the state's attorney's office and outside of Cook County, twelve and a half percent would go to the office of the state's attorney appellate prosecutor. Ten percent is to be retained by the Department of State Police for expenses related to the administration of the Act. That has been signed off on by all parties. You may have previously received a notice or a state...sheet from the Illinois realtors indicating opposition. We have negotiated with the realtors and this First Corrected Conference Committee Report accommodates the concerns that they had expressed and the realtors are now neutral on the Bill and have withdrawn any opposition to this Bill. I believe it's been thoroughly negotiated. It's a good Bill. It provides a uniform procedure. It's been signed off on by all the law enforcement agencies and I would urge support and the adoption of House Bill 36...Conference Committee, strike that, that would be, I move the adoption of the First Corrected Conference Committee Report to House Bill 3610."

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

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Countryman: "Representative Homer, for purposes of clarifying some things that have been the subject of debate between some of us today, anyway. This is the First Corrected Conference Committee Report. Is that correct?"

Homer: "Yes."

Countryman: "Alright. And now we have determined that in this report, that no one's property would be seized unless they were one of the perpetrators of the crime or they conspired, aided and abetted, I don't know if I have the...attempted or solicited which are parts of the Criminal Code as a...as other sorts of sections. That is, the person who's property is being seized would have to take some substantial step towards committing a crime. Is that correct?"

Homer: "In the case of real estate, that is correct."

Countryman: "It's not the case with regards to personal property, is that right?"

Homer: "Yes, in the case of personal property, acquiescence knowledge and the use of the property shall constitute grounds for forfeiture. Personalty, but not real estate."

Countryman: "And the provisions of the bond which we discussed earlier this afternoon, only apply to the nonjudicial forfeitures, those under \$20,000 of personal property, is that correct?"

Homer: "Yes, that kicks in if som...if the claimant wishes to have a judicial forfeiture, then, in order to do that, if their property has less then value of 20,000, they would have to post a 10 percent bond or \$100, which ever is more. Only in those cases, it would not apply in the case of real

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

estate or in the case where the amount forfeited was more than \$20,000. There would be no bond in those cases."

Countryman: "Alright, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Fulton, Representative Homer to close."

Homer: "Yes, thank you, Mr. Speaker. We discussed the issue, it's an important Bill for Law Enforcement. It provides for uniform procedure for the seizure, forfeiture, and distribution of assets seized from drug dealers. It's a good Bill that attacks drug dealing at the source, by taking profits away and the assets away from those who profit by drug dealing. It gives law enforcement a significant tool in combating the ever increasing drug trafficking problem and allows for the assets of drug dealers to be used in furtherance in the enforcement of the drug laws. I would urge adoption of Conference...the First Corrected Conference Committee Report on House Bill 3610."

Speaker Giglio: "You heard the Gentleman's Motion. The question is, 'Shall the House adopt the First Corrected Committee Report to House Bill 3610?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 106 voting 'yes', 7 voting 'no', and 3 voting 'present'. And the House does adopt the First Correct Conference Committee Report to House Bill 3610. And this Bill having received the required Constitutional Majority is hereby declared passed. Alright, we're going to go back to Representative Regan's Bill, House Bill 2647. The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, and Members of the House. I move to concur on Senate Amendment #1 on House Bill 2647."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

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

Preston: "Thank you, Mr. Speaker. Again, I'm inquiring of the Chair to please ask Sponsors to say what it is that we're voting on in adopting a First Conference Committee Report does not say what we're voting on. So, I'd like to know what's in this First Conference Committee Report."

Speaker Giglio: "Representative Regan wants to concur."

Regan: "The concurrence is exactly the way the Bill went out of here before when I made a fuss, Preston about the three and four day extension. I accepted the Conference Committee Report as it was as it come over before. It strictly is that a person doesn't have to be tested or in through investigation if he has absolutely no possible connection with children the Catholic accounting offices and everything don't have to be tested. It was agreed upon before. I sent it into Conference Committee to before because I put an Amendment on to open up daycare slots from three to four. We had the meeting this morning. I accepted the fact that that was not acceptable."

Speaker Giglio: "Representative Preston."

Preston: "Representative Regan, when you alright. We've been through this before but when you talk about...when you use the language 'can't possibly have any connection with children' what's the language of the Conference Committee Report that expresses that?"

Regan: "The Conference Committee Report doesn't change it at all. We changed it with an Amendment that we came to an agreement on. We changed the wording so there was not any possibility no possible connection or with children. So indicating that the people at work in the accounting office in a different building don't have to go through the investigation process. It's accepted by DCFS and required

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

to cut down their cost of expenditures."

Preston: "Thank you."

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

Bowman: "Question the Sponsor."

Speaker Giglio: "Proceed."

Bowman: "Okay. I, you addressed this but I didn't hear it so I apologize for asking you to repeat. But with respect to the Amendment that you added in the House, which the Senate took off. What is the status now of that provision?"

Regan: "That's off. When I adopted this Conference Committee Report that Amendment is off. We've settled that with a compromise on the Resolution to look deeper into extending slots and it will go before the Citizens Council on Children this September."

Bowman: "So it's your Amendment that's off, not the Senate's Amendment that is off."

Regan: "That's correct. I'm accepting the Senate's Amendment."

Bowman: "There's the confusion. I see the confusion. Okay, thank you."

Speaker Giglio: "Representative Regan to close."

Regan: "Just a urge for an Agreed Amendment."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report on House Bill 2647?' And on that question all those in favor vote 'aye' all those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' none voting 'no' and 2 voting 'present' and the House does adopt the First Conference Committee Report on House Bill 2647 and this Bill having received the required Constitutional Majority is hereby declared passed. Representative Cullerton on



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

House Bill 2899 for Representative LeFlore. Representative Cullerton?"

Cullerton: "Mr. Speaker, I'm not certain that Conference Committee has been printed yet. If it has I'd be happy to proceed with it. But I'm not sure that it has been printed."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Mr. Speaker the Senates debating this measure right now. So I think we'll just listen in and see if they pass it. If they do then we can go ahead with it."

Speaker Giglio: "Alright. Take it out of the record Mr. Clerk. Representative Homer, House Bill 4124. Representative Homer in the chamber? Homer, Turner, Goforth, Steczo, Breslin, Phelps."

Homer: "Thank you, Mr. Speaker. This House...this Conference Committee Report is the First Corrected Conference Committee Report and it it does a number of things that we had, that we had already voted on here, here in the House previously. Including establishing a Youth Drug Prevention Fund through an Income Tax check off. The money, to be allocated between the Department of Alcohol and Substance Abuse funding for drug testing for those on probation, and funding for the Crime Stoppers Programs. There would also be a tax check off for the States Olympic Committee Fund which we have done previously, it was set to expire and the...the Bill does provide for civil liability for...against drug dealers on behalf of parents with children under the age of 18 who have been sold or delivered drugs, would be allowed to file action against the deliverer or pusher of those drugs along with owners of property who's property was used without their knowledge and consent and there is a schedule of damages that would be prescribed that would be punitive damages the court

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

could award in such cases. There's also a provision that would require the Department of Corrections to administer drug tests to inmates before allowing them an early release as a result of meritorious good time and a provision that would allow the courts to order a person placed on probation or conditional discharge to undergo periodically drug testing at the request of the probation officer. And, the Bill also, the Conference Committee also deletes the word alcohol in the context of the drug free school and drug free community portion of the Bill. I would answer questions and move the adoption."

Speaker Giglio: "Any discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Leitch: "Tom, in the deletion of alcohol is it in the drug free community programs, is it my understanding that it is your legislative intent that alcohol yet be covered but in an implied way?"

Homer: "Right. This language strikes the word alcoholic beverages. However, the purpose of this Bill is designed to address and implement a drug free school and communities program, but we certainly recognize there is an alcohol problem in the schools and in the community and there certainly is no intent here that DASA not also address those problems so I hope that answers your question."

Leitch: "Thank you."

Speaker Giglio: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Representative Homer, I'm on the same line as Representative Leitch and I didn't hear your response with regard to your deletion of alcohol. Did you say that it's not a problem in school, alcohol?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Homer: "Was the question did I say it was not a problem?"

Matijevid: "You didn't say alcohol wasn't a problem?"

Homer: "Oh, no, no."

Matijevid: "Then why the deletion of alcohol?"

Homer: "This was a matter negotiated in the Senate and the decision was made to remove that language. I don't know the intent for..."

Matijevid: "Who made the decision?"

Homer: "Well, I don't know for sure."

Matijevid: "Well, let me tell you where it came from. Could I have the..could I have a little attention here because I dealt with this issue virtually since I've come to the legislature and did introduce the first Bill that created the division of alcoholism? And when, in fact, they asked to combine the dangerous drugs commission and the division of the Department of Alcoholism I was one of those that was opposed because I was worried that we would put alcoholism on the back burner and Representative Jim Reiley and I worked very closely to make sure that we we get to the problem of drugs and alcohol abuse. In fact, I think the director was happy that we had those very difficult deliberations and then aside to the whole matter, you know what they were going to call the Department of Alcoholism and Sub...and Department of Alcoholism and Drug Abuse. And I told the director, 'Do you know what the outcome is going to be?' DADA. And then, now it's DASA and that sounds alot better than DADA. But I was involved also when they tried to take alcohol out before. And I'm telling you where it's coming from, Ladies and Gentlemen of the House. It's coming from nobody but the breweries. That's where it's coming from. They don't want anywhere in the statute anybody to think that alcohol doesn't cause alcoholism. And you know, I have supported the beer distributors, the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

breweries, but you know when they're wrong, they're wrong. The title of this Act was an Act in relation to education and preventing drug and alcohol abuse. That title should remain. In the references to alcohol abuse, alcohol should remain. That is a major problem in the schools and with our young. Even more than drugs. You know, the other drugs. And I don't think we, as a House, should bow to the beer distributors and say 'no, you're right'. Let's take it out of our statutes. If we're really going to get to the problem, let's get to the whole problem. So, I think that we oughta take this back to the Conference Committee. The director, the director is opposed of this, he came to my desk. And he said 'John, you've fought this battle before and here it is again'. Well, I'm fighting it again and I think we oughta win again. You know, we beat the lobbyists on this before and let's beat them again. Because they are wrong. And so if we want to correct the problem take one more Conference Committee, put alcohol back where it belongs and I really think the reference to the parks ought to stay in too, because let's face it. That's where some of this alcohol and drug abuse is happening with our young. In the park. And if we want to get to that problem, let's get to it. So, Ladies and Gentlemen of the House, all it takes is a sensible vote on this thing to vote no on this Conference Committee Report and take it back and correct it the way it should be."

Speaker Giglio: "The Gentleman from Winnebago, Representative Hallock."

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

Speaker Giglio: "Indicates he will."

Hallock: "There's a provision in this Bill that talks about good time credit, meritorious good time and other good times."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Is this Bill in any way shape or form expanded upon the current good time provision of state law?"

Homer: "No, as a matter of fact, we already did that. We passed House Bill 3838 which expanded good time. This is...this is restrictive. This says before anybody gets out with meritorious good time they have to first pass a drug test. If they fail the test, they lose their meritorious good time."

Hallock: "The reason why I'd asked is because I had actually opposed that other Bill and I just wanted to make sure that this Bill does not in any way expand good time. It does not?"

Homer: "No, it limits to those who are drug free in prison."

Hallock: "Thank you."

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

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I feel compelled to make a couple comments concerning one of the previous Speakers laid out as his objections to this Conference Committee Report. You know, Ladies and Gentlemen there are illegal drugs in this state and in this nation and there are legalized activities and legalized products. Alcohol happens to be legal in the State of Illinois. And it also happens to fund very deeply and very concisely mental health and developmental disabilities, drug and alcohol rehabilitation and many other programs in this state. Those funds are paid for from that legal item which is sold in this nation and specifically in this state. The federal dollars coming into this state that are paid for by the people in this industry is approximately \$300 million dollars. \$300 million dollars. The funds that go to provide this instant care and rehabilitation for people not only with alcohol

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

problems but with drug problems that are illegal in this state. I think the Gentleman has made a good compromise by eliminating those items from his drug testing Bill. I think it's time that everyone understands that those funds for mental health developmental disabilities any assessment of the licenses to begin on Monday provides another \$1.2 million, I think to take off against a legal enterprise entity and product on this House of the General...this House of this General Assembly is absolutely incorrect. The man has a good Amendment, a good Conference Committee and should be supported."

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

Didrickson: "Would the Sponsor yield for a question please?"

Speaker Giglio: "He indicates he will."

Didrickson: "Representative Homer, on page two of this Bill, it you are striking the language on line, let's start on line two. Drug free schools and communities program be made available to suppress and prevent drug and you have scratched and alcohol use among school age children. We're not talking about people of legal drinking age, we're talking among school age children and to curtail drugs and again alcohol is scratched trafficking in or near schools, parks, and playgrounds. Could you explain for me, why you have eliminated 'and alcohol' when we're talking about school age children and why you have also eliminated parks, because it is parks who kids use, school age children use, parks."

Homer: "The reason that the words were stricken, as I understand it were because the thrust of the Bill is to address drug free schools and drug free communities. The emphasis of this particular Bill is on the 'drug free'. Now there are many programs that DESA has and the schools have to attack the alcohol problem. It's simply that the thrust of this

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Bill, which adds a new layer, or new program is focused on drugs. That's not to say there is not an alcohol problem. It's simply to say that the thrust of this program is with respect to drugs. We certainly would encourage and hope the schools and DESA to implement programs for alcohol."

Didrickson: "How do you define substance?"

Homer: "We don't define substance."

Didrickson: "How do you personally define substance?"

Homer: "How do I define the word substance?"

Didrickson: "Legally, how do you define substance?"

Homer: "You mean as in substance..."

Didrickson: "When we talk about when we are talking about alcohol we are talking about substance abuse."

Homer: "You mean as in substance abuse? Well, I think, substance abuse, in my opinion, would include drugs, alcohol, tobacco, and some other things that aren't in this Bill."

Didrickson: "Right. And that's the point I'd like to make. I'm wondering, when we're talking about school age children and we are saying that we are going to have a drug free school yard, and a drug free playground, but we can have alcohol, we're not talking about alcohol trafficking in and around our schools, parks and playgrounds and I'm just wondering how you came up with differentiating the two. When we commonly refer as Representative Matijevich said to substance abuse."

Homer: "Well, again. We could add other things. Like tobacco. Maybe we should say drugs, alcohol, and..."

Didrickson: "We do. We don't allow cigarette smoking in schools. I mean, we've already had that legislation go through."

Homer: "Well, I know. The point is that nobody's condoning any of those activities, it's just that this Bill is to deal with drugs. And you know, other Bill's may deal with alcohol and some may deal with cigarettes, chewing tobacco

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

and other things that kids shouldn't do. But this Bill was designed for drugs. And that's why..."

Didrickson: "To the Bill, Mr. Speaker, Members of the House. Today's Sun Times front page article has to do with Taste Break Beer Sale Law in a park in Chicago. Has to do with underage kids who are being sold beer at a park in Chicago. Thirty two out of thirty three attempts by these kids and they were sold beer in the park, underage kids. I think the point has been made and I would hope that you all will continue to withhold the point that the Department of Alcohol and Substance Abuse in this General Assembly has been doing over the last eight years that indeed there is a relationship between substance abuse, meaning not only drugs but also alcohol abuse. And when we're talking about drug free schools and drug free playgrounds we ought to be including drug free and alcohol parks and drug free and alcohol school yards. And we should not be separating the equation when we're talking about school age children as the Bill clearly delineates. We are not talking about legal age drinking, we are talking about school age drinking and trafficking of drugs and alcohol and I think the original Conference Committee Report made the point and we should go back to the original language that was used with regards to alcohol and drug abuse. I think most of us are clearly aware that today the drug of choice for many students and many young people is no longer a joint, it is becoming once alcohol again. And I think it is creating many problems for young people and I think that this Conference Committee Report should be rejected."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. A prior Speaker talked about alcohol being legal. Well, for some it is. Certainly for school age children it is not. But



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

even if it is, alcohol is no less a drug than other drugs that we have been talking about. It creates no less an addiction in our society and certainly creates no less tragedy in our society. We have a responsibility in this General Assembly to take care of all of these problems. There's no reason alcohol should not be treated as a drug as far as this Bill is concerned. I think most of us agree that the thrust of the Bill is an excellent one. It has many CoSponsors and I'm sure we're all proud of the work that has been done to put this together. But to take alcohol out of this is a mistake. So I would urge the Body to vote 'present' to indicate that we agree with the thrust of this but that we think alcohol should be added to it as an element. So vote 'present' so we can get a Second Conference Committee that we can adopt."

Speaker Giglio: "Representative Edley."

Edley: "Mr. Speaker. I move the previous question."

Speaker Giglio: "The Gentleman has moved the previous question. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the question has been moved. Representative Homer to close."

Homer: "Well, Mr. Speaker. I think we thoroughly debated the issue. This is an important Bill. The Senate has already approved it. It's fine to say get a second report, the fact is there may not be an opportunity to do that - A. B is that those who suggest that by limiting this Bill to drugs is somehow giving consent to the encouragement of the use of alcohol is absolutely ludicrous. If we had introduced this Bill as it should have been introduced it would have only been, it would have only said drugs. The only reason we even have a controversy here is because it was drafted too broadly and this Committee Report shows the striking of the words 'and alcohol'. Somehow that's

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

triggered some sort of a debate about whether or not kids should be drinking alcohol. Well, obviously they shouldn't. There should be legislation proposed and I would encourage those of you who care deeply about that to do so. However, this Bill has to do with drugs. The drug problem. It's an important Bill. We may not get a second shot. I would encourage you to stand up against drugs to vote for drug free schools and drug free communities and not to have your record on that issue blemished by a 'present' or 'no' vote on this important issue. So I would move the adoption of the First Corrected Conference Committee Report."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by voting 'aye' opposed 'nay'. This is final action. Representative Stephens one minute to explain your vote."

Stephens: "Well, thank you Mr. Speaker. We talked about part of the problem of the Bill. Another part of the Bill that I have a problem with is the testing of probationers and there's an implication that when you read this Bill that we're gonna test probationers and if they test positive to drug use that we're going to yank there probation and throw them in jail and some people would present that. This Sponsor hasn't done that by the way but others have. The fact of the matter is that there's nothing in this Bill that calls for loss of probation. It just say's that they shall be tested. And what happens in these programs it piloted this program, this sort of program is they've been tested and found positive. And you know what they do? They test them again. If they find them positive again. You know what they do? They leave them out in the street. And then you know what those guys do? They continue to commit crime. A matter of fact, in my district they

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

committed a heinous crime, driving under the influence of alcohol and kill. And that's what needs to be done, Representative Homer. And we've talked about this before on the floor, this needs to be toughened. I know that we have to worry about individual rights but it's time that we demand rights for the victim and not the criminals and so what we oughta do is toughen this Bill just a little bit more, Representative. And we would work with you to that end."

Speaker Giglio: "Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. Somebody says if it walks like a duck, quacks like a duck and it waddles like a duck, it is a duck. This particular Bill is one that it is alcohol and by any other name I think we're attempting to cover up a very serious problem. At least the beginning of any kind of a drug problem more times than not starts with that first sip of alcohol. It should be placed in here so that it is clearly understood that the legislature once and for all is attempting to mean business in attempting to address a very, very serious problem. I'm voting 'present' for that reason. So that we can correct this on a Second Conference Committee Report even if it takes a deferral until the veto session."

Speaker Giglio: "Have all voted...Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker a part of this Conference Committee Report includes the Bill that I introduced to start with passed the House by a huge majority, died in the Senate Rules along with a lot of other Bills that died in the Senate Rules and what it does very simply is permits the probationary office to examine for drugs. Those people who have a drug problem got out of prison on probation. Now, I think this alone is worth

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

passing the Bill. I would appreciate it very much if we get a few more 'ayes' on the Bill and pass it, because I'm telling you the truth ; it's a step forward in trying to control the drug addicts."

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 56 voting 'yes' 15 voting 'no'. The Gentleman from Fulton, Representative Homer."

Homer: "Go ahead...Clerk, take the record."

Speaker Giglio: "Fifty six voting 'yes' and 15 voting 'no' and 44 voting 'present'. This Bill...and the Conference Committee Report fails. Representative Dunn, 'aye'. Representative Homer."

Homer: "I would ask for the appointment for a Second Conference Committee."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor say 'aye' opposed 'nay'. In the opinion of the chair the 'ayes' have it and a Second Conference Committee Rep...the Gentleman asks for a second Conference Committee. Representative White, House Bill 1550."

White: "Mr. Speaker and Ladies and Gentlemen of the House. I would like to reject the First Conference Committee Report on House Bill 1550 and establish a Second Conference Committee."

Speaker Giglio: "You heard the Gentleman's Motion. Ted, the Gentleman requests a Second Conference Committee. All those in favor say 'aye', opposed say 'nay. In the opinion of the chair the 'ayes' have it and a Second Conference Committee request has been passed by Representative White. Representative Turner. Representative Art Turner, Senate Bill 1523."

Turner: "I think that Bill was passed out of the Senate already

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

but we'll go ahead and hear it here. Senate Bill 1523 is a Bill that creates a Nursing Education Scholarship Act. It creates the Illinois Peace Corp Fellowship Program. It also has the drivers education instruction on the influence of driving under the influence of alcohol and drugs. It authorizes the State Board of Education to award grants up to \$2000 for each teacher placed in a short term public and private secular position for the purpose of improving and updating curricular skills. It requires that the drivers education courses include instruction on the organ donor program. And it amends the Illinois Library Systematic to increase the annual Per Capita Grant from \$1.45 to \$1.52 per capita. I move for the adoption of the Conference Committee Report number one on Senate Bill 1523."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report. Excuse me, Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, excuse me. It gets a little noisy in here and I didn't hear your explanation. On the underlying matter, the nursing scholarships, was that the one that we discussed where the basic funding mechanism would come from their registration fees?"

Turner "Yes Sir...yes Representative, it is."

Black: "Alright. Thank you very much."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1523?' And on that question, all those in favor vote 'aye', opposed vote 'no'. Voting is open. The Gentleman from Hultgren. Excuse me, the Gentleman from Warren, Representative Hultgren."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Hultgren: "Simply by way of explaining my vote Mr. Speaker. There are a couple of curriculum mandates on this Bill. They're good ideas but they again are a burden on our local school systems. In a budget year when we really haven't been able to fund the education...board of education budget the way we'd like to, I think it's a mistake to add further mandates to the already overburdened schools."

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 114 voting 'yes', one voting 'no' and none voting 'present'. And the House does adopt the First Conference Committee Report to Senate Bill 1523 and this Bill having received the required Constitutional Majority is hereby declared 'passed.' Representative GoForth. Senate Bill 1702."

Goforth: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I move to accept the First Conference Committee Report on Senate Bill 1702."

Speaker Giglio: "Excuse me, Representative GoForth. I didn't hear that."

Goforth: "I said, I move to adopt the First Conference Committee Report on Senate Bill 1702."

Speaker Giglio: "Any discussion on the Gentleman's Motion? The Gentleman from Cook, Representative Balanoff."

Balanoff: "Hello. Yes, for a question. Wayne, can you tell us what is in that Conference Committee Report?"

Goforth: "Pardon."

Balanoff: "Can you tell us what is in the Conference Committee Report?"

GoForth: "Well, the Bill's the same as it was when we went over there. The Senate concurred in House Amendment 1, 2 and 3 and 5. And then we changed the regular Amendment which was House Bill 4046. It passed out of here 115 to one. And so

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

it's basically the same thing."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1702?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' none voting 'no' and one voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 1702 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Steczo, Senate Bill 2222."

Steczko: "Thank you, Mr. Speaker, Members of the House. I move for the adoption of the First Conference Committee Report or First Corrected Conference Committee Report to Senate Bill 2222. This Bill includes the language of the original Bill and provides that the House recede from Amendments #1 and #5 which are taking care of furthering the new language and we concur in House Amendments two and four which dealt with landscape waste, licensure, registration by local governments and contains language for the Quad Cities Regional Economic Development Authority. In addition, this Conference Committee Report contains other language regarding the obligations of the Quad Cities Economic Development Authority that was made by the request. It also adds language dealing with the Municipal Code that requires a village clerk to have minutes of meetings available 24 hours prior to the next meeting. Makes some clarifications of the original language, adds in language that Representative Homer offered as an Amendment to a previous Bill relating to artificial basins in swimming pools and fences that would be required. That provision passed the House by a vote of 110 to nothing. It adds

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

language, it clarifies language added by House Amendment #5 dealing with an airport in Will County. It adds language regarding fire departments and says that all fire departments not only those that are nonvolunteer can be reimbursed by a person convicted by a DUI for the cost of using emergency personnel and equipment. In addition Mr. Speaker, and lastly, it allows I believe the Quad Cities Regional Economic Development Authority to charge a two dollar admission fee to pay back bonds on the construction of the future Nass Car Facility and adds a few other technical things related to that. And with that, Mr. Speaker, I move for the adoption of the First Conference Committee Report."

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

McCracken: "Yes. Thank you, I'm sorry I yelled. I thought you didn't notice the light. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

McCracken: "Terry, we are looking at the First Corrected Report in the reference to a bond language at the bottom of page one going on to page two. Is that just to place it in another location in the statute? Is that already the law? Is that the purpose of this portion of the report?"

Steczo: "My staff indicates Representative McCracken that that's correct. And it also...it mirrors what other authorities have to or just doing that as a technical matter."

McCracken: "Alright. And everything else is relatively innocuous?"

Steczo: "Could you repeat?"

McCracken: "Is it innocuous?"

Steczo: "What's innocuous?"

McCracken: "Well, the rest of the Bill. It's not going to hurt anything?"



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Steczo: "I think Representative McCracken, I wouldn't call it innocuous. I'd call it important to somebody. But yes, the matters are noncontroversial that must be dealt with."

McCracken: "Alright. Thank you."

Speaker Giglio: "Further discussion, the Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Curran: "Representative Steczo, I have here two analysis. One that has a point #10. I guess the second one which does not have a point # 10. Point #10, as you know, says that it allows intergovernmental agreements to share exchange or obtain services. Causes municipalities to transfer a share of occupation and use receipts for consideration of the agreement. The City of Springfield, together with the County of Sangamon, and the Township of Woodside, have such an agreement that is several years old because I talked to the Mayor of Springfield today. He would like for that agreement to continue on. Is the fact that the explanation in this analysis, yes I understand that but that's what troubles me, is the fact that point #10 is not any explanation of the analysis. Does that eliminate the legality of the situation which the City of Springfield entered into? The County of Sangamon, and the Township of Woodside?"

Steczo: "Representative Curran, in response to your question. That language relating to that agreement's between cities and counties was in the First Conference Committee Report. It was not supposed to have been in the First Conference Committee Report, that's why we had the first corrected. That language was taken out because it was just too difficult to figure out a proper means by which to do that. Due to the fact that it has to be taken out of this report

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

does not necessarily mean that any agreement made between Springfield and Sangamon County is void. In fact, my understanding is they're doing it due to the hole in the doughnut theory that we dealt with a couple of years ago.

Curran: "Is is your understanding that that office already existed and that's why you didn't need to put it in? What I am trying to do here is speak to the question of legislative intent since this may become an issue now that this has been dropped out of the..."

Steczo: "I don't think it would be an issue because it was dropped out, because it never was in a valid report that we were dealing with anyway. However, if you wish to have intent, my understanding is that because of the so called hole in the doughnut legislation that we passed in prior General Assembly's, that the agreement between Springfield and the township and the county is valid."

Curran: "The area that I'm speaking of does not pertain to the hole in the doughnut situation or a hole in a doughnut area. Is it your understanding that that agreement would have still have been valid anyway?"

Steczo: "From what I understand, not being a scholar, legal scholar, yes I do. But, I can't speak specifically to that question and the issue is really not contained Representative Curran, in this report."

Curran: "Thank you."

Speaker Giglio: "The Gentleman from Will, Representative Petka."

Petka: "Thank you very much, will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Petka: "Representative, in looking at page six of this corrected Conference Report, there is a reference to the corporate authorities of the municipal county which I believe is Will County. Can you please tell me if you know who requested

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

that Amendment?"

Steczo: "Representative Petka, as we indicated as this legislation was going through the House, Amendment #5 deals with the new Lenox airport that was requested both by Representative Wennlund and Senator Dunn. So that's a change in language which better, we feel, reflects and takes care of the problem."

Petka: "Alright."

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

Kulas: "Mr. Speaker I move the previous question."

Speaker Giglio: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye' opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous question has been moved. Representative Steczo to close."

Steczo: "Mr. Speaker, I just ask for the adoption of the Report."

Speaker Giglio: "You heard the Gentleman's Motion. The question is, 'Shall the House adopt the First Conference Committee Report...corrected Conference Committee Report to Senate Bill 2222? All those in favor vote 'aye' those opposed vote 'no'. The voting is open. This is final action. Representative Black, one minute to explain your vote."

Black: "Thank you very much, Mr. Speaker. You know, we've got plenty of time. I wish we would debate these Bills. There are a couple of sections in here that are going to come back to haunt some people. You're including volunteer fire departments within a provision that would require convicted drunk drivers of paying a fine up to \$500 if the conviction arose from an emergency response. The Gentleman needs to establish legislative intent. Does that fine up to \$500 only apply to volunteer fire departments who answer a call caused by a drunk driver? Does it respond, does it have anything to do with an ambulance district that might

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

respond to that accident caused by a drunk driver to the sheriff department that might respond? It isn't clear in the Bill. It also isn't clear whether city or county authorities are going to require fences around swimming pools or whether they will only be given permissive authority to require that. You know, we don't have to run through these Ladies and Gentlemen. There's some things in some of these Bills that you're going to want to know about before they come up and hit you when you go back home. I would advise a 'present' vote. There are two things in this Bill that are going to come back to haunt some of you."

Speaker Giglio: "The Gentleman from Peoria, Representative Leitch. One minute to explain your vote."

Leitch: "Thank you, Mr. Speaker. I too, address that the debate has been shut up on this Bill. One of the controversial issues in this Bill is the sharing of revenue between counties and cities and I'd like to point that out to the Members so that they'd have a chance to take a look at this before they vote it."

Speaker Giglio: "The Gentleman...Representative Steczo."

Steczko: "Thank you, Mr. Speaker. First, I would like to correct what the last Gentleman said. That section about sharing revenues between cities and counties is not in this Report. This is the First Corrected Report that we're dealing with. In addition, I explained in my opening remarks about every piece of verbage, every section, every new section in this Conference Report, one of which was related to what Representative Black indicated about swimming pools. That provision passed the House on another Bill by a vote of 110 to nothing. And it had a full debate at that time and Members were made aware of what the issue was. Also, I explained in my opening remarks about the fire, about the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

DUI and right now, right now, full time fire departments can get this reimbursement back from the driver. We are doing simply is taking that and extending that to the volunteer fire departments as well. When the conferees got together there was nothing, nothing controversial here and certainly me myself as a Sponsor am willing to answer any questions about any provision that is contained in this Conference Report. This Report passed the Senate 56 to 2 and certainly Mr. Speaker, I'd be willing to answer any questions, to provide any intent that Members would have."

Speaker Giglio: "We're on, we're on the one minute explanation of votes. The Chair's been very lenient. Representative Homer. Representative Dunn. Representative Homer."

Homer: "Thank you, Mr. Speaker. I would just like to say with regard to the swimming pool issue, that was my initiative and that clearly is a permissive thing. They only allows, that allows county boards or city councils within their discretion to impose regulations regarding fences around swimming pools so that children won't stumble into these attractive nuisances and drown. And that's certainly not a statewide mandate. It simply empowers local officials where they think it wise to regulate swimming pools. So, I would hope that part of the Bill does not cause anyone any problem."

Speaker Giglio: "The Gentleman from Macon, excuse me. The Gentleman from Will Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Steczko is absolutely correct. If you look at the First Corrected Conference Committee Report, Representative Steczko's statements are indeed correct. If you examine the First Corrected Conference Committee Report part of which the provision to inspect airports was added at the request of myself and Senator

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Dunn who is standing over in the opposite end of the aisle to deal with the local problem. The provisions of the Bill are really noncontroversial. It deals with primarily and only with on airport situations in Will County. I would ask colleagues on both sides of the aisle to join Representative Steczo and myself and Senator Dunn and ask for an 'aye' vote on this issue."

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

Dunn: "Thank you, Mr. Speaker. Explaining my vote, perhaps I missed some of the debate but on the first page of the Conference Committee Report there's an opened ended provision which requires if I read it correctly the State of Illinois is to make up a short fall that the authority needs to meet its expenses whatever the authority is. I don't know what the authority is. And also, this Conference Committee Report authorizes the construction, if I see things correctly here, of a Nass Car racetrack. And that may be a wonderful thing to do in years when there's plenty of money but I don't know that we should be doing it now. So I join with the others who say the we oughta go to a Second Conference Committee here and straighten some of these matters out and come back with a sensible common sense proposal."

Speaker Giglio: "The Gentleman from Peoria, Representative Saltsman. One minute to explain your vote."

Saltsman: "Yes, Mr. Chairman. I had an Amendment on this Bill previously that allowed the counties and the cities to be able to share in a sales tax upon an annexation of county property in the city. It was just permissive and I don't know why it blew up in the committee. I'm not opposed to this Bill the way it stands right now but I do think it could be reinstated and I'd like to see it go back to a Second Corrective Conference Committee."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

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

Leverenz: "I'm sorry here, I was taken out of production. But I want to help this Bill. And I looked in it and I saw this thing about swimming pools and I have this four foot above ground pool with a fence on the top which is an integral part of the frame of the pool and now I guess I might have to build another fence around the fence. And I'm really trying to help this Bill. This must be an omen it's got 666 Ladies and Gentlemen. Look at the wall. Damien where are you when I need you? And it's four twos on top. Come on down. Come on down. Bring it on down to 59 please. Oh well, may as well take the record. I vote 'no'."

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 63 voting 'yes' 9 voting 'no' 44 voting 'present'. This Bill having received the...there's 63 voting 'aye and 9 voting 'no' and the House does adopt the First Conference Committee Report to Senate Bill 2222 and this Bill having received the required Constitutional Majority on the First Corrected Conference Committee Report is hereby declared passed. Representative...Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker. If I might make some remarks to the Chair. Let me...let there be no mistake about it. I had no problems with that, the Sponsor of the Bill or the language of the Bill. But I want to admonish the Chair. I think all of us are tired and certainly all of us would like to go home but Ladies and Gentlemen of the House we're 24 hours away from statutory adjournment. If we're going to cut off debate on Conference Committees when there are legitimate questions that need to be raised then I think we are making a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

mistake. All of you think back in the last few years. There's been a couple of times we've gone home and wished we'd asked a few questions about Conference Committees. I don't think we have to move the previous question on a Friday night when there were plenty of people who's lights were on who had very legitimate questions as to intent or what the Bill was all about. And I don't think we should be doing that when we take one or two Bills and then we stand at ease for an hour. If we were in a hurry I'd understand that. When we sit around in this chamber half the day. And I really resent that I didn't get a chance to ask the Gentleman very reasonable questions as to what the Bill did."

Speaker Giglio: "Your point is well taken. Ladies and Gentleman I would wish you'd listen to more debate and perhaps you wouldn't be so fast in asking for my ruling of the Chair to move the previous question. Representative Breslin. Senate Bill 2231. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Conference Committee Report contains the original Bill which passed this House 118 to nothing and a new Bill. The original Bill was one that would allow for joinder of third parties in actions brought for the state concerning illegal open dumping, it was noncontroversial. The second Bill, I believe, is also noncontroversial. It is a request of the Home Builders of Illinois and they have worked this with the Illinois Environmental Protection Agency and it is agreed to with the EPA. It establishes a permit system for sewer construction. Last year, the same group worked with the EPA for a similar permit, a permit program for water main construction. It has proved to work very well. The home builders pay the fee of course. And the EPA does the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

work for inspection. Obviously, in order to secure environmentally sound sewer construction in Illinois. You and I all know that we have had previous disastrous work done and we have have been working to clean up those problems of the past and we hope that with this permit program present it will eliminate those problems for the future. I am certainly happy to answer any questions and will recommend the adoption of this Conference Committee Report on Senate Bill 2231."

Speaker Giglio: "You heard the Lady's Motion. On that question the Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "She indicates she will."

Weaver: "Just a point of clarification, Representative. Would this apply to field tiles in and around farming operations or in and around subdivisions which were meant basically to handle run off water from say rainfall or ...?"

Breslin: "It would not address that situation. However, if that...if field tile was used in a plan for a subdivision development it would have to get the approval of the EPA and that by the way has been one of the causes of severe environmental problems. You see, those people have been using field tile inappropriately. And so the EPA would have to grant a permit. But it is for a residential subdivision development. So, it isn't for the average field tile work."

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

Hartke: "Will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Hartke: "Representative Breslin, I noticed in the analysis says that this permit fee would go to the Environmental

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Protection Agency. At the present time I do believe that a single family dwelling in a rural county setting, farm home, right now is required to get a permit from the County Health Department. Would this also apply a \$200 fee for a permit with the EPA?"

Breslin: "Representative, from the explanation that was given to me, I thought it was, it applied only to subdivision development. But I can't find that language to point it out to you right at this moment."

Hartke: "Representative, there are many rural homes or family farms and I would have to oppose this legislation along with Cosponsor this thing if this Conference Committee Report would indicate a \$200 dollar fee to be filed with the Environmental Protection Agency for that permit because he's required in most counties anyway to get a permit from the County Health Department."

Breslin: "I understand your concern Representative and if I can't get an answer for you before this debate finishes I will certainly pull the Bill out of the record so we have the answer before we go to vote on the Bill."

Hartke: "Okay. I appreciate that. Thank you."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "She indicates she will."

Wennlund: "It appears that for one...it appears that for one single applicant who may want to extend a sewer line from one lot to the next would have to pay a \$200 extension fee. Because the language of the Conference Committee Report says that each applicant shall pay a \$200 fee if, in fact, they're constructed with a design for a population of twenty or less. So, a mere extension of 10 feet from a sewer line would require that applicant to pay a \$200 fee."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

That's the way I read the Conference Committee Report."

Breslin: "It is supposed to apply only to those people who are required under the law to go to the EPA for a permit. And those are supposed to be developers, not individuals."

Wennlund: "Isn't any extension required to give...Representative Breslin, isn't any extension of a sewer water line in a municipality required to obtain an EPA permit prior to extension of that line, whether it be one foot or 10 or 100 or 300?"

Breslin: "Repeat the question."

Wennlund: "Isn't anyone who seeks to extend a municipal sewer water line, whether it be one foot or 10 feet required to obtain an EPA permit prior to the extension of the construction?"

Breslin: "I think only the developers are required to get that permit, not individuals, but..."

Wennlund: "No, no, no. Well, I'm sorry Representative Breslin. I disagree with that. I think whether, you know, developer or contractor, anybody who extends that line. Not just the developer. And that developer could be the guy who bought the empty lot next door and extends that sewer line. Ten feet could be required would, not could, be required to obtain an EPA prior to the extension of that line. Because when you take on additional capacity the lot next door may be a 300 unit apartment building and that's a different story. And I agree with that. But nevertheless, you're required to obtain an EPA permit prior to the extension of that line."

Breslin: "I see your point. And the answer to that I'm sure is easily answered by the EPA but they don't happen to be here right now. Because the language is patterned after the water permit legislation so I will pull this Bill out of the record, and get the EPA here to answer that question

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

for us, okay?"

Wennlund: "Thank you."

Breslin: "Okay. Mr. Speaker, I'm gonna take the Bill out of the record and come back to it when we have some representatives of the EPA to answer some questions."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Phelps, Senate Bill 2277? The Gentleman from Saline."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I move to adopt the First Conference Committee Report to Senate Bill 2277."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt...Representative Piel?'"

Piel: "Would the Gentleman mind explaining what the Conference Committee Report does?"

Speaker Giglio: "Representative Phelps."

Phelps: "I was about to do that, thank you. What this Conference Committee Report does is identical, other than one slight change of what we sent out of here to the Senate and the Bill of Senate Bill 2277 with the addition of a little bit of beefed up language for the community health centers to be able to access the grants that we had in place for other new health initiatives. So it's identical to what we voted on just a few days ago. There's an Amendment attempted to go on to put the diversion of foreign insurance funds on there. That did not work. It's not in here. These are just permissive language. This is a framework that we worked for the public health and all the other allied health professional organizations. It passed the Senate 50 some to nothing so it's agree upon. As far as I know. It does affect the inventory care improvements. Inpatient care improvements. Emergency Medical Systems development, health personnel shortages, rural health research and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

evaluation. But that's essentially what it affects. I ask for the adoption of the First Conference Committee Report."

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

Pullen: "I'd like to ask the Gentleman a question or two."

Speaker Giglio: "Proceed."

Pullen: "You indicated that it affects each of those things but you didn't say how it affects them."

Phelps: "I was really outlining the broad categories in which...if this would be funded according to what Lieutenant Governor Ryan task force' recommendations were, they would be the framework in place of trying to reach the fund for 16 for \$16 million, broken down in each one of those categories which I spoke with you. I think his outline is the inventory care improvements \$5.8 million in patient care, \$4.8 such and such etc."

Pullen: "Is this the Bill that has been as talked about as that which come from the Lieutenant Governor's Rural Task Force?"

Phelps: "Yes. This is exactly what the Birshaw Plan in Lieutenant Governor's office presented to us."

Pullen: "I think we all needed to know that, thank you."

Phelps: "Thank you."

Speaker Giglio: "The Gentleman from Saline, Representative Phelps to close."

Phelps: "Thank you, Mr. Speaker. In closing, I was going to emphasize this is the plan agreed upon and urged by the Lieutenant Governor's office and I think that everybody is clear on the intent and what we have to work on down the road. We appreciate your help."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 2277?' And on that question all those in favor vote 'aye', opposed

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

'no'. This will be 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' 1 voting 'no' and none voting 'present' and the House does adopt the First Conference Committee Report to Senate Bill 2277 and this Bill having received the Constitutional Majority is hereby declared passed. Resolutions?"

Clerk Leone: "House Resolution 2090 offered by Daniels, et al. Whereas, Art Harrison will soon bring an end of a legislative staff career of 19 years; and Whereas, Art was born in Chicago, Illinois, and Whereas, Art received his legal training at the University of Illinois College of Law in Champaign - Urbana; and Whereas, Art joined the House Republican Staff in September of 1971, at the time when the professional staff was in its infancy; and Whereas, Art is the only attorney who has been part of the House staff continuously since 1971, serving both House Judiciary Committees; and Whereas, Members of the U.S. Congress, including John Porter and Lynn Martin had the opportunity to work with Art while they served in the Illinois House; and Whereas, many other legislators with whom Art has worked, from Brian Duff to John Countryman to many in between, have moved from the General Assembly to the bench; and Whereas, Art has helped groom Members of both the Republican and Democrat Judiciary Staffs; and Whereas, the area of labor law is a particular field of interest to Art; and Whereas, Art wrote the Medical Malpractice Reform Act of 1985, which was signed into law by Governor Thompson; and Whereas, much of Art's finest work has been rejected by the U.S. Supreme Court when it has overturned Illinois abortion laws; and Whereas, Illinois Issues chose to spotlight Art in an article on the legislature for his

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

longevity in the House; and Whereas, Art's sense of humor is described by colleagues and House Members on both sides of the aisle as corny; and Whereas, a true sports fan, Art is an avid follower of the Chicago White Sox, Cubs, Bulls and Bears as well as the U of I Fighting Illini; and Whereas, Art Harrison will be missed by many friends and colleagues who have had the opportunity to work with him over the years; now therefore be it resolved by the House of Representatives of the 86th General Assembly of the State of Illinois, that we do hereby thank Art Harrison for years of service to the General Assembly and the people of Illinois; and be it further resolved, that, on behalf of House Members past and present, we send Art all of our best wishes for success and happiness as he explores new opportunities in Denver, Colorado; and be it further resolved, that a suitable copy of this Resolution and preamble be presented to Art Harrison as a token of our esteem and gratitude.

Speaker Giglio: "Minority Leader, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Art Harrison has been with the Illinois General Assembly for 19 years. Not quite as long as Hoffman but he won't be here much longer, so...19 years he's given his talent, his intelligence and hard work to all of us and all of the people of Illinois. I ask Zale Globberman to come out here because as Zale was contemplating this Resolution he said, 'you know I was the guy who hired Art Harrison back in September, 1971. And Art on behalf of all of us we want to of course have you recognize that Zale was the guy that started all of this and he wanted to be a special part of today's Resolution. Art is going out to Colorado because he's going to follow his heart with his fiance', Marsha Sheball, who used to work for the Illinois Department of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Transportation and is now employed in at Jefferson County, Colorado. Once again a woman has won over and taken a tremendous talent away from us but given it to the State of Colorado. We all know because of Art's hard work here, his brightness, his intelligence, his compassion, and his friendliness and his giving nature that we are going to lose a tremendous individual and yes, a talented attorney. But also a friend. I know when I came to the General Assembly in 1975 Art Harrison was one of the first persons to come to me as I served on the Judiciary Committee to make sure I understood my role in that function and that was to vote as he told me how to vote. Today he still attempts to tell me how to vote because when he sends messages up to my office, usually in long hand that I can't read, it always ends 'leader, you vote green.' As he always feels it's alot easier to tell lawyers colors instead of other obstructions. Being one himself he knows the best way to handle that. Yeah, Art, I think it is a little indicative of your personality by listening to the fact that you're not only a Sox fan but you're a Cub fan. Now there's a tremendous inconsistency in the fighting nature within your own system and your own brain that tells of some of the problems you may have faced. But we know of course that the White Sox always win out in your heart amongst that fight, that's true. Arts loyal of course to his university, the University of Illinois and we're proud of that of course. We're proud of the work he's done. Let me tell you, those of us that have had the opportunity to work with Art. To get to know him. To get to rely upon his judgement and yes, to be the beneficiaries of his friendship having indeed been rewarded and enriched. All of us on the Republican side may have had a little bit more that some of you on the Democrat side but we've all had the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

benefit of his knowledge, his expertise, his experience. To those of us on the Republican side and I know Art, for everybody including the Democrats of this House, we wish you nothing but the best. We wish you good fortune. We wish you much happiness. And we certainly, above all, wish you a happy relationship with Martha and again send with you our love and best wishes. To our friend Art Harrison."

Speaker Giglio: "Representative Daniels."

Daniels: "I've got to share with you the last word he just said to me. He said to me, 'you know you are the President of the NCSL, I'm going to Denver, will you get me a job there?'"

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

Dunn: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. To Art. I suppose the first thing that comes to my mind is that I will be among the legions who will be glad to see your corny jokes leave this Capitol Complex. I guess it's only fair to indicate that the ones I tell are probably worse than the ones you tell me. I hear heckles over here about that. Art is...I came here the same day Lee Daniels did, as a matter of fact, and was not on the Judiciary Committee to begin with. Somewhere, some Bill, somehow, early on, Art Harrison and I met and we hit it off from the beginning and we have been friends for my 16 years here and during the years I served on the House Judiciary Committee and the years I have cherished, I have found Art to be as professional as can be, as considerate as can be, as fun to be around as anyone I can think of. And I don't think you will find many staff members of anywhere of either party who will call someone in the office to party and Art, now I can tell this, has done this more than once. When I filed a Bill which wasn't so hot, and alot of you know that I've done that on more than one occasion and when

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

they're assigned a Judiciary Committee and Art has to write a critical analysis he always calls up apologetically and seems soulful about criticizing my Bills and I'd like you to know, Art, you're about the only one I know who feels that way. The rest of them just blast away at me as they should. You are always very sensitive and fun to be with and I will always cherish our friendship. Not only here but you may or may not know, Art and I and Barbara and Martha have gone to dinner and a concert together and Art and I ran an interesting dog and pony show at the University of Illinois one afternoon. That was fun. And Art and I and one other staff member here attempted to see a Cub game one time that was an interesting excursion as well. These are things that don't pertain to the rest of the Members but they are things that I will always treasure Art. And for all the Democrats that I know, for all of the Members of the General Assembly and especially those of us who have served on the Judiciary Committee, you have been a tampering force on that Committee much more than you realize and since I've been Chairman how many times have I leaned off the microphone and hollered down to say, Art what do you think? Or, Art what should we do? Art, we're going to miss you here. All of us. My family is going to miss you. We wish you the very best of luck in Colorado and we appreciate your having been here. This place is better for your having been here. Thank you very much and good luck."

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

Johnson: "Art Harrison is history in the General Assembly for almost all of us. I think those of us with license plate 18 and down is...all of us except those that have license plates 18 and down is really a parallel history to most of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

our lives in the General Assembly. I think many of us who've served with Art as Members and those of us specifically, who have served with you, Art, as on the Judiciary Committee where I had the privilege to be your staff person for eight years when I was spokesman. You don't know what it's like to come into Judiciary I and at least in the first incidence and have you tell us what's going on, how we should vote, what the Amendments are, what the Judicial history is. I have not met a person in my 23 years, it's sorta government, 15 years here who has near the total confidence, professionalism, intellect and sense of humor as Art Harrison. He's one of the real stellar lights that I've ever served with, in any capacity in government. And I can say as Representative Dunn and as Members of both sides of the aisle, would attest, this is somebody who is truly had an impact and will have an impact on all of our lives and I think most importantly and this is the reason why we're here, the lives of millions of Americans who are affected by civil justices, and Illinoisans who are affected by the civil justice system and who Art Harrison has had such a dramatic impact on. So like all the rest of us, Art, I'm fighting back tears here but I'm pretty good at that. Thank you and God speed in your future career."

Speaker Giglio: "The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Chairman, Speaker, Ladies and Gentlemen of the House. I have never served on the Judiciary Committee. Most people don't know. We know, but most people don't know that most of what we do here is not partisan. The first time I met Art Harrison I had a Bill in there had to be some changes. And Art Harrison came to me and suggested the changes. And they were constructive changes. He's

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

done that more than not to probably everybody here. He was always willing to help whether you were a Democrat or a Republican to help your Bill be a better Bill and we all thank you for that Art. I concur with everything that's been said about Art. In addition to being humorous he is very, very friendly to everybody. And I thought that whenever anybody else would say a kind word which he deserved. You know when somebody has been here as long as Art Harrison we always say good-bye to a staff person and that's it. I think when they've been here as long as Art Harrison they ought to have the last word in, whenever we're through I think leave of the House, we oughta have Art say a few words to us in parting."

Speaker Giglio: "Perhaps Art would want to hold off for a little bit. There's a few more that want to say a few words John. The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, thank you Mr. Speaker and Ladies and Gentleman of the House. I'm one of the CoSponsors of the Resolution. I'm certain Representative Daniels would like to ask leave that everybody, every Member of the House be CoSponsor. There's little that I can say that hasn't been said except to say that Art Harrison is truly one of the best lawyers I've had the fortune to work with over the years. I haven't been here nearly as long as some of you, but I think it doesn't take very long to recognize Art's true talents and sometimes his working conditions and what he has to do and days like today when we're all at the edge of our wits and upset about different things and we all have different views, Art has a unique talent of trying to get us together and get the language in good order and keep this legislation the way that it should be because it becomes the very vital law of this state and as some had referred to many times before, the highest court in this

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

state and the highest court in the land and he's proven that he's very capable in that respect. But more than that Art's been a friend. Sometimes when you're down all of a sudden someone's throwing a candy bar at you and telling you try this it's white chocolate or something like that and it's been Art Harrison. Back in the district he had the good fortune every now and then just to call me up and see how we were doing, see what ideas we had. When I come up with one of my as he called them Don Quixote ideas he'd go off and work just like Don Quixote in drafting those Bills and then as we'd file them he'd say I know it's never gonna get out of committee and I don't know why you do it. But I said I loved falling on my sword and he liked to be right there pushing me on it. He has a perverted sense of humor and we've all enjoyed that. I think there's some Members here have alot more of a perverted sense of humor than Art does but he'l certainly be missed for his sense of humor. But I think the greatest loss that we will have is the friendship that we've shared with Art Harrison. But we wish you the best Art and when you go to Colorado and as you look at those mountains and think of that beautiful sky think of all you're missing back here in Illinois on June the 30th. Best of luck to you Art."

Speaker Giglio: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, thank you, Mr. Speaker, Members of the House. I've had the pleasure of knowing Art Harrison for 15 years and like all of you in this chamber I've always been impressed with his abilities. During my time in the House I've always served on a Judiciary Committee and Art of course is fortunate enough to have served in that Committee with all of us. Not a day went by when we in that Committee didn't really look to Art, for not only counsel

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

but also for advice and really good common sense. In the off season when we were all in the process of drafting Bills Art always had the real savvy and instinct and intuitiveness to make sure we on our side of the aisle, at least, were well aware of what was going on in the legal communities, statewide and nationwide. He was always on top of that to make sure we had the best legislation possible. But I guess for those of us who served in the Committee have known Art that long, the real issue comes down to the fact that he's a good friend of all of ours. And many of us, I think, look back on staff with regards to Art being indispensable to this process. Years ago the General Assembly didn't have staff. And there are probably still some Members here in the House who served during those days when in fact staff and panelling didn't do an awful lot. Art was here back in those days, he's obviously here now, and the staff is really indispensable to the process. He's what really good staff is all about. He's a good friend to all of us. A top staff Member. We in the General Assembly, especially those of us on the Judiciary Committee I believe and his good friends will miss Art Harrison. So I'm pleased to join as the CoSponsor of this Resolution in wishing my good friend Art Harrison well in the future. Thank you very much."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Art Harrison will truly be sorely missed. For starters, we need all the lancemens that we can get. Art has been around since certainly since I've been here. And I've had the opportunity to serve on the Judiciary Committee throughout my term. But he's somebody who's extraordinarily bright and very insightful and really is able to see through the issues and all of the options. But

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the most important thing about Art, the secret of Art, is he is probably the only one in either chamber who actually has an interest in Condominiums, and comes up with criticisms that are actually right. We will sorely miss you Art."

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

Pullen: "Thank you, Mr. Speaker. I thought that someone who is not an attorney should speak. I really appreciate Art Harrison and a staff member who not only has been here along time but who is a very thorough Gentleman and one who has always taken his work here very seriously while still being able to be light hearted upon occasion. He sets the record for length of analysis that's for sure and I don't think anybody will ever break that record. But one thing about Art's writing even though for us nonlawyers sometimes it takes a long time for us to understand what he's getting at. We can always trust it. We know that he knows what he's talking about. That he's researched it well. And he's unabashed. He has sacrificed a great deal by being on our House Staff so long. And perhaps I shouldn't say this in front of so many Democrat Members, but I would like to say that I think Art Harrison is virtually unreplaceable. And I wish you well Art. Thank you."

Speaker Giglio: "The Lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I'd just like to let everyone know that I don't believe it's just Members of the General Assembly who will miss Art. Many residents from Springfield will also miss Art and I see quite a few of them up in the gallery. Art has been a very active member of our community and indeed will be sorely missed here. I have personally enjoyed his helping on my campaigns and helping with legislation. I think the thing that I will miss the most is the fact that after Art goes to Colorado anytime I have a call from a constituent who seems a little

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

strange I will never know whether it's a real constituent or whether it's one of Art Harrison's disguises and I'm gonna miss that doubt Art, that I always have when some strange person calls me for something. So again, on behalf of all the residents of Springfield as well as..as well as the Members of the General Assembly, we're going to miss you a lot. Thank you."

Speaker Giglio: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Art, first of all let me just congratulate you on your good judgement, I think that's reflected by your criticizing the ideas of Representative Dunn. I think that's indicative. But, during the time I've known Art since 1975 as a staff person, a lobbyist and now a legislator, there's never been a more professional person, a person with no less integrity. He's one of the outstanding individuals in the General Assembly and it's been an honor to know him and to work with him. Congratulations Art."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Chairman of the House Judiciary Committee, Representative Dunn, couldn't have said it better. As Spokesman on that Committee and as a Member of it since I've been in this House, Art Harrison has provided all these Members of this General Assembly with valuable advice. I've been practicing law for 22 years. I haven't found a finer lawyer and finer lawyering skills than I've found in Art Harrison. Art has always been there. Art knew I was a Bill reader from day one but he's always been there with his suggestions and his helpful comments, suggestions for change. And insight that neither the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Chairman, Representative Dunn or myself saw. Because Art saw. He thought about them and was concerned about them and wanted to alert both of us. It wasn't partisan. It was a genuine legal concern. I think it's important that it's the lawyers that serve on that Committee, you know I couldn't think of a tougher job than trying to please about a dozen and a half lawyers on that Judiciary Committee. One thing I'll never forget is Art's demented sense of humor that could only be surpassed by Representative Myron Olson and we'll always have to live with that type of a sense of humor but, everytime we hear some of Myron's demented sense of humor we'll think of you, Art, and we'll always miss you. God bless you and the best of luck to both you and Martha."

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

Williams: "I just rise to say thank you Art. Many people don't know that when I first arrived here in 1975 I was placed on the Republican Staff. At that time I was assigned to Judiciary II Committee and Art Harrison was the staffer who actually, for lack of a better word, showed me the ropes. I don't know that that's gonna lay well in your future but I say to you it's been a pleasure working with you, it's a pleasure learning from you and it was a pleasure knowing you. I wish you well, good luck, a great future. Thanks for all the help you've given me Art. You've been a great guy."

Speaker Giglio: "Supplemental Calendar announcements."

Clerk Leone: "Supplemental 4 to the House Calendars is now being distributed."

Speaker Giglio: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. Let me just add what many of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

you may not realize that Art hasn't been going at full capacity the last few years and the reason I say that is because when I came down here eight years ago there was not two Judiciary Committees but only one a combined committee and the work load on the committee was just astonishing and Art Harrison handled it all. So I'll never for...I'll just never forget that how wonderful a job he did and of course since then he's been a wonderful help. And all those words intelligence, professionalism, friendship, a great sports fan. They all apply and I recall he did a great job being a professional in working with folks from the 18 to Jaffry and Kirkland and so forth. So Art, we'll miss you and wish you the best of luck in Colorado."

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

Wojcik: "Art, I'd like to say one thing to you. That you certainly have taught me the meaning of pride and joy. Remember that, right? That's right. And I will always remember that. Plus I thank you for your kindness when we first came down here. We didn't know anything and we didn't know anybody and you took us under your wing and you showed us the ropes and you showed us the fine places to dine and for that I am very rich. That's right, up and down we go. But thank you for everything and I'm going to miss you. You certainly have helped me with many many things that I have done. Good luck to you."

Speaker Giglio: "Representative Turner."

Turner: "Alright. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just want to speak on behalf of some of my constituents and Art knows them well, who aren't here tonight to wish him well. Two of them are hospitalized and not able to be here on the House Floor but I want to tell you for them that they wish you well also. And I want to tell Art, because I remember when I first

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

introduced my first Bill before the Judiciary Committee it was with the help of Art and the others Members that sat on that committee that I learned never to go before the Judiciary Committee again and I have avoided from introducing criminal law and civil law Bills in this Body. And Art I hear there are a lot of great trout streams in Denver and if you need any help or if I can send you some bait out that way will be glad to do so. Good fishing Art. From one Art to the other."

Speaker Giglio: "The Chair would now like to recognize the Gentleman, Art Harrison. Mr. Harrison. "

Harrison: "Oh boy. Well, Mr. Speaker, Representative Daniels, I've changed my mind. Thank you very much. I'd like to thank a lot of people but if I started doing that we'd go past midnight. I want to tell you that this it hurts to leave. I love this place probably as much as most of you do if it weren't for my love of Martha, I wouldn't voluntarily chose to leave. I'll think of you all fondly. I have had a very good time here for 19 years. I cherish your friendship and I thank you for your comments. Thank you very much."

Speaker Giglio: "Representative Daniel asks leave that all Members be Cosponsors of the Resolution. Does the Gentleman have leave? Hearing none, leave is granted. All Members are Cosponsors to the Resolution. Representative Daniels moves that the Resolution be adopted. All those in favor signify by saying 'aye' opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Perhaps you could enlighten us to what meal arrangements might be in the works. I assume it's still

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

open downstairs but I think three people have fallen over from hunger in the last half hour and I sense some dissatisfaction in the ranks. You might want to tell us if there's a meal in our future."

Speaker Giglio: "As I responded to Representative Hultgren's request, the meal, the chicken is coming. It should be here any minute. I understand it's out of the...out of the fryers and on their way. The pink slips are being distributed. Representative Hultgren."

Hultgren: "Mr. Speaker, inasmuch as we're now 15 minutes late on the chicken, do you think we ought to get blizzards just to tide us over?"

Speaker Giglio: "We'll put the order in and by the time we finish the chicken they may be here."

Hultgren: "Heath bar if we can Mr. Speaker. Heath bar."

Speaker Giglio: "Representative Breslin in the Chair."

Speaker Breslin: "On Supplemental #4 appears a number of Conference Committee Reports. We'll start at the top and go down. First, House Bill 954, Representative McGann. Representative McGann. Out of the record. House Bill 1220, Representative Curran. Mr. Curran? Out of the record. House Bill 1550, Representative White. Oh, Representative Curran is here. We'll go back to House Bill 1220. You're recognized for the Motion, sir."

Curran: "Thank you, Madam Speaker. I move the adoption of the First Conference Committee Report on House Bill 1220. This Conference Committee Report contains nine noncontroversial items. It contains Senate Amendment #1 offered by Senator Welsh which allows several school districts..."

Speaker Breslin: "Excuse me Representative Curran. For what reason do you seek recognition, Representative Hultgren?"

Hultgren: "It just came around four minutes ago. Can we wait a minute or two until we have a chance to look at it?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Curran: "Thank you, Madam Speaker. I'd be glad to take it out of the record for Representative Hultgren."

Speaker Breslin: "Surely. Is Representative White in the chamber? Representative White? Jesse White? How about Representative Stange? Representative Pedersen? Bill Pedersen, you have a Bill, House Bill 3090. Representative McGann has returned to the chamber. House Bill 954. Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the Assembly. The Second Conference Committee Report on House Bill 954 I would move for it's acceptance. What it does is the Amendment...Senate Amendment #2 creates a new Illinois Coordinating Committee on Transportation Act. It establishes a nine member committee to foster the coordination on public and private transportation services for transportation of disadvantaged persons. This was an Amendment of Senator Clar...Senator Don Clark in the Senate. It also has a provision that everyone has received a an explanation of this provision relative to the amending the Nursing Home Care Act to clarify a gap in licensure and certifications which has to do with two locations in the City of Chicago, Chicago House which is has three homes and of the Bonne Venture House which has one and it serves thirty people. I will be happy to answer any questions. We have worked together on both sides of the aisle. In the Senate and the House relative to this Second Committee Report. The First Committee Report we did not hear it here in the House. There was a misunderstanding in the Senate on some of the provisions and I'm sure that they have now been clarified."

Speaker Breslin: "The Gentleman has moved to adopt the Second Conference Committee Report on House Bill 954. On the question, is there any discussion? Any discussion? There

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

being none, the question is, 'Shall the House adopt the Second Conference Committee Report on House Bill 954?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? Representative Stephens for what reason do you seek recognition? He indicates he does not seek recognition. Mr. Clerk, take the record. On this question, there are 117 voting 'aye' the House does adopt the Second Conference Committee Report on House Bill 954 and this Bill having received the Constitutional Majority is hereby declared passed. Is Representative Stange in the chamber? Representative Stange? House Bill 3875, Representative Giorgi. Mr. Giorgi? Out of the record. House Bill 1504, Representative Capparelli. Out of the record. Representative Ryder, House Bill 1798, Mr. Ryder? Ladies and Gentleman, if you are wondering why we are going over the calendar it's because we're trying to reach those Bills that have been on your desk for at least one hour so I'm not going directly down the sheet but as soon as we can find Sponsors. We will call your Bill if it's been on the Members desk for at least one hour. Representative Ryder has returned to the chamber. His Bill is Senate Bill 1798. You're recognized to make a Motion sir."

Ryder: "Thank you, Madam Speaker. I would move to adopt the First Conference Committee Report to the Build Illinois Bills, Senate Bill 1798."

Speaker Breslin: "Can you tell us what it does? Would the staffer for Representative Ryder come to the floor?"

Ryder: "Thank you. Madam Speaker, I am informed that this Bill indicates we concur with Amendment 1 and that the House agrees to recede from Amendment 4. There's nothing new in the Bill that hasn't been part of the Bill prior to this

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

time; but we are doing on 1 and 4 as I indicated."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1798?' Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report? on this Bill?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? the Clerk will take the record. On this question, there are 81 voting 'aye' 20 voting 'no' and 12 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 1798 and this Bill having received the Constitutional Majority is hereby declared passed. If Representative Stange or Representative Giorgi would return to the floor we could take action on their Bills. Representative Stange and Representative Giorgi. Representative Stange, I see you're back. Welcome."

Stange: "Thank you, good to be here."

Speaker Breslin: "Representative Stange, you have a Bill on the Order of Conference Committee Reports on Supplement #4."

Stange: "That's correct."

Speaker Breslin: "Are you interested in calling that Bill?"

Stange: "Certainly am. Thank you, Madam Speaker."

Speaker Breslin: "We're not going to call it now. But it's nice to know you are interested...and available. No, I'm kidding. House Bill 2896, Representative Stange."

Stange: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur with House Bill 2896. 2896 creates the Food Safety Transportation Act. We voted on it a couple of days ago. We had a couple of minor adjustments in this Bill and we're ready to vote on it now. I would appreciate your positive 'aye' vote for House Bill 2896."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "The Gentleman has moved that the House adopt the First Conference Committee Report. The First Corrected Conference Committee Report on House Bill 2896. On the question the Gentleman from Kankakee, Representative Novak."

Novak: "Yes Madam Speaker. Will the Sponsor yield, please?"

Speaker Breslin: "He will."

Novak: "Yes, Representative Stange. Does this Conference Committee Report have the repeal of the Du Page County Gas Tax?"

Stange: "Let me check on that."

Novak: "Okay. The Du Page County Gas Tax and Cook County also."

Stange: "Yes. Okay."

Novak: "And also the State was in there also."

Stange: "No Representative. There is no Du Page, Cook County or State repeal on that."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "Certainly."

Hultgren: "Representative Stange, what does this do to the fellow who goes down to the river and fills up his pickup truck with cantaloupe and comes back and sells them on the street corner in Galesburg, as happens occasionally in my district."

Stange: "Okay. Farmers are exempt for that."

Hultgren "But you didn't hear my question properly. This is an entrepreneur who doesn't raise the melons, he goes down to the farm on the river and buys the melons and comes back up and he's kind of a middle man and then tries to sell them on the street corner in Galesburg. So, he's not the producer and doesn't fit under the producer exemption."

Stange: "Those...yes, yes it does. UPS, for example, are exempt



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

from this type of legislation. UPS would sometimes have cartons of paper products, also have cartons of home made pies to deliver and they are exempt from that and so would you."

Hultgren: "What exemption does that situation fall under? Let's say my wife wants to make a couple of bucks this summer during melon season as a number of my constituents do. Drives down to the river, fills the pickup truck up with melons, drives back to Monmouth or Galesburg and tries to sell those melons out the back of the truck."

Stange: "That's fine. There's no problem with that at all. Do you want me to find that in the Bill?"

Hultgren: "Yeah. Could you point it out to me?"

Stange: "Sure. Be happy to. If it's not a business vehicle in section 3 line 24. Trust me."

Hultgren: "So that's...the word 'carrier' there only refers to a business. Common carrier."

Stange: "A business. That's right. Common carriers."

Hultgren: "Thank you."

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

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

Speaker Breslin: "He will."

Ropp: "In this report it says that you cannot transport food items in a vehicle within two years of transporting some of these other commodities. I would almost assume that most of these other commodities like drug devices or cosmetics would be packaged. Why do you need two whole years before you can transport anything else?"

Stange: "That was compromise that came from the Senate."

Ropp: "Well, why not if you just wash it out you can do it next week? I mean two years if you're in the trucking business it would seem like along time. Well, you could hardly ever

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

transport food if you transported any of these other things then you'd be out of business in two years."

Stange: "Let me try to explain that. Let's say we had a tanker truck bring milk from Wisconsin to Florida and we pick up from Florida a tank full of nail polish."

Ropp: "Nail polish?"

Stange: "Nail polish. Okay, this is..."

Novak: "A tank full of nail polish?"

Stange: "Madam Speaker we just ask to take this out of the record for a minute,, please?"

Speaker Breslin: "I don't know."

Stange: "Something about the Senate...something about the Senate version.."

Speaker Breslin: "Oh they're always hard to figure out. Out of the record. Representative Leverenz for what reason do you seek recognition?"

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

Speaker Breslin: "State your inquiry."

Leverenz: "Now?"

Speaker Breslin: "Not now."

Leverenz: "Are we having fun yet?"

Speaker Breslin: "Ask in a couple of hours."

Leverenz: "Are you happy? I dared it. I did."

Speaker Breslin: "Representative Giorgi is recognized on House Bill 3875. It appears on Supplemental 4. Representative Giorgi."

Giorgi: "Madam Speaker. This is First Corrected Conference Committee Report on 3875 and has to do with the disinternment of bodies in the first part in the House. We agreed to Amendment #1 and Senate Amendment #1 which just delineates the procedure you must go through to disinter a body. And then there's a part in the Bill that at the request of Representative McGann and I defer to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative McGann to explain his part of this Conference Committee Report, Representative McGann?"

Speaker Breslin: "Representative McGann is not in the chamber Sir."

Giorgi: "Well, go to Mautino who has a part in this Bill also. Who would like to explain his part of the Bill."

Speaker Breslin: "Representative Mautino. First of all the Gentleman has moved to adopt the First Conference Committee Report, corrected Conference Committee Report on House Bill 3875. On that question the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. The other, another one of the three portions of the 3875 is legislation which passed this House Session and received 29 votes in the Senate. It establishes the Spirits Fair Dealing law which creates a definition and also a franchise agreement between the wholesaler and the supplier of the product. Whether that be implied, written, oral, it is only between the supplier and the wholesaler. But what has been established with this portion of the Amendment was that individual...and the reason for it was that individual wholesalers have been notified by suppliers. So, whereby termination of agreements were either telephoned or by correspondence return receipt requested. For example; on June 29th of 1990 one of the wholesalers received a correspondence that on July, excuse me, that on February 1st they notified that on March 1st they would be replaced with no remuneration or consideration for that individual wholesaler who has employees, purchases, products, goods and services and has drivers and salesmen who are adversely affected by that change. What this spirits fair deal provision provides is that, if, in fact, the supplier eliminates the wholesaler there are some protections in it.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Whereby the individual would have a cause for action and it establishes other perimeters. What we...perimeters. What we have as well is the same level of legislative protection for Illinois wholesalers from out of state suppliers. There are no distillers in the State of Illinois. But there are wholesalers. In that regard you can look upon this legislation as providing assistance to Illinois businesses as opposed to providing protective measures for those suppliers who at their own whim and consideration can eliminate an individuals business. It's very similar to having a banker or a financial institution having mortgage on your home and say to you, 'I'm going to give your home to someone else.' And there is no cause, just cause, nor would there be any consideration or economic contract that would provide for assistance for the person who's the loser of that facility. I stand in support of that portion and in the Conference Committee in total as it pertains to House Bill 3875 and Representative McGann has the previsions on the third part of it. And I defer to his comments at this time."

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

McGann: "Thank you, Madam Speaker and Members of the Assembly. Another component of Conference Committee Report on House Bill 3875 deals with the pyschiatric beds here in the State of Illinois. And if you recall we had a year or so ago House Resolution 621 that required the Illinois Planning...Health Facilities Planning Board in the Department of Public Health to look into this matter of surplus beds. We came back and we had House Bill 3599. 3599 passed out of this Assembly and went on to the Senate where it was locked in the Rules Committee. We worked for Representative Giorgi. We worked with the Hospital

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Association and the Department of Public Health and they are very supportive of this part of the House Bill 3875. An agreement has been made that we will put this in the statute at this time and then we will work for two years and if abuses are made the Hospital Association is guaranteed that they will come back to support us in any other measures that we need in order to straighten out this surplus in one area and not a surplus in another area. So I would ask its part of support of House Bill 3875 that we have this measure retained as far as the pyschiatric beds are concerned here in the juvenile area for the State of Illinois. And I ask your support."

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

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

Speaker Breslin: "Representative Giorgi is the Sponsor. Will you yield to a question?"

Young: "I'd like to ask a question, I think, of Representative Mautino."

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

Young: "Representative, I've been handed this fact sheet that seems to indicate that this Bill would serve as a bar to minority or female businesses entering into the liquor franchise business cause it would lock in people who are already there. Could you respond to the allegations made in this hand out please?"

Mautino: "Well, I don't see anything in the language that would lock in any provision...excuse me, that would be in opposition to anyone getting into the business, whatsoever. Because it's all by contract with the supplier anyway. I don't see anything in the language of this Amendment that would keep anyone out. If you'd like to point it out I'll be happy to respond to it."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Young: "I heard you mention how many votes this Bill had in the Senate that was heard in the Senate. Was this Bill heard in the House Committee?"

Mautino: "Yes, it passed the House. That's how it got to the Senate. It was House Bill 2230, I believe. It passed the House, received 29 votes in the Senate. In fact, I know it passed the House. That's how it got to the Senate."

Young: "Well, Rep...if you don't mind, since it was quite noisy in here could you tell me exactly what this Bill provides for protection for people who have a franchise right now?"

Mautino: "What it provides that as of those people who have a contract with a distiller as of January 1st, 1990, January 1st, of 1990 that they would be included in the Spirits Fair Dealership Law. And that is a contractual, this is a franchise provision, a contractual agreement with the supplier and the wholesaler. There is no intent whatsoever to address or impede the retail sales. This is between the wholesaler and the supplier."

Young: "If this Bill goes into effect, could the supplier cancel the agreement with a franchiser who has an agreement as of January of 1990?"

Mautino: "As long as he has just cause and is spelled out in the proposal. You're exactly correct. Yes, they can."

Young: "Okay. Well, what just cause is in this proposal that's different from the just cause provisions already in the law?"

Mautino: "There's nothing in the law that pertains to spirits. That's the reason for the situation. A wholesaler can now be wiped out at the whim of a supplier with a registered letter saying I'm giving it taking it from you and giving to Joe Blow. With no consideration or economic position being provided."

Young: "Well, under this Bill, what is just cause for a supplier

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

to terminate an agreement?"

Mautino: "Bankruptcy, just cause would be for the failure of the wholesaler to substantially comply with the provisions of the contract that they already had or the agreement which provisions are essential, reasonable and do not result in the violation of any federal law or regulation or any laws, or regulations are not discriminatory as compared to requirements imposed upon other similarly situated wholesalers. Bankruptcy on the part of the wholesaler or assignment for the benefit of the creditors of the wholesalers, failure of the wholesaler to comply with the essential and reasonable requirements imposed upon him by the supplier which requires requirements do not result in a violation of any federal law or regulation. It's pretty broad, the just cause provisions. And I point them out to you."

Speaker Breslin: "Any further discussion, Representative Young?"

Young: "Yeah. I have one question. What if the supplier was dissatisfied with just the amount of sales and thought another wholesaler might increase the sales? Would that be just cause? Sales just dropped to the bottom."

Mautino: "I would imagine that the wholesaler would have to justify what has occurred, make corrective measures as is the law and would respond to the request of the supplier."

Young: "What if the wholesaler took on competitive brands? Competitive brands of the same product? Were selling more than one brand. Would that be just cause under this Bill?"

Mautino: "No, that is not just cause."

Young: "Alright. To the Bill, Madam Speaker, Ladies and Gentleman of the House. I reluctantly arise in opposition to this Bill. I think this Bill provides a little too much protection for a franchisee. I think this is a Bill that is geared toward locking a franchise in, in terms of almost

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

in perpetuities I think, under this Bill a producer will be so limited as to who can sell his product that once he enters into an agreement he will be locked into that agreement until someone turns bankrupt or just decides to quit the business. I understand what the promoter is trying to do in this Bill, but I think the stroke he paints is a little too broad. I think it's not good public policy to prevent freedom of transaction, and contract in trade to allow suppliers to determine when someone is selling enough to allow them to reasonably change wholesalers with reasonable notice and justification. This is a lot different than the Bill wholesalers agreement and I urge a 'no' vote on this Conference Committee Report."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Well, thank you, Madam Speaker. I, too, have some concerns about the contract. Apparently, that's implied under section II, 003. And it seems to me as a manufacturer I look at my suppliers as a part of a team and obviously if the sales are not there, if there's no effort by my dealers to even sell my products and I'm locked in on a contract forever, it would seem that would be not fair for an Illinois Business person to keep that same supplier that same distributor if you will who may be taking on competitive products against selling against me. It would certainly would lock them out. And in this case, I guess, if I were a liquor distributor if I were to sell a brand x of bourbon and I get a better deal from another manufacturer and I stop selling brand x but I still carry it, under a marketing agreement, and I sell brand y and I end up with y being big sales, I would think brand x should have a right to change suppliers or dealers or distributors after a time. I would think that wouldn't be fair. And I



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

think you're asking too much of just cause, includes sales failures of advertising failure to do anything to promote a product wouldn't be right. And that's why I'd be opposed to this Conference Committee Report."

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

Lang: "Thank you, Madam Speaker, Ladies and Gentleman. I would advise a 'present' vote on this particular Conference Committee Report. The section that Representative McGann would be concerned about is a good piece of legislation and Representative McGann has worked hard to put this together. However, I'm still not sure what this section relative to liquor sales. I'm not sure what it's trying to address. I'm not sure what harm is trying to be remedied. And I don't I don't believe this will do anything other than to stifle competition in this industry. I think it's a benefit to all who purchase liquor and certainly to all in the industry to keep competition high and keep it where it should be. So, I would urge a 'present' vote so the Conferees can go back and move this section from the Bill and so we'll have Representative McGann's Bill left."

Speaker Breslin: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you Madam Speaker. I guess there may be some good parts to this legislation. This is one of the problems with Conference Committee Reports. We put several different topics together. It's also part of the process that we wait here later in the evening and all of a sudden our defenses are down just a little bit. Representative, normally, Sponsors proports Bills that make an awful lot of sense and usually I look to you for guidance on issues in this area. However, here I think that you've errored and I need to remind the chamber that the Illinois Retail Merchants are vehemently opposed to this legislation for

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the very simple reasons that their members went into business in the first place they believe in free and open competition and this, well this solution is worse than the problem. And this limits redistricts and otherwise limits free and open competition so I suggest a polite 'no' vote. A 'present' vote, with all due respects to the Sponsor."

Speaker Breslin: "Any further discussion? There being none, Representative Giorgi to close."

Giorgi: "Madam Speaker, this Conference Committee Report has three parts to it. One, is the part that has to do with disinternment of bodies and the delineation of what you must do to get a disinternment permit. The other is the matter that Representative McGann spoke of and the third matter is the fair dealership law. And in the fair dealership law, something that hasn't been said here tonight. There are no distillers in Illinois, so there are no distillers in Illinois to be hurt. The only people hurt in Illinois are the wholesalers when a distiller from New York or California says, 'you're out of business. I'm taking that line out of your office Monday morning' and the guy's spent 20 years trying to build a business up. Twenty trucks and 50 employees is out of business. This we're trying to cure with this legislation. There are no distillers in Illinois. There are no manufacturers you have to worry about in Illinois. No one should be speaking instead of the wholesalers that live in Illinois pay the sales tax, income tax, utility tax, and all the other taxes. We're trying to get make the distiller deal with him instead of some other coming in there Monday morning and saying 'you're out of business'. This is what this Bill is doing and I urge support of this Bill."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3875?' All

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

those in favor vote 'aye' all those opposed vote 'no'.  
Voting is open. Representative Barnes, one minute to  
explain your vote. Representative Barnes was recognized."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the  
House. Have you ever gone on vacation and you find out  
that the liquor is very, very high in other states? The  
reason is, what they do, they get it down so there's only  
two distributers in the state. No there's no competitive  
pricing. We have five wholesale distributers in Illinois.  
So at times you can go into your Walgreens, or you can go  
into your local liquor store and they have a price on your  
favorite scotch or your bourbon or your vodka or your gin,  
whatever the case may be. If we allow this Bill to go  
through, we're going to damage Illinois. And we're going  
to get it down to where we have just two distributers. And  
you're going to find they'll be no more competitive  
pricing. This is a consumer's Bill. It gives..."

Speaker Breslin: "Close. You're recognized to close, Ma'am."

Barnes: "Thank you. What this Bill does, it gives local jobs to  
local people and it is a very, very good Bill and I would  
recommend an 'aye' vote."

Speaker Breslin: "Representative Leverenz, one minute to explain  
your vote."

Leverenz: "Thank you, Madam Speaker. Those people that are  
throwing the red herrings around with regard to liquor  
wholesalers. We passed this Bill out of the House in House  
Bill 2270 on short debate with 84 'yes' votes. The red  
herrings are ridiculous. We did the same thing with the  
Franchise Equity Act for wholesalers in this state about  
eight or nine years, maybe ten years ago. The same  
provisions. And we did the same thing for car dealers.  
This is nothing new. So I would ask for the 'present'  
votes to give this a sufficient number of green votes to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

pass so we could get on with the business and protect those that have businesses in Illinois where you don't end up having everything taken out from under you. Ask for your 'aye' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 55 voting 'aye', 29 voting 'no'. The Motion fails. Representative Giorgi."

Giorgi: "Madam Speaker, I request a Second Conference Committee Report."

Speaker Breslin: "The Gentleman requests a Second Conference Committee Report. Second Conference Committee and that will be appointed, sir. House Bill 2896, Representative Stange is recognized."

Stange: "Thank you, Madam Speaker."

Speaker Breslin: "House Bill 2896."

Stange: "Thank you, Madam Speaker. I move to concur with House Bill 2896. Again, this just was voted in the Senate at 51 to 1. This Bill creates the Food and Safety Transportation Act. Better known as the Garbage Backhall Bill."

Speaker Breslin: "Excuse me, Representative Stange. Representative Myron Olson, and Gentlemen you should give Representative Stange some vision of the body. Proceed, Representative Stange."

McCracken: "No respect. No respect."

Stange: "Thank you, Madam Speaker. This Bill just passed the Senate 51 to 1. This is for the intrastate part of Illinois. What this Bill does, basically is to prohibit garbage companies and semi...and the tractor trailers dumping garbage in the landfill in the morning and that afternoon going to...companies such as the Keebler Biscuit Company with a load of cookies to deliver. It also prohibits tank trucks to carry toxic waste and also food.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

We passed a similar law approximately four to five years ago on milk trucks. The Federal Government is looking into the same type of legislation on a federal level next year. I ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report. The First Corrected Conference Committee Report on House Bill 2896. On the question, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. For the record, anyway, in regards to my initial question and concern there is a section in this Conference Committee Report that deals with a concern that I have. That packaged goods, including food items with maybe even with nonfood items, or even chemicals or pharmaceuticals that are packaged is exempt from this because of the packaging that would prevent any further contamination or the spread of odor or anything like that. And I understand the concern that the Representative has in attempting to deal with garbage and food, and I support this Conference Committee Report at this time."

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

Rice: "I'd like to ask a question, please."

Speaker Breslin: "Proceed Sir."

Rice: "Representative Stange, for information. If I'm a pick up a load of watermelons in Alabama and bring back here on a flatback truck and in the process, I take a load of freight to Alabama, is that, does this come under that legislation?"

Ropp: "Not at all. No it does not."

Rice: "Okay. That does not come under this legislation?"

Ropp: "None whatsoever."

Rice: "Okay. Thank you."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall the House adopt the First Conference

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Committee Report on House Bill 2896? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', 6 voting 'no' and 1 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 2896 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Steczo. Is Representative Steczo in the chambers? Representative Wait do you wish to proceed on Senate Bill 1700? Senate Bill 1700. Representative Giorgi. Do you wish to proceed with Senate 1700? Proceed Mr. Clerk."

Giorgi: "Madam Speaker, Senate Bill 1700 provides the Table Rock Township Center, Columbia Civic Center, Forest Park Center and there's some changes made in the DeKalb Civic Center. The Village of Rosemont is included. Money for the Secretary of State for making grants to public libraries and library systems. We charge the Waukegan to Lake County Metropolitan Authority. We changed the appointment process for members of the Center East Civic Center in Mouskogee. We changed the name of the Shawnberg Metropolitan Auditorium office in the Illinois Convention Center. And I think most of the members of the General Assembly are aware of what's in the Bill and I urge the support of this Bill."

Speaker Breslin: "The Gentleman has moved that the House adopt the First Conference Committee Report on Senate Bill 1700. On that question, the Gentleman from McDonough, Representative Edley."

Edley: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Edley: "Is this the Bill that has the \$10 million in there for

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Rosemont?"

Giorgi: "Yes Sir."

Edley: "Is this also the Bill that has three civic centers?"

Giorgi: "Yes Sir. Three new ones."

Edley: "What happened to the other civic centers that we passed out of this legislation?"

Giorgi: "They're in, they're in a Bill that's in the Senate, I understand."

Edley: "The other Bill was defeated, was it not?"

Giorgi: "I'm not aware of that Representative Edley."

Edley: "Well, to the Bill, Madam Speaker. I I think there's a number of legislators in this Body who had local civic centers they would have liked to have seen on that they would have liked to have seen passed out during this session and from my point of view if we can't take care of all the Members I don't think we should be taking care of just a special few. Plus the \$10 million from Rosemont is not acceptable to me."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker. I too rise in opposition to this Conference Committee Report. In times of tight money we are creating new civic centers and not only that we are providing \$10 million to the Rosemont Auditorium. They seem to do quite well on their own there and I think in tough times \$10 million could better be spent on some of our own pressing social needs and I think it would be a good idea to turn this, turn this Conference Committee Report down and send it back for a Second Conference Committee Report so this \$10 million can be spent on more important items than the Rosemont Exhibition Center. Please vote 'no'."

Speaker Breslin: "The Gentleman from Saline, Representative Phelps."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise also in opposition. As original Sponsor the title of the Bill is Caving Rock which is no more desired as far as I'm concerned because it just has the authority as opposed to not \$10 but \$15 million for Rosemont. \$10 now and \$5 later. And then \$10 million for the Hairwash and library. A little lop-sided if you ask me. I oppose it."

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

Homer: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Homer: "Representative Giorgi..."

Giorgi: "Yes Sir."

Homer: "...How was it decided? As I read the Conference Report there are three civic center authorities created. There's the Rock Civic Center, Cave in the Rock Authority and then there's Forest Park and there's Columbia. Now, when the Bill was amended in the House and sent over to the Senate there were several others including my own, Canton. Now, how was the cut made? Why were those three included and Macomb and Canton and Lake County and Burbanney and Scyler County and Atwood, why were they left out? What was the criteria for leaving in those three?"

Giorgi: "Representative Homer, the Conference Committee met and decided on the items that are in this Conference Committee Report. I'm at a disadvantage because I took the Bill from a Member of the Conference Committee Report that didn't want to handle the Bill because some of it he didn't agree with. So, I can't give you the details except that this was a duly construed Conference Committee and they decided that these were the things that they wanted in this Conference Committee and quite a number of the things have



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

been things discussed for many years around here. Civic Centers aren't just created from one Session to the next. Many times civic centers take two and three and four Sessions before the General Assembly accepts that thought or that civic center. My civic center that I have in Rockford took me at least ten years to get. And one of the Speakers previous to me who opposes this Bill has a civic center so I don't understand where he's coming from. So, you just can't, everyone can't have a civic center at the same time. It takes a little bit of evolution...it takes a little bit of work."

Homer: "Well, Madam Speaker. To the Bill. I...I you know, these, these the creation of these authorities is not tantamount to appropriation of money for them. Once an authority is created, appointments are made, applications is filed with DCCA and a procedure is followed. What we were asking is authority to create a civic center authority and I can see absolutely no reason to selectively and arbitrarily select three and exclude the others. And frankly, this Columbia is in Representative Goforth's district, as I read Senate Bill 1700, wasn't even in that Bill when it left the Senate. And it got added in Conference. I just think that you know, we ought to be equitable. If we're gonna create some new authorities, let's create them. If we're not, then let's don't create any of them. And I don't think it's fair to just arbitrarily single out three and to dislop off all the rest and further more, you know, this is clearly pork. This is plain and simple and Representative Giorgi, that's why the previous Gentleman, even though he got his civic center is still against the Bill. Because it's \$15 million for Rosemont, it's money for a library, it's all in the metropolitan Chicago area, and those of us that have civic

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

center authorities downstate were lopped off in Conference Committee. So I can't think of too many good reasons to support this Bill and I would urge we vote 'no', send it back for a second report."

Speaker Breslin: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Madam Speaker. Representative Giorgi, were you aware that Bellvedere was also included in there? And then it got lopped off?"

Giorgi: "No I wasn't, Ron. I was not on that Conference Committee Report. I assumed the Bill about an hour ago. But I'm aware of the efforts we all have in creating civic centers because of the success we're all enjoying with the civic centers we have already. I think there are at least 12 to 15 operating in Illinois and everyone really utilizes the civic centers. Incidentally, almost a million people have been through the turn styles in the Rockford Civic Center so I know what you're looking forward to but I was not on the Conference Committee so I can't answer specifically what happened during deliberations."

Wait: "Well, Madam Speaker, to the Bill. I just wanted to echo what the other Speakers have said. I think it's highly unfair here that we're creating a few civic centers and not going with all the ones that were requested. In fact one of them was added that wasn't even in the Bill to begin with. And I think that's unfair. I think we oughta send a message, send it back to the Senate and let's put all the civic centers in or let's kill all the civic centers. Thank you."

Speaker Breslin: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "I thank you, Madam Speaker. I'd like to echo the remarks that were made by Representative Homer. I think one of the things that we face here is that we are talking

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

about strictly creating these as far as the administration of them were this is just getting them into the application process. I know we've had a small town in our district that has been working for over two years on renovating a local opera house and this would certainly make an excellent civic center for the area. Unfortunately their not even going to get an opportunity to make an application until they have the authority. I urge a 'no' vote on this."

Speaker Breslin: "The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I echo the comments of my colleagues. There were a number of civic center authorities that were included in this legislation when it left the House twice. This Conference Committee Report has removed a number of those. And I ask and urge a 'no' vote and send it back for a Second Conference Committee Report."

Speaker Breslin: "Representative Giorgi is recognized to close."

Giorgi: "Madam Speaker, like I said earlier, everyone knows what's in the Conference Committee Report and the Conferees must have had an argous time coming into a decision and civic centers aren't just created overnight. There's a lot of work going on in creating civic centers and I urge support of these civic centers at this point."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1700?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Granberg votes 'no' Mr. Clerk. Sixty votes are required for passage. This is final passage. Representative Laurino should be voted 'aye'. Have all voted who wish? The Gentleman from Madison, Representative Stephens. One minute to explain

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

your vote."

Stephens: "Madam Speaker, I was off the floor for just one moment and having just come in I am, wonder if someone could just explain to me the areas of the state that are going to benefit from this Bill. Not specific areas, but just in general. That's good. I appreciate that explanation. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 67 voting 'aye', 42 voting 'no, and 6 voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1700 and this Bill having received the Constitutional Majority is declared passed. Representative Steczo. Is Representative Steczo in the chamber? You're recognized to present Senate Bill 3310. Are you prepared on 3310? Representative Steczo? Out of the record. Representative Capparelli. Is Mr. Capparelli in the chamber? Representative Capparelli? Are you ready o Senate Bill 1504? Senate Bill 1504? Who's going to present the Bill? Representative Cullerton, you're recognized on Senate Bill 1504."

DeLeo: "Lee...Lee..."

Cullerton: "Madam Speaker, I believe we have to wait a few minutes until the matter is printed and distributed. It's also being voted on in the Senate right now. We'll wait until the Senate passes it."

Speaker Breslin: "Representative, okay. Because it was distributed at 6:20. Representative Cullerton, on Senate Bill 1504."

Cullerton: "Yes, Madam Speaker. I understand that the matter, the Conference Committee has been passed out. Well, let me say that even though the House passed an Amendment dealing with the reduction in the property taxes for the Du Page

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

County residents, the Senate did not concur with that Amendment and as a result this Bill went to a Conference Committee and unfortunately they did not retain that Amendment. However, it does insert House Bill 2186 which requires persons who bid the tax sales to deposit with the collector a letter of credit or a bond of at least one and a half times the amount of the tax due. It also adds Senate Bill 1565, sponsored by Senator Lechowicz, dealing with Cook County. It decreases the fees paid into the indemnity fund by buyers and tax sales from \$40 to \$80 . It increases the cap on the fund from \$1 million to \$2 million. It would allow court to void a tax deed based on fraud or deception or upon a showing an error by the County Clerk or the County Collector. It allows the taxpayer to receive reimbursement for expenditure if such deed is voided. The Bill just passed the Senate with 54 votes. The reason for it is that the indemnity fund in Cook County is seriously depleted and the increase in the fee and the cap is intended to allow new funding. If the indemnity fund reaches the prescribed cap the excess goes into the General County Fund. Currently, under the common law interpretation of the Code of Civil Procedure a tax deed may be voided only upon showing that the deed was procured by fraud or deception. This Conference Committee Report comes as a result of Senator Lechowicz's not totally successful campaign for President of the County Board but certainly successful campaign for being a candidate for the County Board and he raised some excellent issues. And this was one of the issues that he raised during that campaign. He worked this out with the title insurers. And I think it came in response to some inequities that occurred when people lost their homes as a result of a misunderstanding. So, as I indicated before, it does not contain the language

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

that we added with House Amendment #1 regarding the Du Page County Airport. Maybe that's something that we can pass in the next year when we have a new President of the Du Page County Board. Either the Democrat or the Republican either one would be, I think, amenable to some tax relief for the airport but apparently, it's not that time yet. Hello?"

Speaker Breslin: "The Gentleman has moved to adopt the First Conference Committee Report on Senate Bill 1504 and on that question the Gentleman from Cook, Representative Young."

Young A.: "Thank you, Madam Speaker. Madam Speaker."

Speaker Breslin: "Yes, Sir?"

Young: "I couldn't hear anything."

Speaker Breslin: "I don't believe you. I heard every word. You weren't listening."

Young A.: "Well, I'd like to ask the Sponsor a question. If we could get a little order."

Speaker Breslin: "Okay."

Young A.: "Thank you, Madam Speaker. And to the Sponsor. I'm sorry I didn't hear your explanation. But there's a provision I believe in this Conference Committee that deals with the amount of bonds or deposits someone would have to put up 10 days prior to bidding on tax sale property in Cook County. Am I correct on that?"

Cullerton: "It increases the fees paid into the indemnity fund by buyers and tax sales in \$40 to \$80."

Young A.: "I'm not talking about the indemnity. I'm looking at my analysis and it says that part of this Conference Committee says that no tax buyers shall make an offer or a bid nor shall the County Treasury accept or acknowledge such an offer from anyone who has not deposited with the treasurer not unless it's been ten days prior to making the offer irrevocable and unconditional letter of credit or unconditional bond payable to the treasure. Is that in

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

this Bill?"

Cullerton: "Yes, I'm sorry. I thought you were referring to the Cook County language. That's the language that was found in Representative Steczko's House Bill 2186 and I believe that it does not apply to Cook County but I'm not positive. I'd have to take a second to answer that directly. Do you want me to take it out of the record? I can check that out and answer that for you."

Young A.: "I'd appreciate if you'd take that out."

Cullerton: "If we can take this Bill out of the record, Madam Speaker?"

Speaker Breslin: "Out of the record. Representative Peterson. House Bill 390. House Bill 3090."

Peterson: "Thank you, Madam Speaker. I move for adoption of Conference Committee Report #1; House Bill 3090. I hope everybody is paying attention; this is a very long and very compact Conference Committee Report. First part deals with double barrel bonds that are authorized by municipal ordinance. This Bill passed out of the House 108 to 1. The second section deals with essential parts to include a definition that includes seats, aluminum wheels, cassette radios, compact radios, cassette compact radio discs. Under current law, new vehicle dealers, used vehicle dealers, automotive part recyclers, scrap processors, repairs and rebuilders. These records include, among other things, the vehicle identification number the vehicle from which the essential product came from, the date of purchase etc. The next part of the Bill provides the persons license as automotive part recyclers, scrap processors, repairers and rebuilders who are also licensed as used car dealers may exchange a salvage certificate. This Bill has already passed the House as House Bill 3368. It passed 105 to 8. Did not get out of the Rules Committee in the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Senate. Next section amends the Vehicle Code. The size weight and load to exempt government owned vehicles used exclusively for cleaning and vacuuming sewers and falling sewage sludge from various areas. This was put in by the Rockford Sanitary District. Next section provides records pertaining to essential parts, do not have to be kept for quarter panels and transmissions. Next section makes various technical changes with regard to transfer of essential parts and rebuilders to inspect and meet other requirements upon delivery of an essential part by a commercial delivery service to determine if the identification number is legitimate. The next section adds churches to the list of school boards, hospitals, shopping center and apartment complex owners who made contract with the municipality or county for the regulation of traffic and parking areas. The next section amends an Act to prevent fraudulent and corrupt practices in making or accepting of official appointments and contracts by public officials. Adds that persons may be members of a local governing body even if they have procuracy interests in a bank or a savings and loan association. This language is the Illinois Municipal Leagues on behalf of the City of Rockford. Next section provides that a multitownship board would consist of township clerks and supervisors rather than township board of trustees. This Bill passed the Senate 56 to nothing and did not get out of the Rules Committee of the House. It's sponsored by the township officials of Illinois. Next section authorizes township road districts to borrow money with the approval of the town board of trustees from the town fund. There's no general assistance in this for those of you who have a question. Next section removes a requirement that a road district highway commissioner applicable only in commission



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

counties, in determining the amount of tax that's necessary to be levied for road purposes. This Bill passed out of the House was House Bill 3118, 111 to nothing. Next section also recommended by township officials provides for purposes of bidding procedures the term 'new machinery' or equipment means machinery or equipment that has not been titled or has fewer than a hundred operating hours and it accompanied by a manufacturers warranty. Next section, with regard to bid provisions and purchases of contracts require that the sale of road district property be approved at a town meeting. This already passed out of the House as House Bill 3091. Passed out at 113 to nothing. Next section allows a highway commissioner with approval of the board to have a primary interest in lease contract up to an amount of \$1000 per fiscal year. This was House Bill 3933. Passed out of the House 114 to nothing. Once again was held up in the Senate Rules Committee. Next section requires that once a rate of taxation for road purposes is established by a township board of trustees, that the rate shall stay, remain in effect until changed by the board. This also passed out of the House 107 to 2. Next section requires that a fire protection districts with three member board that a petition seeking address of fire protection trustee charging trustee with derelict initiative duty or nonfeasance in office signed by at least five percent of the voters of the district. This also passed out of the House previously 111 to 2. Next section with regard to bid provisions of purchases and contracts requires that a sale of road district property be approved at a town meeting. Next section requires that when a written request for a special town meeting is filed in a town clerks office. The meeting shall be held not less than 14 days nor more than 45 days after the request is filed. Next provision

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

requires the township board of trustees must fill vacancies and elected township offices within 60 days excludes township assessors and trustees. The last section a land conveyance in the City of Rock Island to Bartoll International and the Department of Transportation for \$50,000. This land it continguous to the Mississippi River. This section takes effect upon becoming law. I move for adoption of the First Conference Committee Report to House Bill 3090."

Speaker Breslin: "You've heard the Gentleman's Motion. On this question, the Gentleman from Cook, Representative Levin."

Levin: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Levin: "Okay. Representative, as you indicated this is a long Bill and we haven't had the opportunity to examine it. But given the situation that occurred a couple of days ago in the Senate I just want to ask a question. I think I know the answer but I just to be cautious. I find nothing in this Bill that either amends the Public Utilities Act or deals with public utilities or procedures before the Illinois Commerce Commission. Is this correct?"

Peterson: "For the record Representative, it has nothing to do with the Public Utilities Act."

Levin: "So there's nothing here, anywhere?"

Peterson: "That's correct."

Levin: "Thank you."

Speaker Breslin: "The Gentleman from McCoupin, Representative Hannig."

Hannig: "Yes, thank you. Would the Sponsor yield for a couple of questions?"

Speaker Breslin: "He will."

Hannig: "Yes, Representative, you talk about the autoparts recyclers and scrap processors are we..."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Peterson: "I can't hear you Representative."

Hannig: "On the part of this Bill that has to do with the parts recyclers. Are we imposing additional paperwork on them or are we simply streamlining a process to make it easier on them?"

Peterson: "Would you repeat the question please?"

Hannig: "On the recyclers, the auto recyclers, and the additional...it appears additional paperwork requirements creating new paperwork requirements for these people, or are we streamlining additional requirements?"

Peterson: "We're using current paperwork that they're doing now and it'll make it easy for them to track the recycling materials."

Hannig: "So these people, when we go home and tell them that we've changed the law, they're going to be in favor of this, or are they going to be complaining that we've made it tougher for them to do business?"

Peterson: "My staff tells me yes Representative."

Hannig: "Yes, that they'll be happy?"

Peterson: "Yes."

Hannig: "Okay. Thank you."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren."

Peterson: "This was language from the new and used car dealers, Representative Hannig."

Hultgren: "Thank you. I have a couple of questions Representative Peterson. The first one concerns the interfund borrowing on page 37 of the Conference Committee Report where it authorizes a borrowing from the town fund for the road fund. Earlier this year in another similar, but not the same situation, the Farm Bureau opposed borrowing between town funds. Do you know whether the Farm Bureau has a position on this borrowing proposition? I

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

recognize it's different than the last one..."

Peterson: "No. The only objection the Farm Bureau had was to the general assistance transfer. They, as far as I know, they have no objection to this and that is not included in this Bill."

Hultgren: "The second question I had concerns, the conveyance authorized on page 56. This was not a part of the regular DOT conveyancing Bill. Is there a, is there a survey or a appraisal for this? How is this amount arrived at and why was this not included in the regular DOT conveyancing Bill?"

Peterson: "It was too late. They didn't have a chance to include it. It's part of the shore in the Mississippi that's been created by different currents in the river, so previously not land that was platted, I understand."

Hultgren: "Is there an appraisal?"

Peterson: "It's not required."

Hultgren: "How...where does the \$50 thousand come from then. How do we know it's fair market value for the property?"

Peterson: "It's been...DOT has said that this here \$50 thousand dollar transfer in the governor's office may have concurred on that as a viable fee for the property."

Speaker Breslin: "The Gentleman from Coles, Rep...Are you finished Gentlemen?"

Hultgren: "Thank you."

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. Just a brief question. On page 32 line 2 it starts a section authorizing parking meters in church parking lots. Is that something we really want to do? I don't know about most people, but when I go to church I don't know that I want to feed the parking meter."

Peterson: "Alright. Let me give an illustration. In some of the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

areas such as Oak Park there are churches that are near the rapid transit. They have made agreements with the municipality to put meters there. They derive a certain amount of revenue from the village because those parking lots aren't used during the week. They're only used basically during the evenings or on the weekends. So, they derive a certain amount of revenue from it."

Weaver: "But this section as is your intent is perfect...or strictly permissive in nature?"

Peterson: "Yes."

Weaver: "This will not mandate from the municipal perspective that they have to sign up or they have to sign a contract?"

Peterson: "No."

Weaver: "Okay."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3090?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye' 4 voting 'no' and 4 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3090 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3793, Speaker Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the Conference Committee Report on House Bill 3793. This legislation relates to current statutory provisions concerning the special service areas. And it would amend those provisions to provide that there could be created within the County of Cook what would be referred to as a transportation special service area."

Speaker Breslin: "Excuse me, Mr. Speaker. Representative Piel,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

for what reason do you seek recognition?"

Piel: "Question, Madam Speaker. We just got this on our desk 15 minutes ago. 10:17 was when it was put on our desks."

Madigan: "I didn't hear the Gentleman, could he speak a little clearer?"

Speaker Breslin: "The Gentleman indicated that one hour has not passed since they got this Conference Committee Report on their desk. I don't have that time yet so if you wish to continue with your presentation until I find from the Clerk what time it was distributed that would be..."

Madigan: "It was distributed at 10:17 Madam Speaker."

Speaker Breslin: "Representative...Speaker Madigan."

Madigan: "Could you take this out of the record?"

Speaker Breslin: "Out of the record. Representative Steczo are you ready on House Bill 3310? Out of the record. Representative Capparelli. Mr Capparelli? House Bill 1504, Representative Cullerton."

Cullerton: "Yes, Madam Speaker and Ladies and Gentleman of the House. We had taken this Bill out of the record because Representative Young had some questions. You may recall that as I started to describe this Bill this is an initiative of Senator Lechowicz. Who, as you know, is a candidate for the President of the County Board and did a very creditable job in that regard and during the course of that campaign he uncovered an abuse, really, in the law and proposed this Bill. That's why it has such a low number Senate Bill 1504. And the Bill contains basically two provisions. The one involves the House Bill 2186, which Representative Steczo, was the Sponsor of, and the second involves Senate Bill 1565 which passed the Senate and went to the Senate Revenue Committee. And I believe that Representative Young had a question as to whether or not this involved scavenger sales and my understanding is that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

it does not involve scavenger sales but the annual tax sale. And I'd be happy to answer any questions. I think I've explained it. It deals with the Indemnity Fund in Cook County which is depleted. It increases that by increasing the fees paid into that fund from \$40 to \$80. Increases the cap on the fund to from \$1 million to \$2 million. And allows the court to void a tax deed based on fraud or deception or upon a showing of an error by the County Clerk or the County Collector. It's in response to a situation that came up during the campaign that people were losing their homes as a result of a technical error so again, as I indicated, I'd be happy to answer any questions. The only disappointment, of course, in the Conference Committee that we had received from House Amendment #1 which as many of you from Du Page County know, was an effort to alleviate the growing tax burden out there in Du Page County as a result of your obligation to pay for the Du Page County Airport. But as I said, I think perhaps next year when we have a new Du Page County President, whether it be the Democratic or Republican, either way, there will be a commitment to addressing that problem. So for now, I would ask your and urge your support of the measure and be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved the adoption of the First Conference Committee Report on Senate Bill 1504. On the question the Gentleman from Cook, Representative Young."

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

Speaker Breslin: "Yes."

Cullerton: "Absolutely."

Young A.: "Representative Cullerton, does anything in this report apply to or is intended to apply to the Cook County scavenger sales?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Cullerton: "No. It does not. It, the section that you are referring to deals with the annual sale but not to the quote scavenger sale."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

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

Cullerton: "Absolutely."

Countryman: "This provision dealing with the posting of the one and a half times the amount of the...I guess it's unpaid tax. If I'm reading this right, would this be the redeemed tax after the sale? The person seeking to redeem it, say the property owner? Are you saying then that they would have to post a letter of credit or a bond in one and a half times the amount in order to redeem the property?"

Cullerton: "Well, I'm not sure if I follow your question exactly but let me just state what I believe the Bill does and see if this answers your question. It requires prospective tax sale bidders to deposit with the collector not less than ten days prior to the sale either a letter of credit or a bond of at least one and a half times the tax due."

Countryman: "Well, let me read you the language I'm looking at. On the first page, line 57. It says no person shall make an offer to pay the amount due on any tract or lot and the collector shall not accept or acknowledge an offer from any person who has not deposited. Now there's two things that happen when these taxes go to sale. First is, somebody normally buys them and if that's what you're talking about, the person who is what we call the tax purchaser then he, what you're saying, he would have to post the bond."

Cullerton: "Yes."

Countryman: "And then for a period, I think it is two years, that property can't go to tax deed. So the owner of the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

property can come in under the law and say here's my money I owe really owe to the tax purchaser, plus the interest because he pays the rate of interest. He buys it at a rate of interest so he gets interest on his money. In essence, you pay everything that's owed and you redeem back your taxes is what we call it. And I just don't want that person who redeems back his taxes to pay one and a half percent. So you're telling me that this is only the person who is the tax purchaser must produce a letter of credit ten days before the sale?"

Cullerton: "Exactly. It's the tax purchaser that has..."

Countryman: "That's to keep people from walking into the sale, I suspect, who don't have the credit or the ware worth to buy these taxes and bidding at them at the sale. He's gotta show some financial stability. Is that right?"

Cullerton: "Exactly. Exactly."

Countryman: "Okay. Then I'm alright. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1504?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. The Lady from Cook, Representative Davis. Do you wish to explain your vote? She indicates she does not. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 95 voting 'aye', 13 voting 'no' and 4 voting 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1504 and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill...Senate...House Bill 4190, Representative McPike. Representative Matijevich, for what reason do you seek recognition?"

Matijevich: "Madam Speaker, this reached our desk at 10:35 and I

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

think we ought to wait awhile. It's a very comprehensive Bill and I..."

Speaker Breslin: "Thank you. I did not know that. Thank you. Representative Steczo, ready? House Bill 3310, Representative Steczo."

Steczko: "Thank you, Madam Speaker and Members of the House. I would move that the House adopt the First Conference Committee Report on House Bill 3310. In addition to the House concurring in Senate Amendments #1, 2 and 3, which deal with the Du Page County Forest Preserve District, we've added language, language that was relating to tax sales which was just heard on the previous Bill, included on this Bill. In addition to that Madam Speaker, we have, the Conferees have placed language relating to the County Executive Act and indicate in the County Executive Act that the county executive shall be able to appoint subordinate deputies and employees and appointees for the general administration of county affairs as considered necessary and also provide to the county executive shall control the external, internal, I should say operations, of his or her office including personnel and shall procure the necessary equipment materials and services to perform the duties of his or her office. Madam Speaker, the statutes now are silent, generally on the ability of county executive to be able to control the internal operations of that office. And then, it's our goal here to try to stipulate further as to what they might be and the powers the county executive might have. I move for the adoption of the report."

Speaker Breslin: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 3310. On the question, the Gentleman from Will, Representative Petka."

Petka: "Thank you, Madam Speaker. Will the Gentleman yield for a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

question or two?"

Speaker Breslin: "He will."

Petka: "Representative, the County Executive Act as I understand it right now only applies in one county, the county of Will. Is that not correct?"

Steczo: "That is correct."

Petka: "I live there, Representative, and I'm not aware of any problem that they have in connection with the hiring practices. Can you just give a brief background of what precipitated the necessity for possibly changing the language under this Act?"

Steczo: "Representative Petka, I do not live in Will County but I live on the borders of Will County and I know from reading the news accounts in the newspapers that cover the Will County area that there has been a great deal of debate as to the executive being able to assume the power that inherently is due to the executive. And there has been some problem with the members of the county boards who wish to maintain control over the operations of Will County Government notwithstanding the fact the executives should have that authority so this is an attempt to try to stipulate exactly what the County Executive's role is."

Petka: "What would be the mechanism for this County Executive making his appointments in terms of controlling the amount of money that might be spent for putting all these subordinates?"

Steczo: "Well, Representative Petka, notwithstanding any provisions otherwise the County Board still would have control of the budget as in the case of other executives, or county officers that have control over their budgets. The States Attorney...or over their offices. The States Attorneys for instance and this...some of this language was taken directly from the States Attorney Statute which

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

stipulates that they have control over the internal policies and practices of their office."

Petka: "To the Bill. Although I think there are few provisions here that are meritorious, specifically the new paragraph, dealing with control of new office operations which I think is desirable, I think that under a system of checks and balances where one branch of government, that is the County Board which is now a legislative branch only in the County of Will and I think that check and balances demand that in this instance, that the County Executive simply not be given this authority and I would ask for a 'no' vote in connection with this."

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

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

Speaker Breslin: "He will."

Regan: "Representative, is there anything at all in this Bill that affects the legislative duties of budgetary making for the County of Will County?"

Steczo: "To repeat, Representative Regan. Does anything impact the budgetary duties of the County of Will?"

Regan: "Yes. The legislative branch."

Steczo: "There are two, there are only two changes that are made. One allows the executive to appoint such subordinate deputies employees and appointees for the general administration of county affairs as considered necessary except those deputies, employees and appointees in the office of elected county officer in control and operation of his office. There's nothing with relation to the budget that is in this Amendment. In this language."

Regan: "Thank you."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Klemm: "Thank you, Madam Speaker. I guess, as a former County Board Chairman I guess, I read this a little differently. When I look at the control of office operations when it says 'the County Executive', whoever that may be in this case it would be the County Board Chairman in that case, 'shall control the internal operations of his or her office including personnel and shall procure the necessary equipment, materials and services to perform the duties of his or her office' clearly indicates to me that there would be no County Board oversight whatsoever on the expenditures of funds for that particular person in that position of County Executive. The interpretation of providing services and materials and equipment as necessary is necessary as deemed by the County Executive in this particular Bill. And I don't think it's a good public policy for us to sit here and have in whether it's an elected official or an appointed official, to have carte blanche on expenditures of personnel and equipment without at least some checks and balances. No elected official in county government has that latitude now. And the interpretation is quite clear that even though they would appropriate X amount of dollars that this would give that County Executive ability to hire whatever personnel necessary in that persons mind regardless of the limitation. So there would be no checks and balances. I think this one section should be changed and corrected and I would think we should not adopt this report."

Speaker Breslin: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think the question is very simple, it's a question of fundamental fairness. We...could we have some order please? Ladies and Gentlemen, whether you're a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Democrat or a Republican, the people determine who elect their office holders and represent their will. The Chief Executive of Will County was elected by the people last election. His ability to administer the administrated government and duties of Will County are being thwarted politically. That is wrong. The people elected him, he should be authorized to exercise those powers that the people invested in him at the polls at that given time. This is a question of fairness and equity. Doesn't make any difference whether you a Democrat or a Republican. It's very important that we consider this legislation and allow this Gentleman whether it's in Will County or Saline County or Du Page County or for whatever county for that matter, or for Kankakee even. It's fairness, equity and the right of the will of the people that determine the person to win at the polls, to govern that respective government. I urge your support."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Thank you. Representative, in a previous discussion, you had mentioned that the language was largely taken out of the...or from the states attorney's section."

Steczo: "Right. That's correct. And I understand Representative Black that there's similar language in other statutes as they relate to other county officials."

Black: "Are they? Because the question I was going to pose to you is basically don't we consider the States Attorney to be an officer of the court?"

Steczo: "The States Attorney, however, is an elected county official."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Black: "There's no question about that. I understand that quite well. But for purposes of being treated, that elected official at the county level is often treated quite differently in our statute and reference because they have generally been, and I think the argument rages, but they've been generally been considered to be officers of the court. Would you agree, or not agree?"

Steczko: "Was that a question, Representative?"

Black: "Yes. Would you agree that they've usually have gotten some kind of special language or special consideration under the law because they have been able to call themselves, classify themselves, whatever, as officers of the court."

Steczko: "Representative Black, in response to your question. While I agree that we in this General Assembly agree that States Attorneys and Circuit Clerk Clerks are officers of the court notwithstanding the statutes also take into consideration of the fact that each one of them and other county officials are county elected office holders and as such should have control over the internal policies of the respective offices with the exception of budget limitations that might be approved which would limit that but quite often in all instances we look at the elected county official elected countywide official as pretty much having control and having the power to do as he or she pleases."

Black: "Thank you very much, Representative. I appreciate your response. Madam Speaker, Ladies and Gentlemen of the House. A previous Speaker said that it is a matter of fairness, and I think that's probably correct. You have to look at this and you'll have to make up your own mind as to what's fair. Would it be fair for this body to not have, or the Senate to not have advise and consent over the appointments of the Governor? I don't think any of you

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

would agree with that. Would it be fair to have a County Executive to have a multitude of appointments not subjected to the advice and consent of the County Board? Well, if we're going to talk fairness, then let's talk fairness all the way up and down the line. I would think as the previous Speaker said that there are some good points to this Bill but this is not one of them and a 'no' vote might be advisable."

Speaker Breslin: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Madam Speaker. This is my county. We have a County Board that is 18 Republican and 9 Democrat. We have a County Executive elected for the first time. He is treading on unsafe water. He has been confronted with uninsurmountable objectives against his regime. He has nowhere to go. He is looking to us for help. Representative Steczo has presented the Bill in fact exactly the way it was not only that, Representative Wennlund, Representative Petka, Representative Regan and every other one of the Representative's in Will County who represent any part of Will County know very well and they're licking their lips in the next two years when they're going to take over the executive branch of our government so therefore, please, as Democrats give us a vote. I will be perpetual happy. Thank you."

Speaker Breslin: "The Gentleman from St.Clair, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye' opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Steczo to close."



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Steczo: "Thank you, Madam Speaker. Quickly in closing, I would just indicate that it's a pretty sad day when a person is elected countywide in the only countywide elected official would be the County Executive. Or to have that kind of Executive power in the county on the State of Illinois, and can't even appoint a secretary without advice and consent without the County Board and in cases where that County Board may be comprised of the opposite party to be thwarted at every turn in terms with trying to carry on the functions that that person is entitled to carry on. As Representative Novak said, this is a question of basic fairness. The other side of the aisle, if confronted with the same kind of situation, would be the first ones here saying we must correct the problem and the County Executive needs to carry on the duties of the office and the duties entrusted to him by the people of that county. This is a fair Bill. This Bill is right and it's just and it's something that this General Assembly needs to recognize. That the County Executive needs to be able to provide the kind of services the people of Will County that he was elected to do. I would ask for your 'aye' vote...vote."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3310?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Representative Turner, one minute to explain your vote."

Turner: "Thank you, Madam Chairman and Ladies and Gentlemen of the Assembly. My question, I wanted to ask a question to the Sponsor regarding the portion of the Bill that deals with the tax sale. Is that only for the tax sale, the annual tax sale, not the scavenger sale? Are we correct on that? You can just wave at me..."

Speaker Breslin: "Representative Steczo, one minute to explain

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

your vote. Mr. Steczko?"

Steczko: "Representative Turner, it does not deal with the scavenger sale. Just the annual tax sale."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'aye' 50 voting 'no'. Representative Olson, for what reason do you seek recognition?"

Olson: "As soon as you announce the role Madam Speaker, would you please get back to me?"

Speaker Breslin: "Okay. Representative Regan, for what reason do you seek recognition?"

Regan: "Madam Speaker, my name was used in the last debate and I'd just like to refrain...to the previous Speaker. This gives so much power, it's too much power, whether it's a Republican or a Democrat and I'm voting 'no'."

Speaker Breslin: "Representative McCracken, for what reason do you seek recognition? He wishes a verification. Mr. Clerk, take the record. Representative Steczko asks for a poll of the abs...the one person abs...I guess there are six not voting. Poll the absentees."

Clerk O'Brien: "Poll of those not voting. Barnes. Leverenz. Mautino. Morrow. Mulcahey. No further."

Speaker Breslin: "Poll the affirmative."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. Levin. Martinez. Matijevich. McGann. McNamara. McPike. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczko. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Representative Mulcahey votes 'aye' and asks leave to be verified. Mr. McCracken. Leave is granted. Do you have any questions of the affirmative?"

McCracken: "Yes. Thank you. Representative Farley."

Speaker Breslin: "Representative Farley? Bruce Farley? Is the Gentleman in the chamber? He is."

McCracken: "Representative Giglio?"

Speaker Breslin: "Representative Giglio is in the chamber. Representative Morrow, for what reason do you seek recognition? You were never on the Roll, Sir."

McCracken: "Get it together, Chuck. Representative McNamara?"

Speaker Breslin: "Representative McNamara. Representative McNamara. Is the Gentleman in the chamber? He is."

McCracken: "Representative Hicks?"

Speaker Breslin: "Representative Hicks. Larry Hicks. I can't see him. I can't see him. Now, see him. He's here."

McCracken: "Representative Young?"

Speaker Breslin: "Representative Anthony Young. He is here."

McCracken: "Representative DeLeo?"

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

McCracken: "Representative Krska?"

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

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

Speaker Breslin: "Remove him."

McCracken: "Representative Preston?"

Speaker Breslin: "Representative Preston. Lee Preston. How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative Ronan?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "Representative Ronan. Al Ronan. The Gentleman is in the chamber."

McCracken: "Representative Bugielski?"

Speaker Breslin: "The Gentleman is in the chamber."

McCracken: "Nothing else."

Speaker Breslin: "On this question, there are 61 voting 'aye', 50 voting 'no' and 1 voting 'present'. The House does adopt the First Conference Committee Report on House Bill 3310. And this Bill having received the Constitutional Majority is declared passed. Representative Olson, for what reason do you rise?"

Olson, M.: "Thank you very much, Madam Speaker. The Republicans wish to caucus in Room 300 immediately for twenty-five minutes."

Speaker Breslin: "Representative Turner, for what reason do you seek recognition?"

Turner: "Yes. Thank you, Madam Chairman. I think the Democrats want to go home for the night."

Speaker Breslin: "Representative Olson, your request is granted of course. The Republicans will caucus for twenty-five minutes. Return to the House floor by 11:30. 11:30. The House will be in recess until the...until the Republicans return from caucus at 11:30. Allowing the Clerk time to read Messages from the Senate."

Clerk O'Brien: "Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolutions, to wit; House Joint Resolution #66 together with Senate Amendment #1 passed, in the adoption of which I am instructed to ask concurrence of the House, adopted by the Senate as amended June 29, 1990. Linda Hawker, Secretary.'"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "The House will come to order. Going back to Supplemental #4 appears House Bill 3374. Representative Hasara."

Hasara: "Thank you, Madam Speaker. I move that the House adopt the First Conference Committee Report to House Bill 3374. There are three parts to this Conference Committee Report. The first was the original Bill which restricts transfer of line items from the retirement systems regarding the various departments of state government. That Bill is not controversial and passed both the House and the Senate easily. There were two Amendments put on. One, regards the lease for State Police facility in Mount Sterling. And the second provides the salary for the Taxpayer Ombudsman. I move for the adoption of the Conference Committee Report to House Bill 3374."

Speaker Breslin: "You've heard the Lady's Motion. On the question, is there any discussion? The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "She will."

Weaver: "The Ombudsman...that wouldn't happen to be a golden parachute for someone we all know and love, would it?"

Hasara: "It certainly is. And I'm delighted to have his salary on this Bill."

Weaver: "Thank you."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3374?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Representative Van Duyne, do you wish to explain your vote? He indicates he does not. Sixty votes are required. Have all voted who wish? The

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Clerk will take the record. On this question, there are 107 voting 'aye', 2 voting 'no'. And the House does adopt the First Conference Committee Report on House Bill 3374. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3682, Representative McCracken. Representative McCracken."

McCracken: "Oh, yes. Thank you, I'm sorry. I move that the House adopt the First Conference Committee Report. This Bill is agreed to by Illinois Bell and all other local carriers. The Bill would require that the surcharge currently paid by all other...all carriers other than Illinois Bell also be borne by Illinois Bell. It also allows the proceeds to be used to issue bonds to be retired solely from the proceeds of the 911 surcharge. I move that the House adopt the First Conference Committee Report."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question, the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He will."

Levin: "Okay. Representative, I'm going to ask you the same question I asked earlier on another Bill. In reading House Bill 3682, I, you know,...I don't find anything that I'm looking for, but given the experience of the Senate. I want to ask for the record anyway. Is there anything in this Bill that deals with deregulation of telephone service or procedures before the Illinois Commerce Commission, in terms of rate increases for telephone or any other utilities?"

McCracken: "Well, there is...there is reference to a...an exemption for very small telephone companies. And that exemption is currently 15,000 lines or less. This raises it to 25,000 lines or less. And, in fact, applies only to a single carrier somewhere in Harrisville, I believe."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Levin: "I believe, we had legislation that came before the House Public Utilities Committee to that effect, earlier in this year. Aside from that, is there anything in here that deals with deregulation of telephone companies or rate regulation of any other utilities or procedures before the Illinois Commerce Commission?"

McCracken: "Absolutely not."

Levin: "Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3682?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative Cullerton, one minute to explain your vote."

Cullerton: "Yes, Speaker, I would indicate a potential conflict of interest and wish to vote 'present' on this Bill."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye'. The House does adopt the First Conference Committee Report to House Bill 3682, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3722, Representative Deuchler."

Deuchler: "Madam Speaker, I move the House adopt the First Conference Committee report on House Bill 3722. Under current law the adjudicatory hearing which begins the court's intervention and protection of a child must be held within a 120 days of any demand by the parties. Without a demand there are no time limits under current law. This Amendment would require the adjudicatory hearing to be held within 90 days of service of the parties regardless of whether any demand for a hearing is ever made. The Amendment also permits only one continuance of the adjudicatory hearings. For a maximum period of 30 days. That one continuous...continuance must be in the best

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

interest of the child. Under current law there is no time limit on when a court must hold the dispositional hearing in which the court decides whether to place a child outside the family home. This Amendment would require the dispositional hearing to be held within 30 days of the adjudicatory hearing. The Amendment also permits only one continuance of the dispositional hearing for a maximum period of 30 days. That one continuance must be necessary for the court to complete its dispositional report. And the third and last provision, this Amendment establishes a new requirement of filing of the case plan for a child within 30 days of placement of the child in shelter care. This Amendment also creates a legislative requirement that not only must the plan comply with federal law, it must be in the best interest of the child. This Amendment is agreed to by DCFS, the courts, Chicago States Attorney, the Senate has just passed it 58 - 0, and I move it's adoption."

Speaker Breslin: "The Lady has moved the adoption of the First Conference Committee Report on House Bill 3722. On the question the Lady from Du Page, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I think most of us have been aware for years that we need to do a good deal more to improve the provisions for adoption in this state. And although I think that the Sponsor of this Bill would agree, just as the people from DCFS and those others who advised us about this Conference Committee Report, that this is in many respects only a first step toward the kind of improvement that is truly needed. But, Madam Speaker and Ladies and Gentlemen, one of the things that this Conference Committee Report does, if you look at all of its provisions, is that it puts the child's interests first. And I submit to you,



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

that in adoption cases, in nearly all cases in which minors are involved, it ought to be our obligation, both legal and otherwise, to always put the interest of the child first. The mark of any civilized society is how it treats the most vulnerable of its citizens, the very old, the sickly, the feeble and the very, very young. Madam Speaker, I stand in support of the Conference Committee on House Bill 3722."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3722?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye'. The House does adopt the First Conference Committee Report on this Bill. And this Bill having received the Constitutional Majority is declared passed. On the Special Order of Call under Concurrences, State and Local Government, appears House Bill 3748, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House. House Bill 37...3748 amends the medical assistance article of the Public Aid Code to raise the minimum asset disregard amounts to 2000, which is now 1500 for an individual and 3000, which is now 2250, for a couple. It has an immediate effective date. The effect of Senate Amendment #1 repeals the provision requiring the Department of Public Aid to maintain a register of names showing the names, addresses and amount of assistance for recipients under Aid to the Aged, Blind and Disabled, and to Families of Dependent Children and general assistance. The effect of Senate Amendment #2 permits the DPA to develop partnerships with medical providers to arrange medical services for Medicaid recipients. The effect of Senate Amendment #3 requires the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

appointment of a Child Support Advisory Committee to be composed of Members of the General Assembly, the judiciary, the private bar and others with expertise specific to child support establishment and enforcement. The committee shall conduct periodic reviews of the state's child support guidelines that are required by the federal family support act. I move to concur with Senate Amendment #1, 2 and 3."

Speaker Breslin: "You've heard the Lady's Motion. On the question is there any discussion? She has moved to concur in Senate Amendments 1, 2 and 3 to House Bill 3748. Any discussion? There being none, the question is, 'Shall the House concur to Senate Amendments 1, 2 and 3 to House Bill 3748?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye'. The House does concur in the Senate Amendments to House Bill 3748, and this Bill having received the Constitutional Majority is hereby declared passed. Going to Supplemental #5 appears House Bill 3771 (sic - 3271), Representative Bowman. House Bill 3271."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I move...I move that we adopt the First Conference Committee Report to House Bill 3271. In this report we appropriate \$10.7 million in federal funds to the Department of Commerce and Community Affairs for shortfall payments under the Illinois Home Energy Assistance Program pursuant to the Energy Assistance Act. I move its adoption."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3271?' All those in favor

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye' and 1 voting 'no'. The House does adopt the First Conference Committee Report on House Bill 3271, and this Bill having received the Constitutional Majority is declared passed. House Bill 3656, Representative Leverenz. Mr. Leverenz. Out of the record. House Bill 4126, Representative Homer."

Homer: "Thank you, Madam Speaker. This Conference Committee Report has the original provisions of House Bill 4126 pertaining to a...the...speedy trial demand where a person out on bail commits another offense. The speedy trial period is told. It also establishes an exception to the Confidentiality Act with regard to juvenile dispositions in the case where the Administrator of a bonafide student assistance program approved by probation and court services department may get juvenile court records. And finally, it amends the gambling statutes to redefine gambling device to exempt a redemption ...demption machine that is similar to what we did for crane games a year ago, which is a very limited amusement device where the prize is limited to seven times the cost or \$5, whichever is less. I would move the adoption of the First Conference Committee Report to House Bill 4126?"

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 4126. All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Representative Cullerton, to explain your vote."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Cullerton: "Thank you, Madam Speaker. I'm going to vote 'present' on a potential conflict of interest."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 109 voting 'aye'. The House does adopt the First Conference Committee Report to House Bill 4126, and this Bill having received the Constitutional Majority is declared passed. Senate Bill 1933, Representative Leverenz. Mr. Leverenz."

Leverenz: "Now?"

Speaker Breslin: "Now."

Leverenz: "Thank you, Madam Speaker, Ladies and Gentlemen of the chamber, I would move that we would accept the First Conference Committee Report on Senate Bill 1933. It would provide for \$66,544,600 in funding. Answer any questions you might have. Ask for your 'aye' vote."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1933?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. The Gentleman from Vermilion, Representative Black, one minute to explain your vote."

Black: "Well, thank you, Madam Chairman, not to explain my vote and I apologize for being late on the 'speak' button. If the Sponsor could just nod his head, there is a section in the Conference Committee Report about railroad crossing grade protection funds and it transfers it around. That's the last section of the Conference Committee Report. That doesn't take grade protection funds and make it available to a transportation authority not currently eligible to receive some? Pardon? Alright. Thank you."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 91 voting 'aye',

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

18 voting 'no'. The House does adopt the First Conference Committee Report to House...to House Bill...to Senate Bill 1933. Representative Black votes 'aye'. This Bill having received the Constitutional Majority is declared passed. There are 92 voting 'aye' and 18 voting 'no' and 1 voting 'present'. Senate Bill 2309, Representative Anthony Young. Out of the record. Representative Young, will you come to the podium? Representative Young in the Chair."

Speaker Young: "Bill 2231, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 2231 is the Bill that we called earlier and took out of the record so that we could answer more questions through the EPA. The original Bill was a Bill that had passed the House 118 - 0. It provides for joinder of third parties in actions brought by the state concerning illegal open dumping. The Bill that was added to this was a Bill that allows the EPA to charge a fee in...on...whenever it issues a sewer construction permit. The fee schedule has been changed so that should an individual resident happen to come under the jurisdiction of the Environmental Protection Sewer Construction Permit process, that fee will be \$50. Other than that under this corrected Conference Committee Report, the other fees as initially set out are still the same. It is expected that that would be an unusual circumstance. To add...to answer one other question that was put to the Body before as to whether or not this would apply to runoff the answer is 'no'...to storm water runoff, the answer is 'no'. It only applies to those people who are currently required to secure a sewer construction permit from the Environmental Protection Agency. The fee structure is one that is recommended by the agency and is agreed to by the home builders association. I move for the adoption of the First

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Conference Committee Report on Senate Bill 2231."

Speaker Young: "The Lady has moved for the adoption of the First Conference Committee Report on Senate Bill 2231. On that question is there any discussion? Hearing none, the question is, 'Shall the House adopt the Conference Committee Report?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 102 voting 'yes', 5 voting 'no' and 2 voting 'present'. And the House does adopt the First Conference Committee Report for Senate Bill 2231. House Bill 3793. Out of the record. Representative Breslin in the Chair."

Speaker Breslin: "Supplemental #5, there appears House Bill 3656, Representative Leverenz. Representative Leverenz in the chamber? Out of the record. Representative Piel, for what purpose do you seek recognition?"

Piel: "Well, I just noticed Madam Speaker that it was one minute past 12 and I was just wondering if we were going to take an Attendance Roll Call so we know who all was here...on June 30th?"

Speaker Breslin: "We are planning to do so. We are planning to do so. On Supplemental #5 appears House Bill 3656, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. I now move the House would accept the First concrete...Conference Committee Report on House Bill 3656. This is the one that earlier we reconsidered on the storm water management plan...the regional plan. The main thing that was removed was the preemption of Cook County. Answer any questions you might have. I would appreciate your 'aye' vote...Passed the Senate 50 - 1."

Speaker Breslin: "You've heard the Gentleman's Motion. On the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

question, the Gentleman from McHenry, Representative Klemm."

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

Speaker Breslin: "He will."

Klemm: "I was curious Representative about creating perhaps another strata of government, the County Storm Water Management Committee..."

Leverenz: "I'm sorry."

Klemm: "I was wondering if we are creating another strata of government, if we are creating a County Storm Water Management Committee? Is there some reason why counties aren't doing something about storm water on their own? Under their own county authorization at this time?"

Leverenz: "This would make it a regional plan and work with the Northwest Municipal and West Central Municipal District and the other organizations as well as the county, and it is an agreed Bill working with the Department of Transportation. If I have not answered your question, would you restate it in perhaps a different way?"

Klemm: "Is this just the creation of a storm water study committee for Cook County alone, is that what it is doing?"

Leverenz: "Does your staffer say 'yes'?"

Klemm: "I'm asking you. You're the Sponsor of the Bill, not the staffer."

Leverenz: "I concur with your statement."

Klemm: "Well, then I ask my questions of the staffer since he appears to know more than you do on it. Is that what you want me to do?"

Leverenz: "That's Section V 1062.1 on page 15."

Klemm: "Does that just apply for Cook County alone?"

Leverenz: "That is correct."

Klemm: "Thank you very much."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 3656?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye'. The House does adopt the First Conference Committee Report to House Bill 3656, and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 2309, Representative Young. Anthony Young. Out of the record. On Supplemental #5 under the Order of Speaker's Table appears Senate Joint Resolution 209, Representative Lang."

Lang: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, SJR 209 is the report of the Joint Committee on the Tax Sales Amendment. This is substantially the same language that we had on the ballot two years ago and this Amendment barely failed. I would ask that we adopt this report."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question is there any discussion? There being none, the question is, 'Shall the House adopt the Senate Joint Resolution 209?' All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. By use of the Attendance Roll Call Senate Joint Resolution 209 is adopted. House Bill 3024, Representative McNamara. Mr. McNamara. Representative McNamara is recognized."

McNamara: "Thank you, Madam Speaker. House Bill 3024 comprises of two separate measures. The first one is the Local Government Financial and Supervision Act. And in that Act where any unit of government under 25,000 experience a fiscal emergency it authorize a state board of seven



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

members and four local members to be set up in order to try to alleviate the conditions of that fiscal emergency. In order for a board to apply for this, it must require two-thirds of the vote of the local board for the petition, and the state board must also approve that that actual emergencies do exist. It makes recommendations, reviews budgets, tax levies, bond note ordinances, brings books and records into compliance, and assists in placement of debt obligations, and it makes reports to the General Assembly. The genesis of this Bill is very simply to help a troubled community in my area which is under a 25,000 population. In order to try to alleviate the conditions that are very necessary, that would cause them to go into financial...total financial chaos and distress. This is a measure that has been worked out by many of the departments of government, by the Governor's staff, by our staff on this side, by the Department of Revenue, DCCA, all of the functions of government in order to insure that communities of a small size have a chance for financial stability. The second part of this measure is one that affects East St. Louis. This Bill is the East St. Louis...in actuality, the East St. Louis Bond Act, which requires that for a home rule community of 5% or more, that they would...petition the state government for entrance into this program, which can achieve for them a bonding authority backed by the State of Illinois. That bonding authority is secured by the actual cash assets of the municipality. In order to do that, they must provide organizational and internal management assistance, approve loans and grants or other finances...financial from any state agency. They may hire the staff as is necessary including a Chief Financial Management Officer. They may hire professional technical consultants as necessary. They receive appropriations to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

pay...pay expenses for its operations. Authority consists of five Members. Those Members are appointed by the Governor, but two of them will be local Representatives. I'd be happy to answer any questions that you have on this, and I urge your approval of this Bill."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question, the Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Madam Speaker. I hope that we can get some attention on this most important matter. I've been in the Legislature now, this is my sixth year. And I can't think of the millions and millions of dollars that this Legislature has appropriated and spent. And I say spent not so wisely on situations like the City of East St. Louis. We've approached the city's problems from different perspectives, and it is no wonder it's so controversial, because it really cuts to the quick of the basic differences that America has decided as two approaches to dealing with the serious problems of financial situations on the inner city. On one hand there are those who believe that it is okay to steal if you do it for your people. They believe that government that spends the most serves the best. They believe that hard working taxpayers are but a necessity a nuisance that may be tolerated, because they provide the money even though they don't embrace the under...or even understand the social engineering that's been propagated by the looney left. This group actually believes that government is smarter than people are. On the other hand there are those of us that people and nations that prosper do it by the strength of their labor and the sweat of their brow. Madam Speaker...Madam Speaker, ironically it was about thirty years ago that I stood on State Street in East St. Louis. It was really

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

kind of a beautiful scene. The avenue was lined with American flags, and John Kennedy came in a motorcade. He was yet to become our President, but he came down that street in that motorcade and he waved, he flashed his smile to a cheering crowd, and only months later in January of 1960...1961, when he was sworn in as President of the United States, he said and we all have heard this 'Ask not what your country can do for you, but what you can do for your country.' Many of us grew up with that sense of obligation that Kennedy instilled upon...in us. And really we've forgotten the message. Many of you have remembered what Kennedy's goals were, but you have forgotten the pathway to get...to reach those goals. You have admired the fact that every man should have a home and every many should have a job, and every man should have a right and a privilege to feed his family, but you forgot the path that John Kennedy himself told us to achieve those goals. It was through work and labor, and it was through responsibility. And for years since we have tried to save cities like East St. Louis by throwing millions and millions of dollars and yet again this year we were asked to send millions and millions of more dollars. But the Governor in his wisdom appointed a committee this summer, and he sent us to East St. Louis. He brought people from throughout the state of East St. Louis, financial advisors, Legislators, Representatives and Senators, concerned people and he said to the citizens of East St. Louis, tell us what your problems are. Share us...share with us your dream and that task force came up with some recommendations. As in years past they said 'yes, we need some money.' You know what, we've always done that, but this year they said to the mayor of East St. Louis, who could not even provide us with an audit of his last three

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

year's finances. 'No more, Mr. Mayor'. They said if you want more money you have to be responsible. Representative McNamara has incorporated into this Conference Committee recommendations made by that Task Force that are more than just strings attached. They are agreements that the city must enter into, that once and for all say to the citizens of Illinois that if we are going to give more money you have to be responsible. And I salute that. I think it makes eminent good sense for the Legislature of the State of Illinois. If you are going to give money to people who have been irresponsible with it in the past, for once and for all let's simply say 'no more'. Now if you enter into a financial agreement, we will have an oversight committee that has to give a stamp of approval. Two of the citizens of that five man oversight committee will reside in the city, three will not. They will be put there to watch the taxpayer's dollars, because they deserve to be watched. If the mayor continues his ways of the past, he will lose all authority, because we are saying to him 'no more'. These are strings. These are ropes. These are iron clad guarantees to the taxpayers throughout the State of Illinois, that we are fed up with irresponsibility. John Kennedy was right. His goals were right, and don't forget his pathway. His pathway was through labor, not through guarantees, not through entitlements. I have made much rancor on this side of the aisle in the past as we have poured millions of dollars into East St. Louis, and I have stood and tried to slow that process down. And now I am saying to you, that it is responsible to fund programs where people are in need, if there are responsible limitations and responsibilities placed upon people in positions of responsibility of that money, then I say that we can do that to the limited degree that this will help

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the City of East St. Louis help itself, then I say  
Godspeed. We will give them a chance to help themselves.  
We will watch over these dollars with the utmost concern  
for the taxpayers, the real backbone of America..."

Speaker Breslin: "Excuse me..."

Stephens: "...the real backbone of Illinois."

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

Stephens: "Thank you, Madam Speaker. I'm about to do that."

Speaker Breslin: "Do it."

Stephens: "Madam Speaker. I rise with Representative McNamara in  
support of this responsible piece of legislation."

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

Williams: "Thank you. To paraphrase Lloyd Bensten 'I knew John  
Kennedy. I worked with John Kennedy.' Mr. Stephens, you  
are no John Kennedy. To go further I know Carl Officer. I  
worked with Carl Officer. Mr. Stephens, you are a bit like  
Carl Officer. But more so, to the point, what we have here  
represents the work product over the last few days, the  
last few weeks expressing the outcry of a people of the  
city that is in distress. I speak to you seriously because  
we address this problem seriously. This is not a perfect  
plan. It is necessary for us to do something at this  
moment that does not allow us the time to actually analyze  
the problem as it existed and where we got to this point  
today. And before we go on chastising and criticizing the  
people of that particular city for the type of economic  
conditions that exist, let's also look at the policies that  
this state and this Governor has reaped upon this  
particular city. We have held the funds up for East St.  
Louis. We, in this General Assembly have avoided and have  
actually prohibited ourselves from approving any kind of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

grants, any kind of true economic development taking place as we do all over this state. But here...but here we have an opportunity to do something positive for people of the City of East St. Louis. And we, the people of Illinois must stand up for our distressed cities just as we stand up for countries around this world. We stand up for Poland. We stand up for Nicaragua. We stand up for Romania. We stand up for the Soviet Union. It is about time that we stood up for Americans in America trying to make a positive statement about their lives and about conditions that exist. I say to you, and I say specifically to the Representative from East St. Louis. We all know that there is no harder worker. That there is no more dedicated person. That there is no more sincere individual on this House floor than the Representative from East St. Louis, Ms. Wyvetter Younge. For years she has come to us with proposal after proposal and we have sought to turn our back. Well, today we have asked her to give us an opportunity to help her city, not in necessarily an ideal fashion, but in the only fashion that exists at this time. So, I rise in support of this measure. I rise in support of the Representative from East St. Louis. I rise in support of helping poor, down trodden people everywhere. It is a good measure. It is a good start. Let's be sure that we pass this measure and be it known this measure has passed the Senate. Let's send this on to the Governor. I urge an 'aye' vote."

Speaker Breslin: "Since his name was used in debate, Representative Stephens is recognized."

Stephens: "Representative, before you lose any more votes on this, I want you to know that because the way the plan was written, I rise in support. And I don't see any reason that you and I should get in a dispute over this. I think

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

this is well written from both sides responsibility and reality. And I don't think it ought to be personal. I think we ought to just get this done and do the people's business."

Speaker Breslin: "The Representative from East St. Louis, Representative Wyvetter Younge ."

Younge, W.: "Thank you very much. I am sure that this Body will not be persuaded by a cheap, irresponsible, narrow minded, mean spirited argument from...that represents the mentality of a very small minority of people in this state and from the area that I represent. I don't know of any...I don't know of any area that is more ill from discrimination and from...from segregation...from unem..."

Speaker Breslin: "Representative Younge."

Younge, W.: "And the problems of humanity as is East St. Louis as a result of the bias, racial attitudes that exist in our society. The people of East St. Louis are ill because of the hazardous waste that has not been picked up. They are ill because of a lack of medical attention. They are ill because of a prejudiced and a segregation which has kept them out of the...out of the employment market. East St. Louis has been dwindled down to nothing as a result of veto after veto, as a result of one Bill after another being denied, one idea after another being denied, that would improve the tax base of East St. Louis. I recently was not in favor of this Bill, but because I have had a meeting with Governor Thompson and he has come to grips with the reality that economic recovery has to do with more than just fiscal matters having to do with the city, and because he has agreed to several million dollars worth of additional projects that will help to stabilize East St. Louis economically, I am going to ask your support for this matter that will help to bring back the...the fiscal help

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

of the city. The Governor has approved a \$100,000 for the marina study for the East St. Louis riverfront. He has approved the monies for a housing factory. He has approved monies for sewers in a situation in which where there is a breakdown in the sewers. He has approved monies for a study for the solid waste disposal. He has indicated having an acceptable plan in each one of these catagories. He will approve an enterprise high school at the state community college. That he will fund the East St. Louis Area Development Authority, which he originally promised to fund, and that he will work with a city manager that is made available by vote of the people. And that he will help fund a study that will be the basis of an economic recovery...revival of East St. Louis. This is in the interest of our total state. This is in the interest of our total society, and based on help not only with the municipal government, help with the economic revival of East St. Louis. I think we ought to pass this Bill and get on from here."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3024?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative McNamara, excuse me, Sir. Do you wish to close? Representative McNamara."

McNamara: "Yes. It was my Bill and I did wish to close. There were some remarks that were made as far as money spent on East St. Louis. Let's make no mistake about it. This is not a grant. This is a loan. Donald Trump is negotiating his loan because his businesses are in financial trouble. This is the same thing. All we are doing is giving the opportunity...the opportunity for people to be people to revitalize a community. That opportunity is necessary, and if there is any point a government should have, it should



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

be that opportunity to have their people live without the problems of poverty. I think it is very important to realize that when people are in trouble, that's when government is necessary. It is very im...it is very important to realize that our government, the most important thing we are doing this Session is what we do here tonight. That is, to revitalize an economy to effectively bring financial ability into a community and to help for the future of East St. Louis and all other communities that may need those helps. And not to do it by the unspent or the reckless spending of dollars, but to do it by the ability to have good common fiscal management under a good loan package. I urge more 'aye' votes on this measure. And I thank you very much for your consideration."

Speaker Breslin: "Representative Matijevich, one minute to explain your vote."

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, if we can bail out Chrysler, if we can bail out the savings and loans, if we can bail out the White Sox, I think that we can help those who have been deprived within the boundaries of the State of Illinois. There is going to be a group going to Poland shortly, I think July 14th, and I'm sure we are going to be helping Poland, and I'm all for it. And we've help Japan, they lost the war, and I think those who lose the war do better than those who win the wars. And we've helped the Japanese and we've helped the Germans and we've helped Sears. We've bailed out just about everybody, but we don't look within our borders to help those that help ourselves...need some help and need it desperately. You know Chrysler paid us back, and I think that...and I think we have the wherewithal to continue to look at this problem and see that East St. Louis rises

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

again. And I urge the 'aye' votes."

Speaker Breslin: "The Lady from Kane, Representative Doederlein, one minute to explain your vote."

Doederlein: "Madam Speaker, Ladies and Gentlemen of the House, I had the opportunity to be in East St. Louis the third Saturday in May to present the American Opportunities Workshop. And in that workshop the first words that were spoken was that there were...there was a workshop there and meeting in East St. Louis. We met with about twenty people and these people were wonderful. They are going to be working hard for their city and I want to thank Wyvetter Younge for representing that area. She represents it very well, and she has worked very hard and I'm glad. I am voting 'yes' for this Bill."

Speaker Breslin: "Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I'm not going to rise to state whether or not this Bill is the best or the worst, or right or wrong, I'm going to aim my comments at maybe the press and maybe at those who have said that Representative Younge has been narrow minded. In my four years of being down here, Representative Younge has been one of the hardest working people, who has worked for her area. There has been a rumor going around this week that a certain news report or magazine is going to be coming out that is going to depict the ten worst Legislators. And I am appalled first of all at how..."

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

Morrow: "...at how could anyone objectively or subjectively rate the 118 Members of this Body. Representative Younge, it is not a matter of whether this is the right vote or the wrong vote, that you have done the best that you can do for East

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

St. Louis, and I rise to commend Representative Wyvetter Younger for the hard work that she has done to save East St. Louis. East St. Louis needs you, Representative Younger."

Speaker Breslin: "The Gentleman from Du Page, Representative Barger, one minute to explain your vote."

Barger: "Thank you, Madam...thank you, Madam Speaker. Ladies and Gentlemen, of all of the various Bill and various plans that we have worked on this year, this one shows the greatest possibility of worthwhile and promising results. This is an effort with a reasonable amount of oversight to help solve one of the biggest problems that the State of Illinois has. It would be totally irresponsible on my part although I am not strongly in favor of aid for local governments. I feel they should be responsible to themselves. But here is an opportunity to help East St. Louis become responsible for itself and I feel that we have this opportunity and it might not ever present itself again. I would ask you all to please support Wyvetter Younger in this Bill. Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Turner, one minute to explain your vote."

Turner: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I urge more green votes on this Bill because I think it is only right for us as residents of the State of Illinois to do what we can, not only for East St. Louis, because it could be East St. Louis today, it's Robbins tomorrow, it could be a town in Du Page next week. The economic conditions in this state are such that we as Legislators have a duty to try to address those concerns. This oversight Body is only a stop-gate (sic - stopgap) measure in terms of trying to protect those issues. I would hope that it would not only in terms of guarding the new funds that...or new revenues that may generate, but

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

also try to provide new ideas, provide new accountability in terms of trying to turn that community around. And besides that if the Town of East St. Louis is shut down, those residents would have to move somewhere else. They will move to your community. They will move to my community. The problem does not stop there..."

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

Turner: "I urge more green votes on this Bill, because I think as I said before, this is a responsibility for all of us here in the State of Illinois. This is not just a...a black versus white issue. This issue could happen to any city. The corporation of Sears and Roebuck has moved from Chicago inner city to Chicago downtown and now to the Chicago suburbs. They have threatened to move out of the State of Illinois, and it is one corporation after the other. It could be your town next. This is a very good Bill. I urge more green votes on it. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative Davis, one minute to explain your vote."

Davis: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I don't think some people understand that there is no gift involved here. It is a loan. It is a loan with interest and the Governor appoints five people as an oversight...to oversee East St. Louis. If you look at all of those red votes, look at those who have placed them and see just what their districts have received, and ask 'were they loans, were they gifts, were they grants, were they civic centers, were they things that would bring about some resources to their community?' I believe that Governor Thompson will be responsible in appointing the five people who will oversee the budget of East St. Louis..."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

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

Davis: "...to make certain that the dollars are paid. I think we all should put a green vote up to show some responsibility."

Speaker Breslin: "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 71 voting 'aye', 21 voting 'no'. The House does adopt the First Conference Committee report on House Bill 3024, and this Bill having received the Constitutional Majority is declared passed. Calendar Announcement."

Clerk Leone: "Supplemental #6 to the House Calendar is now being distributed."

Speaker Breslin: "On Supplemental #4 appears House Bill 3793, Speaker Madigan."

Madigan: "Thank you, Madam Speaker. Ladies and Gentlemen, I rise in support of the Conference Committee Report on House Bill 3793. This report relates to special service area legislation. The Illinois statutes currently provide for the creation of special service areas by the local governments throughout the state. This report would expand on that current authority and provide for the creation of what would be styled a transportation special service area. The Bill is drafted such that it would only apply to Cook County and in reality it would only apply to the City of Chicago. The special features of this legislation, as distinguished from the current provisions of special service areas, would be that in the case of a transportation special service area, the district could be drawn so that the effect would resemble a piece of Swiss cheese. There would be holes in the middle of the area. The intent is to permit the creation of an area that would apply only to commercial and industrial property and not to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

residential property. In addition the special feature of this legislation would provide that the notice would not be required in terms of a legal description, but rather streets and natural boundaries could be used to describe the boundaries of the transportation special area. In addition the normal provision for backdoor referendum would be eliminated. So those would be the special features of the legislation. The background is that this is a request from the downtown business community in Chicago. The downtown business community through their organizations have come to the Legislature and they have said that they would like this authorization to provide a local match for money which will be supplied from the state through the gas tax, which was adopted last year, and then also from the Federal Government. All of this money would be put together and would be used to pay for the construction of a downtown trolley circulator, which would connect Union Station on the West side of the downtown business district with the Navy Pier and with McCormick Places and with several other locations in the downtown business district. The intent is to provide a system of circulating people through that area of Chicago, which would be quicker and more efficient than the current modes of service transportation. This clearly would permit Chicago, being led by its business community, to move into the next century as one of the major urban centers in the United States of America. I expect that there will be opposition to this Bill. I suggest that not all of the opposition is based solely on the provisions of this Bill, but is motivated by ulterior motives and I would say to you, this is a case where a local community, under the leadership of its business community, has come to the Legislature and said let us put this tax on ourselves so that we can raise

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

local money to permit our city to move ahead in terms of providing transportation, not just for the people who live in Chicago, but primarily for those people who live in the suburban areas, both in Cook County and Du Page County, Lake and McHenry, who come to their jobs in Chicago and return home at night. So I would request a favorable vote, Madam Speaker."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question the Gentleman from Du Page, Representative Daniels."

Daniels: "There are some interesting provisions of this very important piece of legislation, and many of them I subscribe to as far as the Speaker's comments earlier about the importance of this as far as it relates to the City of Chicago and its development. As a matter of fact, I think that this Legislature has started to enact what we might call the Chicago collectors' system and this is part of that program. You may all know and I'm sure you've been following it. The cost of this program is estimated to be \$800...\$800 million to \$1 billion, that is why this vote becomes so important, because the match that the Speaker has referred to comes from one third State of Illinois, or if it is a billion dollar cost \$333 million, one third from the City of Chicago through its property tax increase that you are about ready to act on part right now, which could mean \$333 million, and of course a third from the Federal Government. Now, I think that this Legislature has spoke of the interest in the collectors' system by legislation that we have enacted before, but we haven't enacted the portion that deals with the state's share, which will range up to a potential \$333 million, if the cost is a billion from our gas tax. Therefore, the discussion that we are involved in right now isn't one that just involves Chicago

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

property taxpayers on the business segment, which by the way I might add those of you from suburban Cook County would have a great interest in this because thinking that it would only be Chicago only, the Bill itself does not say Chicago only, it says interestingly enough that a service area can be defined as one that is in a county which classifies. So, the County Board of Cook County could enact a service area including all of Cook County, but yet have this very important system that moves people in Chicago to take place only in the City of Chicago, therefore suburban areas would pay a property tax on its business to support this collectors' system in Chicago. Now you may decide ultimately that this is something that you want to do, so a suburban Legislator like Representative McNamara or Representative Stern or Representative Sutker may decide that, yes, they would be in favor of taxing their businesses and increase in property tax in already an escalating property tax area to the tune of \$333 million for a collectors' system. And some may say well I come from downstate, why do I care about this? As some of my members have said, and in analyzing this Bill we now understand that it may be the very near future where you come back to us and say 'State of Illinois, it is now time to kick in your \$333 million for this system'. So, Ladies and Gentlemen of the House, I think there is a lot to this Bill that we have to be concerned about, and yes the legislative process is one that regards and requires negotiation. How would I change this Bill? For one thing I would leave the Chicago Collectors' System to be Chicago alone. I would take the service area and define it as the City of Chicago, not within the County of Cook. And I think I would know a little bit more about it before I enacted this kind of a



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

increase on the people of Illinois. Then I might also examine some of the provisions of the Department of Revenue in this very important long Conference Committee Report that you have been given has asked us to enact. And I think you will hear a few more of those comments a little bit later, for instance the provision which Representative Black may talk about or Representative Ewing, which actually sets forth the possibility of an income tax increase in this Bill as suggested by our own Department of Revenue. So, Ladies and Gentlemen as you calculate your Bill, this is a property tax increase vote on the businesses of the County of Cook. And this is a vote that in a very real sense on the businesses in your area will increase those property taxes. Now, remember this: businesses are people. People pay taxes, it is not enough to say it's not a residential tax increase, because your rate in Chicago and Cook County is 40% not 16% as residential are hit. Forty percent on your businesses. Think carefully, and I suggest that your best vote is a 'no' vote until more answers have come forth, or at least until you get the answers as a 'present' vote. Vote against this property tax increase on the citizens of Illinois."

Speaker Breslin: "The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Madam Speaker. Will the Gentleman yield for questions?"

Speaker Breslin: "He will."

Churchill: "Who ends up paying the tax for this system?"

Madigan: "Is your question directed at the immediate piece of legislation?"

Churchill: "Yes."

Madigan: "The special service area has been defined, which would

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

roughly run on the east from Lake Michigan on the west roughly to the Dan Ryan - Kennedy Expressway on the north in the area of Wacker Drive on the south in the area of the Stevenson Expressway."

Churchill: "That's the plan of the City of Chicago?"

Madigan: "Yes."

Churchill: "And in the Bill it says that there will be a tax imposed on properties other than residential properties. Now, this is a county that in a city that classifies, so you have nine classifications. There are residential classifications, in other words there is a 16% residential classification. Is this 16% residential classification the only one that will not pay tax and all others pay taxes?"

Madigan: "The reference is to the three basic classifications which are: residential, commercial and industrial. The legislation would permit the imposition of the tax on the commercial and the industrial. Therefore, residential classified at 16% would be excluded and residential rental classified at approximately 30-33% would be excluded also."

Churchill: "And the rehabilitated multi-family residential real estate for low and moderate income persons?"

Madigan: "Would be excluded."

Churchill: "And what happens in the situation where you have a building where the first two floors are commercial and the top two floors are residential apartments and it is classified as business?"

Madigan: "Each category has its own PIN number and therefore the PIN number that would be classified as residential would be excluded and the PIN number that would be classified as commercial would be included within the tax."

Churchill: "So, if it is a mixed-use building, then you are telling me there would be two PIN numbers for that building?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Madigan: "I'm telling you that there are. That is the method used. In place today."

Churchill: "Are there any limits to the tax?"

Madigan: "Not in the Bill."

Churchill: "So, this is a limitless tax. Any limit they could charge. This system could charge any limit they want. They could charge any amount of tax?"

Madigan: "Well, similar to every home rule unit in the State of Illinois."

Churchill: "Tell me about the sale of bonds. Now, let's say that this \$1 billion system sells a billion dollar of bonds, are all classifications of real estate responsible for paying off those bonds?"

Madigan: "Only those covered by the special service area."

Churchill: "But that could include residential, could it not?"

Madigan: "As I said in my earlier remarks the special service area would only apply to commercial and industrial, so those would be the people paying the tax."

Churchill: "I refer you to the bottom of page 104, where it says that the sale of bonds shall be secured by the full faith and credit of and be retired by the levy of taxes against all taxable property."

Madigan: "Well that is your standard full faith and credit clause, a little different than the language that was placed in legislation such as the legislation to provide for the construction of the White Sox baseball stadium and other major capitol projects. It's a last resort provision, which is very common in Bills that you have seen many times right here."

Churchill: "So, in the last resort even residential property could be responsible for the repayment of a billion dollars of bonds?"

Madigan: "Again, Mr. Churchill, the only property covered by the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

special service area would be nonresidential."

Speaker Breslin: "Your time is up, Sir. Bring your remarks to a close. Representative McCracken, for what reason do you seek recognition? I asked the Gentleman to bring his remarks to a close first. The rules do not provide for that as we have specified at other times during the Session. Representative Churchill. Representative Churchill, are you finished?"

Churchill: "If...unless some other Member is willing to yield their time to me. I will make my closing remarks."

Speaker Breslin: "Representative Parcells has yielded her time."

Churchill: "Thank you very much. Under the terms of the Bill, can you create more than one special district?"

Madigan: "Yes."

Churchill: "And in each special district, can you create different rates?"

Madigan: "Yes."

Churchill: "So, theoretically, then throughout Cook County you could have five or ten of these special districts all having different rates and charging different amounts to people that live and do business in those areas."

Madigan: "Let me direct your attention to another provision of the Bill, which provides that this type of special service area must contain an equalized assessed valuation in excess of \$1 billion and over 1000 parcels. So, we've already heard a certain amount of rhetoric in debate talking in terms of where these districts could be created and references being made to the possibility that such a district could be created outside the City of Chicago. So, as you attempt to digest this rhetoric that we are hearing, understand that the Bill also provides that your proposed transportation special area would require and equalized assessed valuation in excess of \$1 billion and over 1000

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

parcels."

Churchill: "That is correct, but then that would perhaps permit up to what ten or fifteen special districts in all of Cook County?"

Madigan: "Well, Mr. Churchill, i'm not in a position to answer that question. I can only speculate, and I just doubt, that in the suburban areas of Cook County that you could meet these requirements."

Churchill: "Let me ask you another question. Is there any procedure by which an area can disconnect from the district, or refuse to join the district in the first place, as there is under regular...the regular special districts that are created?"

Madigan: "One and a half percent of the property owners within the proposed transportation SSA can go to court to disconnect...just like any other SSA."

Churchill: "Would you be so kind and just tell me on what page that language appears?"

Madigan: "It is in the current law. You probably won't find it in the Bill. It is in the current state law."

Churchill: "I believe that this section of the statute is all brought into...into the Bill is it not?...because it tracks the language of the special service districts?"

Madigan: "I'm told that it is not."

Churchill: "Alright. Madam Speaker, to the Bill. I think this is a trolley system for the City of Chicago, and I am not going to debate whether that is perhaps good or bad; but I would say that you have no incentive if you are a downstater to vote for this Bill, because there are going to be Department of Transportation funds up to \$333 million worth used in the City of Chicago, money that could be spent on downstate improvements. If you are from Cook County, you could end up in a special taxing district that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

would be stretching out into your area. You'd be picking up the tab for a \$1 billion trolley system. If you are from Chicago, and I believe if you live in an apartment that may be above a commercial establishment, you may end up being part of the taxing body that pays for the cost of this. Personally, I happen to think that trolley cars are the wave of the past. I think that personal rapid transit systems are the wave of the future. I think this is not the proper direction because I don't think that history has proven trolley cars to be an acceptable form of transportation in a major metropolitan center. I think that is the reason why you only see them in a few of the cities around the country. And the reason why we got rid of them so many years ago here in favor of busses. I think this is not a path for the future. This is a path that belongs in the past."

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

Ewing: "Madam Speaker, would the Sponsor yield for a couple questions?"

Speaker Breslin: "He will."

Ewing: "We talked about possibly, several hundred million, three hundred million in state funds, that would be the one-third match. Could you tell us whether those would come from GRF, would they come from the motor fuel fund, where they might come from?"

Madigan: "Mr. Ewing, all I know about that is that the...Secretary of the Department of Transportation appointed by Governor Thompson has told me that that money would be provided by the current administration. And I believe the Gentleman is in the chamber and he might be prepared to go over and explain to you where the money would come from. I don't know. I'm just told by Secretary

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Lane that this is a Thompson administration proposal."

Ewing: "The...Mr. Speaker, did you say that the Department of Transportation officials in the chamber...is that who we're referring to?"

Madigan: "I saw the Gentleman earlier."

Ewing: "Well, I certainly would approve...would certainly appreciate having that information. One other question, you mentioned that this was supported by a business group in the City of Chicago. Could you define that a little more? Is this a downtown business group, a city wide group, a countywide group, what group of businesses do support this improvement?"

Madigan: "It would be a group known as the Chicago Area Committee, which is populated by large downtown businesses, in addition, the Chicago Association of Commerce and Industry."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House. To speak to this project I think there are some very unanswered questions here. One, of course is to all of us who don't live in the city, where the \$300 million of state money might come from. I also think it would...it is interesting to note that all of the businesses and possibly all of Cook County as well as in the city could be taxed for this improvement and yet I doubt that they have had much input into the support of this project. I have for some time been concerned about...about our continued increase in taxes in the City of Chicago, and what it does to their business climate. This particular project will only add to that burden on the businesses in the city. We have also in this Bill, an income tax increase, Madam Speaker. There is an income tax increase for everyone in this state, who currently has a child who is getting an exemption under our income tax law. That exemption will be

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

eliminated. So, when you vote for this you are not only voting for the project in the city, but for an income tax increase over the State of Illinois. Whenever you look at this and you consider the \$300 million in downstate money or state money that is in this, you wonder how much good that would do for our schools. And Ladies and Gentlemen, if it comes out of state funds, it could be money taken away from projects like education. This just seems to me to be another chapter in the TV program that you see on public television "Mr. Rodger's Neighborhood". And they get on the trolley and they ride off to the land of make believe, and I really think that describes this project very aptly. I think a 'no' vote is well in order."

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

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I think it is important that everyone on this House floor, every Member of this General Assembly understand that we are talking about a third of a billion dollars. We are talking about millions of dollars coming out of the road fund. It was a little more than a year...year and a half ago, the Governor of this state told this General Assembly and told the people of Illinois that every year over 900 miles of road in Illinois become deficient and need maintaining and rebuilding. Over 200 bridges in this state are in need of repair every year. And over 2500 miles of road system is in a bad shape and needs repairing. Yet what does this General Assembly do? What does the Speaker do? What the Speaker recommends is that we divert \$51 million out of the road fund to be used for other purposes to balance the budget. Yet, here we are looking at millions of dollars of road fund dollars going to this pet project in Mr. Rodger's Neighborhood at the bequest of



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the mayor of the City of Chicago. We sat here at the Governor's State of the State Message and at the Governor's Budget Message, when he told us we needed a gas tax increase a year and a half ago, because we have deficient roads in Illinois, because we need new roads in Illinois, and we agreed with him. And we voted for a gas tax increase of 6¢ a gallon. We all agreed. Yet, here we go, taking those road dollars that are badly needed in the entire road system in Illinois and we are diverting them again. Here is another diversion of road dollars from the citizens of Illinois for a pet project for Mayor Daley. That's what this boils down to. And you are having downstate, gas tax dollars funding this pet project. The citizens of Illinois agreed with the Governor. The citizens of Illinois agreed with this General Assembly. When they said 'Yes. We'll accept the gas tax because you know what indeed 900 miles of road are going bad, 200 bridges every year are going bad in Illinois and we need to spend more dollars where we can see them...on the roads and bridges of Illinois. This General Assembly agreed with the Governor, when the Governor said that transportation system in Illinois is the most important asset that this state has. We agreed with him. We passed the gas tax on every gallon of gasoline in Illinois. Yet, a year and a half later we came back and we diverted \$51 million out of the state gas tax road fund. And now we are going to divert hundreds of millions of dollars out of the gas tax and the road fund that we should to improve, and we told the citizens of Illinois we were going to improve the existing roads and we're going to build new roads in Illinois, so that we can avoid the grid lock in the collar counties, so that we can make southern Illinois more accessible and all of the citizens of Illinois believe the Governor and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

believe this General Assembly when we said that gas tax is necessary to fund new road projects and roads and bridges in this state. Now, we are again diverting money out of what we promised the people of Illinois. And it is important for every Member fo the General Assembly to understand that we are letting down the citizens of Illinois, and I don't care whether you are from Mount Vernon or Mount Carmel or you are from any part of southern Illinois, or if you are from anywhere outside of Cook County. This is another diversion of the road fund that could be rebuilding your bridges and rebuilding your roads.

These are hard fought dollars for the road fund and we are letting the people of Illinois down when we again divert money out for a trolley system, that's right, for a trolley system straight out of Mr. Rodger's neighborhood for the City of Chicago. Representative Churchill was right when he said trolleys are a thing of the past. This is not San Francisco. This is Illinois, where we depend on hard dollars for roads and bridges and a transportation system that should be second to none. That is why you and I all voted for the gas tax a year and a half ago. We didn't vote for it to see it diverted, not the \$51 million that we're not paying back in total, nor do we support it because we wanted to see monies diverted out of the road fund for a trolley system. The proper vote is a 'no' vote on this issue."

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

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

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

Kubik: "Mr. Speaker, I guess my first question is, why...why does the Bill since basically this is contemplated for the City of Chicago, why does the Bill include Cook County and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

references to Cook County in the legislation?"

Madigan: "The Bill deals with the...real estate tax system, Representative, which is a state wide system. At the beginning of the implementation of home rule, there were attempts to change the real estate tax system and to modify certain aspects of that system through home rule. There was a very early Supreme Court decision...Illinois Supreme Court decision, which simply said that the Illinois real estate tax system is not subject to home rule. Therefore, in order to enact this we have to proceed according to the established real estate tax system of the state. This particular project is located within a county which is a home rule county which classifies and in...that is why the Bill was drafted in that manner. It is not an area where we are talking about the normal home rule authority, or the normal municipal authority. I might add that the legislation uses Constitutional language when describing in which counties business districts SSAs can exist."

Kubik: "Well, Mr. Speaker, then it is not contemplated that this particular special service area would overlap the boundaries of the City of Chicago and go into the suburban areas of the city...of Cook County?"

Madigan: "I'm sorry. I missed your question."

Kubik: "I said, I was wondering...this particular proposal was not contemplated to create a district which will over...which will go outside of the City of Chicago and take in other parts of Cook County as a part of the service district?"

Madigan: "Well, that is not contemplated. And as I pointed out earlier in my remarks, one of the requirements is that you be able to assemble and EAV, and equalized assessed valuation, in excess of \$1 billion and assemble over 1000 parcels. So, Representative, I don't know how familiar you

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

are with the real estate tax system in Cook County, but \$1 billion in assessed value, not market value, assessed value is a very significant amount of assessed valuation."

Kubik: "I'm aware of that. I'm aware of that, Mr. Speaker. The other question I had was that, what is the reason for the various rates under the Bill? Is it contemplated that there will be different rates or different classifications of property?"

Madigan: "They are not contemplating to have different rates."

Kubik: "Well, that...it allows for variable rates within the service district in the legislation."

Madigan: "My understanding is that it is possible to have different sets of special service areas and they would have different rates."

Kubik: "The...the Chicago business community then is not concerned with the fact that there is no mechanism other than going into court to detach from this particular district?"

Madigan: "Mr. Kubik, if there is an intent to issue bonds, which of course there is, then you must keep the district whole in order to provide proper security to satisfy the credit markets."

Kubik: "But in other special service districts we at least allowed them the right if they wish to to detach from it, and I guess this is a rather significant provision that we both, we've said that..."

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

Kubik: "Well, if I just finish my question, and then I'll be done..."

Speaker Breslin: "Representative Madigan."

Kubik: "...I don't know if you've got the full question, Mr. Speaker. My point is that as you indicated in your earlier remarks, we have removed the provision which allows 51% of

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the voters or property owners to petition to detach from the district. That is in the current law. Now, we then under this district we have removed that provision and I guess my question is, is the business...why are we doing that? I mean I understand the bonding authority, but it seems to me that we are taking away a...a local business's right to at least petition."

Madigan: "That relates to the enormity of the project and the practical considerations of enacting this."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson. Mr. Johnson? The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. In the opinion of...there are objections Representative Johnson. Let's recognize Representative Black from Vermilion."

Black: "Well, thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will yield to a question."

Black: "Thank you very much. Mr. Speaker, let me focus on something that was mentioned earlier, but I don't think we have focused on. In the...embodied in this Conference Committee Report is a change in the state income tax exemption. Now I don't believe that has any direct tie to what you have been discussing, but it is interesting fact that...that appears to be in the Bill. If I am correct, the basic \$1000 income tax exemption that all taxpayers are currently eligible to receive would not be allowed for any dependent taxpayer, who had been claimed as a dependent on another taxpayer's return. Now that is the report."

Madigan: "Representative, that is an initiative of the Department of Revenue. That matter is in the Bill at the request of the Department of Revenue, which has explained that since

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

1987 the federal income tax law does not allow a dependent taxpayer to claim the standard exemption, if that taxpayer is claimed as a dependent on another taxpayer's return. Illinois law does not prevent this situation from occurring. Currently, a dependent taxpayer filing the Illinois 1040 return must claim zero standard exemptions following the federal return. The Department of Revenue processing system does not accept this and kicks out the return. Subsequently, one exemption is assigned to such a return and a refund is issued even though this taxpayer has been claimed as a dependent on another taxpayer's return. The Amendment proposes to eliminate the standard exemptions for dependent taxpayers who are legally claimed as a dependent on another taxpayer's return. Thus, making Illinois law consistent with federal law."

Black: "We have, indeed, made such changes in the past, and I'd like to come back to that in a second. But what particular group would this income tax exemption change hit most...which particular group do you think would see the impact of this most immediately?"

Madigan: "Representative, as I explained earlier. This is a request from the Department of Revenue, and unfortunately, I must require you to direct that question to the Department of Revenue, because I don't know."

Black: "Alright. Well, thank you very much for your indulgence, Mr. Speaker. Madam Speaker and Ladies and Gentlemen of the House, you know, you might want to take a look at this. You know as well as I do what group this will impact. It will impact the student...the high school student, the college student who is out working, and now will not be able to claim the standard Illinois \$1000 deduction on his or her income tax. We say...we sit here and try to figure out how to aid these people, stay in school, how to give

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

them financial aid, how to embody the work ethic in them, and here we are about to change albeit by a request of DOR or whoever, their \$1000 exemption. If you will bear with me, I think you will all remember about three years ago we had the same thing happen with the so called double deduction for the blind and elderly. You remember that? You remember all the phone calls we got back home because the blind and elderly have lost the so called double deduction? They were very, very unhappy about that and what did they do? They called each and every one of you on this floor, and what did we do? We reinstated the income tax exemption for the blind and elderly. I submit to you, that if you accept this language, you're going to get the same kinds of calls next February and March that you got a couple of years ago, and you are going to have to come back here in two or three years and change this again. While it doesn't address the Gentleman's main precept in the Bill, this could create some difficulties and certainly gives me a reason to stand in opposition to the Conference Committee Report."

Speaker Breslin: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Madam Speaker, it is getting late, or early as the case may be, and we've had a lot of lawyers talk about this and a lawyer is sponsoring the Motion and a lot of legalese and a lot of this and a lot of that. This is a very political issue. This really...really is quite an interesting vote that we are going to be asked to put up here. But for those of us downstate, who run as Republicans, when we go out to an independent organization and talk about the difference between Republicans and Democrats, the answer to the question 'What's the difference between a Republican and a Democrat in

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Illinois?' is a very easy answer to come up with, because what the answer is the City of Chicago. It is as simple as that, and there is time and time again we document across the aisle that the City of Chicago has coerced downstate, otherwise right thinking people to vote for some program that is of no benefit downstate, but it is part of political...that you have to return in order to remain in the good graces of you party. So, the difference that we are going to exemplify by this vote is the difference between a Republican and a Democrat...the City of Chicago. If you are for the City of Chicago, if you want to take about \$240 million out of state funds whether it is road or GRF, whether it is from our schools or from our highways and send it to the City of Chicago for a program like this, then we can do that. But if you are really up here in Springfield or down here as the case may be, on behalf of your downstate district, then you are obviously going to vote 'no' or 'present' on this Bill. Thank you."

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

Keane: "Thank you, Madam Speaker. There's been a tremendous amount of misinformation regarding this Bill spoken in the debate. First of all, there is no gas tax in the Bill. I think what you have to do is read the Bill. Whoever was saying 'watch it, because this is going to raise the road fund', must have been reading some other Bill. This Bill is made up of a number of different Bills that came before this House. If I could have some attention...There is one Bill. One small part of the Bill deals with the circulator. All of the other provisions of the Bill, including what some members have called an income tax increase are proposals by the Department of Revenue. Let me repeat that. The Bill deals with the circulator, but the great bulk of the Bill deals with clean up requested by



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the Department of Revenue. The one indication that there was an income tax increase actually is a Department of Revenue request. It deals with bringing state law into compliance with the federal income tax law. Since 1987 the federal income tax law does not allow a dependent taxpayer to claim the standard exemption if such taxpayer is claimed as a dependent on another taxpayer's return. Illinois law does not prevent this situation. Currently, a dependent taxpayer filing an Illinois form must claim zero standard exemptions. The Department...now get this...Department of Revenue's processing system does not accept it and it kicks out the return. Subsequently, one exemption is assigned to such a return and a refund is issued even though the taxpayer has been claimed as a dependent on another taxpayer's return. The purpose of this part of the Bill is to help the Department of Revenue. The Amendment proposes to eliminate standard exemptions for dependent taxpayers who are legally claimed as dependent on another taxpayer's return, thus making Illinois law consonant with federal law. There has been, as I said, a tremendous amount of misinformation provided. If you want to call bringing state law...state tax law into...into conformity with federal law, then I guess you can call it a tax increase. But it is a Republican sponsored tax increase, because it has been put forward by the Department of Revenue, which is an agency under a Republican Governor. I don't think that this is a tax relief. In terms of the circulator, the Bill specifically excludes and protects residential property owners from any increase in real estate tax. The Chicago Development Council and Metropolitan Planning Council have both come forward and asked for this and they've said that they would like the tax to be...the real estate taxes to be levied against the major property owners...the business

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

property owners downtown. For those of you who are unaware of that...who they are, the Chicago Development Council represents most of the big land owners in the Loop area. There is nothing...there is no new money in this Bill for the circulator system. A year ago...approximately a year ago, we authorized \$20 million for a study, some of that money is still being spent, but again there is no new money...state money in this proposal. Those of you who tell you that there is, are incorrect. Those of you...those who have said this is coming out of road funds are misguided and have not read the Bill. And for that reason I would ask that you adopt the First Conference Committee Report."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, the hour is late. I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. Representative McCracken, for what reason do you rise?"

McCracken: "I'd like to say something before you close the questions. May I address the Body? And then the Speaker can close, or shall I ask for ask for a Roll Call on the Motion to limit debate?"

Speaker Breslin: "Representative Flinn will hold his Motion."

McCracken: "Thank you."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you. We seem to have gotten lost in the technicalities tonight. This really is a Body that makes policy for 11 million people. And the question we have to ask ourselves is 'Are we going to give the City of Chicago and/or Cook County the authority to continue to raise

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

property taxes, when you are not even doing it on behalf of the school children of Chicago?' That's the real issue here tonight. We can all talk about the trolley, and we can get hung up on the technology, but the fact is, we are spending money on pork when we should be spending it on kids. You know there is a Bill that has not yet been considered tonight. That is a Bill to shift teacher retirement funds from Chicago teachers, so that the schools in Chicago can open on time in September. Now, if we have enough money to set up a new taxing district with...with as much as \$1 billion in equalized assessed value, then where is the crisis of money, which requires us to turn our backs on Chicago teachers? Which requires us to turn our backs on the children of Chicago. That is the real issue facing us tonight. That's the issue that you'll be voting on in just a moment. Do not spend it on pork. Say 'no' to pork. Say 'yes' to the kids. Say 'yes' to the schools, and let's not allow Cook County and the City of Chicago to have one more bauble in its crown. I say spend the money on the children. Vote 'no' on this Bill. Vote 'no' on the diversion from the teacher's retirement fund and require that the schools open on time with money provided by this state as well as by the Chicago School District."

Speaker Breslin: "Representative Madigan to close."

Madigan: "Madam Speaker, Ladies and Gentleman of the House, at the beginning of my remarks I said that we should expect a certain level of political rhetoric. Well, we've heard it all coming from one side of the chamber. Let me reiterate some points I made in my opening remarks. Number one, this is a request of a local community to be able to tax itself. The request is being submitted from the business community of that area. Number two, legislation is drafted in such a way that it would only apply to the central business

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

district of the City of Chicago, and again I direct your attention to the section of the Bill which would require that for one of these districts to be created, you would need \$1 billion in equalized assessed valuation and over 1000 parcels within the proposed special service area. There was a question concerning the...the application of a transportation special service area on a next use of the building. The answer is that today under the methods of the Cook County Assessor, where there is such a mixed use building...the county assessor today maintains the different sections of the building on different PIN numbers. So it would be an easy process to impose the tax of the transportation special SSA on the commercial or possibly industrial portion of that building and not on the residential portion of the building. Certain people have suggested that somehow...somehow there would be a state obligation imposed by this Bill. That is simply not true. The Bill only deals with a locally created district, imposing a local real estate tax. There is no state obligation. There is no use of state money. This is simply local...local money. One of the people who engaged in a certain amount of political rhetoric and I won't name him by name, because generally, I have a great deal of respect for him, but he filled the room with a lot of air about helping school children and that a local community wants to tax itself to improve its livability and its attractability should not be able to do that and somehow it's all related to school children and providing money for local school districts and school teacher contracts. And this Gentleman comes from an area of the state that consistently argues that the school aid formula ought to be changed so that money can be taken out of areas like Chicago and other urban centers and put into areas where

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

they are already..."

Speaker Breslin: "Proceed, Sir."

Madigan: "...\$48,000 a year using our local resources without any change in a formula they can afford to pay a high school teacher \$48,000 a year...a high school teacher. Not a college professor and they have the gall to stand on the floor to say, 'Oh, don't do this, don't let this city help itself, hold it down. Hold it down.' But continue these economic development initiatives of the Department of Commerce and Community Affairs under this administration, where like idiots we finance the location of businesses into places like Hoffman Estates and into Bloomington, the area of the highest level of employment in the state. A record of shame in the administration of this government. We have before us now a request from a local government to put a tax on themselves, and you ought to let the government do it, because it's center of this state economically. It is the heart of this state. If you are ever successful in your long term efforts to destroy the economic viability of Chicago, then the whole state economy will go down the drain. And you'll all suffer."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3793?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative Ryder, one minute to explain your vote."

Ryder: "Thank you, Madam Speaker. It seems in the dark of the night that we get the new ideas. A year ago someone said 'Riverboat gambling is the thing to do and there is a \$500 limit in there and trust me'. And a few years ago there was a few other ideas on the last night of the Session, and they said trust me. And tonight we get a property tax increase, and they say it is a good idea because the city

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

wants to do it. No one's flooded me with any letters saying 'tax me'. But they say trust me. And we are going to see a little bit later that they say no, property tax is not what we want to do, we want to do property tax relief, and again they say trust me. But when you wake up in the morning sometimes you discover that in the dark of the night it doesn't always work the way folks say."

Speaker Breslin: "The Gentleman from Cook, Representative Bowman, one minute."

Bowman: "Thank you, Mr. Speaker...Madam Speaker. Ladies and Gentlemen of the House, one of the previous Speakers said that there are differences between Republicans and Democrats. That is true. Republicans can't recognize their self-interest when they see it. Who is going to take advantage of this distributor system? It is the suburban commuters, who come into Northwestern Station and to Union Station and who have to get to their jobs and in shopping and other economic necessities in the heart of the City of Chicago. It is the suburbanites who are going to be the principle users of this. Yes, and the tourists, who come and bring dollars in from out of state to help pump vitality into our economy. It is the self-interest of every person on this floor to vote for this piece of legislation."

Speaker Breslin: "The Gentleman from Cook, Representative Pedersen. One minute."

Pedersen: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. Trolleys and rails are truly transportation of the past. They are expensive to build. They are expensive to maintain. They never pay their way. They are always subsidized. They are inflexible as distinguished from busses, which can change or eliminate or add routes easily. The potential for increased property taxes in all of Cook

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

County on all businesses, which are already heavily taxed on their property is there. Suburban Legislators should vote 'no', especially on this Bill and I might add that this...what's going on here tonight is all on television live in Chicago and I urge a 'no' vote."

Speaker Breslin: "Representative Harris, one minute."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm voting 'no'. But I give this commitment to the Sponsor of this legislation. If he could guarantee me that this tax only applied to the City of Chicago, I would be the first one to put a 'yes' vote up there, because I think this is important to the City of Chicago. The problem is this. It doesn't apply only to the city. And to all my friends who are suburban Legislators like I am, the Sponsor admitted the district can be made up like a Swiss cheese. I recognize the necessity for having an assessed valuation at a high level, but I represent Elk Grove Village, CENTEX Industrial Park, \$1 billion in assessed valuation right there would qualify and I guarantee you, they haven't asked for this. Limit it to the City of Chicago, I'll vote for it. Come out here and tax my businesses in the suburban Cook County area, I'm a 'no'."

Speaker Breslin: "Representative Noland, one minute."

Noland: "Madam Speaker, as the newest Member of the House of Representatives, I've listened very intently to the debate and to Speaker Madigan and others speak very articulately about the income tax exemption. Quite frankly, I'm not sure I understand it, nor would the people of my district, who I represent, understand it. It scares me to think we are going to raise taxes on an issue that hasn't been debated in hearings or heard in committees. For that reason I'm voting 'no', and I'm afraid if we come back next time and want to raise taxes in another county, and I'm

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

voting 'no'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 41 voting 'aye', 65 voting 'no' and 2 voting 'present'. And the Motion fails. House Bill 4190, Representative McPike."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Conference Committee is on the Toll Highway Authority. It has at least nine different provisions in it and I will try to be as brief as possible. It allows the...the Authority...Take it out of the record, Madam Speaker. Please, take this out of the record."

Speaker Breslin: "Out of the record. On Supplement...Ladies and Gentlemen, we are going to try to reach Bills that we have not yet heard today. Starting with...going back to old Supplementals. We are now on Supplemental #4. House Bill 1550, Representative White. Proceed, Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1550 is a Condominium Property Bill. It deals with conflict of interest. It also has language in it that pertains to attorney fees and a provision within that particular line deals with cost and expenses. It also deals with the Condominium Property Act and Representative Levin throughout last year conducted hearings across the State of Illinois pertaining to this subject. And it also establishes language for those condominium associations who have not been able to establish rules and regulations pertaining to how they should set aside dollars in reserve for emergency causes. It also has in it a...the sale of property, which is an initiative by Representative McCracken. It has language in it that is an initiative by the Secretary of State, but the business advisory



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

committee. It also has language in it that is supported by Representative Cullerton, which deals with the Condominium Contract Purchasers Act demand for property. And an initiative put forward by the Illinois Insurance Authority. And it basically does two things: it puts in it an effective date..."

Speaker Breslin: "Excuse me, Representative White. Would you mind taking this out of the record at the moment? Out of the record. Now what? Senate Bill 1136 appears on Supplemental #4, Representative Giorgi. Representative Giorgi, we understand that that Bill failed in the Senate. Do you want a Second Conference Committee?"

Giorgi: "Yes."

Speaker Breslin: "The Gentleman has asked for a Second Conference Committee...a second committee will be appointed. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Could I ask for a Second Conference Committee to be appointed on Senate Bill 2899? The Bill failed in the Senate."

Speaker Breslin: "Senate Bill...House Bill?"

McCracken: "2899...House Bill 2899."

Speaker Breslin: "Okay. On Supplemental #3 appears House Bill 2899, the Gentleman has requested a Second Conference Committee. Hearing no objection, a Second Conference Committee will be appointed. Senate Bill...on Supplemental #5 appears Senate Bill 2309, Representative Anthony Young. Anthony Young...out of the record. On Supplemental #6 appears House Bill 3261, Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, Conference Committee Report #1 to House Bill 3261 is quite lengthy. I'll try to be as brief as I can and go through and hit the major points of this...the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Conference Committee Report. Number one, it prohibits the Director of Illinois Racing Board from imposing fines, penalties and mandates upon race tracks, or stating positions of legislative issue without the consent of the majority of the racing board. Also authorizes Fairmont Park to have a third off-track betting parlor. Also allows for the Aurora, Waukegan and Grayville to bees...to receive the horse racing tax allocation fund. It also changes money from...diversified by the board...to fund the following programs: \$500,000 for Rural Diversification Program administered by DCCA, \$750,000 to fully fund county fairs, \$250,000 for grant to Brookfield Zoo, \$250,000 for a grant to urban education under the state board of education. Also would require the license...licensees to pay for respective course with organizations which is money coming out of purses which is capped at \$125,000, would provide for the direct payment to the ITBOF and mandate an annual audit from that fund. And also allows for monies to be paid into premium...premiums for downstate for county fairs which amounted to about \$600,000, which includes the state fair and also the Hamiltonian and an attempt to bring the Hamiltonian back to Illinois. Let me emphasize this Bill does not do one thing, it does not take any money from race tracks in Illinois, which has been a major stickling point for two years of negotiation. I'd be happy to try to answer any questions anyone might have."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Cullerton: "Representative, on page 2 and 3 of the Conference Committee Report. It's got some very strange language. It

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

says the executive director of the racing board may not impose fines, penalties or mandates of action upon race tracks, and may not state a position on legislative issues without the express consent of a majority of the appointed board Members. What does that mean? And why is it in this Conference Committee?"

Hicks: "As I understand it, Representative Cullerton, this would simply say that the executive director of the racing board itself would have to consult with the board before taking positions on the legislative agenda and issuing comments concerning that. As you well know, dealing with the...a recent issue dealing with the security barns, there were problems with the director in that. I understand that there's is different positions from the board than is from the director. And we are simply saying that the director should consult with the racing board first, before doing such a thing."

Cullerton: "Madam Speaker, Ladies and Gentlemen, I think this language is clearly improper. I think if this Bill should pass that the Governor should amend it totally out...amendatorily veto the measure out. It's clearly not intended by the racing board. It is not requested by the racing board. In addition, the Bill, if you care, is almost a \$2 million drain from the General Revenue Fund for various projects. In addition to expanding the OTB parlors in this state, it takes money from the museums and I think this is a very insulting piece of language that is found on page 3 of the Conference Committee Report. So, for that reason I would urge a 'no' vote."

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

Ropp: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "He will."

Ropp: "This is the authorizing money...are these funds actually placed in the appropriation somewhere?"

Hicks: "Representative Ropp, would you ask the question again please? Sorry, I could hear you?"

Ropp: "The money for county fairs and some of these other projects, this is merely authorizing it, but is there an appropriation somewhere where it actually states that these funds will be going there?"

Hicks: "No, Representative Ropp, there is no actual author...this is the authorization. There is no money anywhere. We would have to come back in November in the Veto Session and put the money in for the...for the authorization."

Ropp: "Okay. Well, I want to commend you for the efforts on this fine Conference Committee Report. To me, this shows balance and equity particularly in attempting to deal with some of the problems we have talked about in the last couple days and I urge the people to support this. I think it is a right move in a direction that is needed and urge your support."

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

Stern: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Stern: "It had been my understanding that one of the things we were doing in here was repealing the security barns, but I can't find it."

Hicks: "Representative Stern, it is not in this report."

Stern: "I am delighted to hear it. Thank you, Sir."

Speaker Breslin: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, I rise not only to support the Conference Committee Report,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

but I don't often disagree with Representative Cullerton, but I disagree with him when he says this takes money away from the museums. What it does, it places the Waukegan OTB facility, the Aurora OTB facility and Grayville OTB facility in the same category as the Springfield, Peoria and Rockford facilities. Their...four sevenths of their revenue that comes from the OTB goes to their park district for local museum purposes. It should not...you know I just heard people arguing about Chicago on the last Bill...the Chicago museums get money from the OTB in Chicago and there is nothing wrong with that. But what was happening, those OTB's that opened after a certain date, rather than going to our park district, our museums was going to Chicago. That's not fair. That's not right. I disagree with my good friend, Representative Cullerton. That belongs to us and it's fair. Well, he said it didn't belong to us when we first cut the deal, we weren't open then, but we are open now and we want in like Rockford got in, like Peoria. They weren't in on the deal cutting either. Rockford, Peoria and Springfield, but they opened a door for them. Open that door a little wider and let us on where we belong. Vote 'aye'."

Speaker Breslin: "Representative Hicks to close."

Hicks: "Thank you very much, Madam Speaker. I would simply ask for an 'aye' vote on the Bill."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 3261?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there are 92 voting 'aye', 16 voting 'no'. The House does adopt the First Conference Committee Report to House Bill 3261. Representative Davis

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

votes 'aye'. There are 93 voting 'aye'. This Bill having received the Constitutional Majority...Representative Davis votes 'aye'. This Bill having received the Constitutional Majority is declared passed. Representative Davis, what's the problem?"

Davis: "I vote 'no'."

Speaker Breslin: "Oh, I'm sorry."

Davis: "And my buttons are locked."

Speaker Breslin: "I'm sorry. Representative Davis votes 'no', Mr. Clerk. Representative Trotter votes 'no'. Representative Flowers votes 'no'. Flowers...votes 'no'. Morrow votes 'no'. Williams votes 'no'. Turner votes 'no'. Turner...votes 'no'. White votes 'no'. There are 88 voting 'aye', 23 voting 'no' the House adopts the First Conference Committee Report to House Bill 3261 and this Bill having received the Constitutional Majority is declared passed. House Bill 3843, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I move that the House adopt the First Conference Committee Report. This Bill conforms circuit clerk fees in Du Page County to those in Cook County and also institutes one year sooner the circuit clerk...circuit clerk raise authorized last year. And conforms Cook County in one particular under the Circuit Clerk's Act that candidly I cannot recall as I speak. It was an Amendment offered by Representative Cullerton to conform Cook County to Du Page County in one respect. A...an Amendment which was taken out of this Bill, creating a separate class of counties in the Chicago Metro area has been deleted from the Conference Committee Report. I move the adoption of the First Conference Committee."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none the question is, 'Shall

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

the House adopt the First Conference Committee Report to House Bill 3843?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Representative Didrickson, one minute to explain your vote. She indicates she does not wish to speak. Mr. Clerk, take the record. On the question there are 105 voting 'aye'. This Bill having...the House does adopt the First Conference Committee Report to House Bill 3843. And this Bill having received the Constitutional Majority is declared passed. House Bill 3875, Representative Giorgi. Mr. Giorgi. House Bill 3875."

Giorgi: "Madam Speaker, this is a Bill that was debated earlier that had to do with the...the Liquor Franchise Amendment, which is now off the Bill. This Bill reverts to the original thrust of the Bill, which has to do with disinterment of bodies and has to do with the Andy McGann Amendment that determines the amount of psychiatric beds that the Health Facilities Planning Board would allow. So, I urge the adoption of the Second Conference Committee Report."

Speaker Breslin: "The Gentleman has moved the adoption of the Second Conference Committee Report on House Bill 3875. Any discussion? There being none, the question is, 'Shall the House adopt the Second Conference Committee report to House Bill 3875?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? Clerk will take the record. On the question there are 112 voting 'aye'. The House does adopt the Second Conference Committee Report on House Bill 3875. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 4124, Representative Homer."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Homer: "Thank you, Madam Speaker. I move the adoption of the Second Conference Committee Report to House Bill 4124. This is the Bill that creates Drug-Free Schools, Drug-Free Communities. You recall that the First Conference Committee Report was narrowly defeated, because of a concern about the removal of the word alcohol in connection with drugs and alcohol the terminology has been put back into the Bill. It is now supported by DASA. I know of no opposition. The Bill should fly out of here. I'll answer questions, but I move the adoption of the report."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question is there any discussion? There being none, the question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 4124?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. The Clerk will take the record. On this question, there are 109 voting 'aye'. The House does adopt the Second Conference Committee Report on House Bill 4124, and this Bill having received the Constitutional Majority is declared passed. House Bill 1951, Representative Wolf. Out of the record. House Bill 2217, Representative White. Excuse me, that's Senate Bill, Mr. Clerk. Senate Bill 2217."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I move for the adoption of the Conference Committee Report to Senate Bill 2217. It is a simple measure. All it does is establishes a commission that will manage the Chicago Medical Center Control Authority. And the mayor will establish on the board three Members. The Governor will have the authority to establish four, and they will control all construction of that particular area. I move for its adoption."

Speaker Breslin: "You have heard the Gentleman's Motion. On the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

question, the Gentleman from Du Page, Representative McCracken."

McCracken: "Thank you, I rise in opposition to this. This is an expansion of the Medical Center Commission. It gives quick take authority in an area where some state buildings are located. There has been a request made in the past for money for expanding or improving the Medical Center Commission, which has been turned down. \$500,000 was included in Senate Bill 1933 for some sort of work in the commission. However, we stand in opposition to this Bill."

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

Pullen: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. This Bill expands the geographic area of the Medical Center Commission District. And as a consequence of that it expands the blighting that the quick take powers of this Commission District has to a broader area of Chicago, because people who would be investing in what would otherwise be prime land do not want to risk an investment by being concerned that the medical center might come along and use quick take on their property. This has been a real problem for the area that is currently in that district and by extending the boundaries it makes the problem worse and more widespread, and what we ought to be doing is pulling the boundaries in to what the medical center intends to use rather than making it larger and larger and blighting our areas. I urge a 'no' vote."

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

Cullerton: "Yes. I just wanted to indicate for the record, I'm not sure Representative McCracken is aware of this, but we...some original drafts add some language that would have allowed the commission to have control over the physical plant of the state facilities. That language has been

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

changed at the request of the Department of Mental Health, who has jurisdiction over ISBE; where I used to work, as a matter of fact, and so you might be opposed for it for some other reason, but just to clarify the record that language has been clarified at the request of the Department. And I'm glad..."

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

Shaw: "Yes, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will."

Shaw: "Representative White, could you explain Section IV? Why are we...it's changing the way members are appointed. To give the mayor of Chicago three appointments and remove the county board president I take it and the president of the park district. Why are we doing that?"

White: "Well, first of all, I don't think that the park district...first of all there is no objection on the part of the park district for relinquishing their authority, and the same thing holds true with the president of the Cook County board with regard to this board. So, since they have not voiced any opposition to it, I think that is a good question."

Shaw: "Why was the old commission functioning okay?"

White: "Could you repeat the question?"

Shaw: "Was the old commission functioning okay?"

White: "Well, with this board I think it will function a lot better."

Shaw: "To the...to the Bill. Certainly, I agree with the previous Speaker in terms of enlarging the boundaries, but I don't see any reason why we should put all of our faith into the Mayor of the City of Chicago by giving him all three appointments and removing the county board president...removing his power to appoint. I think this is a bad concept and there is some other things that are

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

wrong with this in terms of the concept and the people from the west side of Chicago...the west side of Chicago, I think, have the tendency to deprive the people of the west side of Chicago of some of its authority and I think that you should really take a good look at this piece of legislation here. And I don't see why put the power of this whole board in one person's hand and take it and remove it from what's now three. I urge the defeat of this 2217."

Speaker Breslin: "Representative White to close."

White: "Madam Speaker, Ladies and Gentlemen of the House, first of all I'd like to set the record straight. We're only talking about one factory...factory that is involved with this matter. And as it pertains to a statement that was made by one of the previous Speakers, Cook County and the State of Illinois buildings are out of this piece of legislation. So, based on what I just said, I move for the adoption of Conference Committee Report on Senate Bill 2217."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 2217?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Representative McCracken, for what reason do you rise?"

McCracken: "Yes. I just wanted to thank Representative Cullerton, he is right. This was taken out and it does not apply to the government building or buildings within the proposed expanded area."

Speaker Breslin: "Sixty votes are required. Representative Leverenz votes 'aye'. Mr. Clerk. Have all voted who wish? Have all voted who wish? Sixty votes are required. Have all voted who wish? The Clerk will take the record. Representative McCracken is going to request a Poll of...a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

verification, Sir? On this question there are 62 voting 'aye', Representative Jones votes 'aye', Representative Flowers votes 'aye', Representative Mulcahey votes 'aye'. Do you still wish a verification? Okay. On this question, there are 65 voting 'aye', 47 voting 'no'. The House does adopt the First Conference Committee Report to Senate Bill 2217. This Bill having received the Constitutional Majority is declared passed. Senate Bill 1591, Representative Levin. Representative Levin, proceed, Sir."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1591 is another step in the school reform process that began two years ago..."

Speaker Breslin: "Excuse me, Representative McCracken, for what reason do you seek recognition?"

McCracken: "Thank you. I'm told this First Conference Committee failed in the Senate."

Speaker Breslin: "It is in the process of being reconsidered, however. So, we think it is well to go forward."

McCracken: "Alright. I just wanted to save us time."

Speaker Breslin: "Proceed, Representative Levin."

Levin: "Mr...Madam Speaker, Ladies and Gentlemen of the House, you may recall that the initiation factor for school reform was the strike that occurred three years ago in Chicago. Senate Bill 1591 is intended to insure that the schools of Chicago open this fall without a strike. This legislation does not take any money from anywhere else, it simply utilizes Chicago money to insure that there will be school in Chicago this fall. This legislation does several important things. The first, most important from my standpoint, is it recognizes that Chicago has a new superintendent, who has major experience over many years, who has in fact taught many of the courses, that are being asked...he is being asked to take in the existing

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

accreditation requirements. It accordingly response to the calls of the Chicago press and many others would waive for three years the requirement for the school superintendent of Chicago to meet the current certification requirements. Let me point out, however, that it is limited to Mr. Kimbrough's current three year contract. If that contract is renewed he would have to fully comply with all of the existing accreditation requirements in order to have that contract renewed. Secondly, this legislation benefits not only the school teachers of Chicago, but all of the school teachers of the State of Illinois by lowering the retirement age for Chicago and downstate teachers without discount from 60 to 55. It also makes some significant modifications in the current pension system, again, that only affect Chicago in terms of the funding. It is a good proposal. It's not perfect, but it will allow the school system to open this fall. Among the things it does is to put the Chicago teachers pension system in the same position as the five other systems in the state as we passed last year under Senate Bill 95. It also authorizes the Chicago Board of Education, which has its own pension tax levy. To be able to use a portion of that levy to fund a teacher pay increase after negotiations this fall. It leaves, however, the Chicago board ultimately liable for any deficiency funding for the Chicago Teachers Pension Fund. It also allows the transfer of revenue due to the school finance authority difference tax from the building fund to the education purposes fund. The sum total of these modifications will make available an additional \$66 million for negotiations this fall to avoid a school strike in Chicago. The parents of Chicago desperately want to avoid a strike. They want stability. We would not have needed this legislation if we were able, as a state, to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

meet our obligations to Chicago system and the other school systems around the state. But we all know there is no more state money available this year. And what this legislation does is to permit Chicago schools to open, using Chicago monies. If there are any questions, I'll be able...I'll be happy to answer them. If they are questions particularly on the pension portion I'll have the Chairman of the Revenue Committee, Representative Currie, available to answer questions."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question the Lady from Du Page, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, there are several aspects of this Bill, but with the limited time and the hour of the morning I would like to address only one. This Bill exempts the superintendent of schools in Chicago from all state certification requirements until June 30th, 1993. He would be excused from taking the basic skills and subject matter tests as well as not being required, to make up the 18 credit hours that he lacks for Illinois certification. He is now employed under a provisional certificate, which expires on January 10th, 1992. If we do not enact the change in this Conference Committee Report, he must pass the basic skills and subject matter tests on July 14th of this year, which is his only remaining chance to do so, and then must subsequently make up the 18 hours by January, 1992. There are presently 34 individuals in Illinois who have provisional administrative certificates. Under this proposal the superintendent of the very largest school district in Illinois would be the only one of those people exempted from taking the tests and making up the hours. Ladies and Gentlemen, I do not object nearly as much to exempting the superintendent from making up some of those

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

yours in a timely fashion as the law requires; but Ladies and Gentlemen, we are going to exempt the superintendent of schools in Chicago from having to pass basic skills and subject matter tests? Are we afraid he doesn't know how to read?"

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

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

Speaker Breslin: "He will."

Curran: "Representative, this Bill now includes language which affects Chicago Suburban and downstate teachers. Does this Bill include language which provides retirement option for those suburban and downstate teachers with twenty years experience at age 55? Yes. It provides that benefits for both Chicago and non-Chicago teachers..."

Levin: "And?"

Curran: "...okay. Is it also true that any increased unfunded liability from the Chicago pension levy transfers covered by the Chicago school district?"

Levin: "Yes. If there is a diversion of money from the pension fund tax diversion, it is absorbed by Chicago, not from...the doesn't become a state obligation."

Curran: "My final question, does the language in this Bill regarding the use of Chicago pension levy sunset after three years?"

Levin: "Yes. And that is at the outset. It is dependent on the length of the current contract, which could be as little as one year."

Curran: "Thank you."

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

Ronan: "Thank you, Madam Speaker. Members of the House, I rise to support the adoption of this Conference Committee. And you know, I'm appalled by listening to some of the comments

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

that were made by some on the other side of the aisle. Let's stop tinkering with Mickey Mouse regulations and let's worry about educating the kids in Chicago. We don't need the superintendent, who has a proven track record of administrating a large school system in California, wasting time in a classroom. We know he can read. We know he can write. We also know he can do the job..."

Speaker Breslin: "Excuse me, Representative Ronan..."

Ronan: "So let's not waste time with..."

Speaker Breslin: "Excuse me. Representative Levin, for what reason do you seek recognition?"

Levin: "Could you take this Bill out of the record, please?"

Speaker Breslin: "Out of the record. Representative Levin is recognized for a substitute Motion."

Levin: "Yes. I would request that..."

Speaker Breslin: "Representative Levin."

Levin: "Yeah, Madam Speaker. I would request the Second Conference Committee on Senate Bill 1591."

Speaker Breslin: "Okay. Since the Bill failed in the Senate, the Gentleman requests the Second Conference Committee and that will be appointed. Senate Bill 1951, Representative Wolf. Out of the record. On the Order of Concurrences appears House Joint Resolution 66, Representative Barnes. Representative Barnes, out of the record. On the Speaker's Table appears Senate Joint Resolution 210, Representative McNamara. Representative McNamara."

McNamara: "Thank you, Madam Speaker. I move to approve Senate Joint Resolution 210, which is...and I'll read the Resolution: Be it resolved by the Senate of the and the House of the Eighty-Sixth General Assembly of the State of Illinois and the House of Representatives concurring herein that pursuant to division XII of Article 8 of the Municipal Code, this Body hereby declares that the City of East St.



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Louis to be a financially distressed city."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House adopt Senate Joint Resolution 210?' Representative Weaver, for what reason do you seek recognition?"

Weaver: "Just a brief question of the Sponsor."

Speaker Breslin: "Proceed."

Weaver: "Representative, if this Joint Resolution passes, does the city council have to then make application to take advantage of what we passed earlier this evening? Or is this automatic?"

McNamara: "Yes...yes. Your answer is, it definitely has to take its action and abide by the loan agreements that are set out in the Bill."

Weaver: "Okay. So, just by passage of this Joint Resolution does not automatically kick in what we passed earlier."

McNamara: "That is correct."

Weaver: "Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt Senate Joint Resolution 210?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair by use of the Attendance Roll Call the House adopts Senate Joint Resolution 210. Supplemental Calendar announcements."

Clerk Leone: "Supplemental Calendars #7 and 8 have now been distributed."

Speaker Breslin: "From Speaker's Table House Joint Resolution 66, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I ask leave to handle this on behalf of Representative Barnes. She is feeling ill. This Resolution creates a Child Support Guidelines Review Task Force under the Department of Public Aid to review the statutory guidelines on child support to determine if their

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

application results in the determination of appropriate child support amounts. I move its adoption."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House adopt House Joint Resolution 66?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair by use of the Attendance Roll Call, the House adopts House Joint Resolution 66. Supplemental #7. Representative Stephens, for what reason do you seek recognition?"

Stephens: "For purpose of making a complaint. There's an odor of tennis shoes on this side of the aisle, and I wonder if we could ascertain the source of that odor."

Speaker Breslin: "I think that is a job for the head page. Would the Republican head page please attend to Representative Stephens' request? House Bill...On Supplemental 7 appears House Bill 3962, Representative Giorgi. Representative Giorgi is recognized."

Giorgi: "Madam Speaker, this is the Riverboat Bill. And this...the language in this Conference Committee Report was worked out for the gaming board, the Department of Revenue, the Governor's Office and all interested...so, it is a little lengthy, I'll try to be as brief as I can. But the...the...the first thing that the Conference Committee Report does, it covers the gaming board's deliberation in Open Meetings Act. And it requires audits quarterly instead of monthly, and it provides that a certified public accountant will be appointed by the riverboat board, but paid by the owners to insure his integrity. Now the Conference Committee Report also allows the board, at their discretion to permit onshore banking facilities located at docking sites to expedite the cruises. The report...also requires the hearings to be conducted by the board to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

conform to those as required now by the racing board...its comparable hearings, so they use the same habits. Persons affected by actions denying their license request or suspension or revocations revoking, will have a right to hearing after the action, if they request one. And the board needs the ability to conduct any hearings it seems necessary to investigate and regulate license and gaming operations. Any time a applicant thinks he is being...treated unfairly can go directly into the Appellate Court for relief. Further, then...the board is required to issue five licenses to become effective no later than January 1st, 1991. And four of the initial licenses shall be on the Mississippi River, and one license shall authorize on the Illinois River. There is one license that after today's deliberations is reserved for someone from the...whose home dock will be the East St. Louis Port. And then we speed up the applications for the Des Plaines River. The current...current law prohibits the gaming board from issuing license which authorize a riverboat to dock in a municipality with a population of under 2000. The technical changes include that gaming board reimbursement procedures for the issuance and regulations of special event licenses. The removal of any inconsistency in the law, regarding for the Department of State Police for fingerprint checking. All of these changes were dictated by the gaming board, Department of Revenue, Governor's Office and they tell me that the Senate just adopted this Conference Committee Report. I urge the adoption of this Conference Committee Report."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "Would the Sponsor yield?"

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "He will."

Leverenz: "On page 11, starting with line 11, does this provide that the boat can leave the dock or also bet at the dock?...Or..."

Giorgi: "No. It cannot...they cannot bet while being docked...That's the original law."

Leverenz: "Let me finish...on line 14, it also says or on a shore...onshore facility."

Giorgi: "That's a...they are going to allow banking privileges on onshore facilities, so that they can expedite the boarding of the boat rather than taking the time on board the boat to say, cash their money in for chips, they will be able to do it on dockside."

Leverenz: "Oh, this is so that you can get your chips before you get on de boat. So that when the boat leaves you be on it?"

Giorgi: "Yes. You know, first of all, you're going to travel a hundred miles, two hundred miles, to get to the river, so, we don't want to hold you up. We'll have a bank ready for you at the riverside."

Leverenz: "The hold up occurs after you get on. I suggest you 'aye' vote."

Giorgi: "Thank you, so much."

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

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

Speaker Breslin: "He will."

Parcels: "Representative Giorgi, does this have the \$500 limit in it?"

Giorgi: "Madam...Representative Parcels, if you have your book #1, you will see it, Senate Bill 819, we passed the \$500 limit to the Senate."

Parcels: "Did it pass the Senate?"

Giorgi: "I don't know. It didn't pass the Senate, I don't

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

believe. But the gaming board decided in their wisdom not to keep the \$500 cap in the Bill...in the regulations."

Parcells: "I think that this Body decided that we would have the \$500 limit. And since we are the ones that make the laws, did you not on January 11 make a statement to the fact that the Bill that we were passing did, in fact, have a \$500 limit?"

Giorgi: "At the time we thought that the \$500 limit was in the Act, but it wasn't."

Parcells: "That's correct. And then I remember reading many newspaper articles and many people promising that we would come back here and put in a \$500 limit and then in fact we did come back. We voted the \$500 limit a couple of times and then we deep sixed those Bills. So, that right now we are going out there with no limit at all. Ladies and Gentlemen, I think this is serious mistake we are making here. We sold this as a tourism package. It was a good idea to many people. It was a family type outing, a four hour trip on a river. It would be lots of fun. It was just to be a tourism thing. Now we are trying to go for the high roller, Las Vegas type people. We decided in the wisdom of the House and the Senate to have a \$500 limit. That's what we decided. That's what we sold to our constituents. We are being less than honest, if we do not keep with what we bought back on January 11th and passed this Bill. I think we should send this to a Second Conference Committee and get that \$500 limit as all of you people here passed and the Senate passed back in January."

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

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Bill...this Bill deals primarily with Will County, Illinois and some cleanup language that is designed

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

to make it work. It deals with the Des Plaines River. The Governor of the State and this Gaming Commission that was approved and appointed, confirmed by the Senate has stated that the \$500 cap will not work. That is not an issue here. The only thing that is an issue here is some cleanup language recommended by the Gaming Commission and the provisions dealing with the Des Plaines River in Will County, Illinois. And I would ask the Members on both sides of the aisle to approve these changes that deal with the Des Plaines River in Will County, Illinois. This is as important to the economic development of the City of Joliet and the County of Will in Des Plaines, Illinois, my home area, as it is to those in the Quad Cities and on the Mississippi River. I ask you to put aside those differences with respect to the \$500 limit, which the Governor of this State and the Gaming Commission and all the experts have said will not work. We have made mistakes in this General Assembly many times in the past, but we corrected them. This is correcting some of the mistakes and some of the errors made in the original legislation. I would ask, as each of you would ask, on legislations whether it is with East St. Louis, or a project in East St. Louis, this project is in Will County, Illinois and deals with the economic development of Will County, Illinois. And I would ask that each of you vote 'aye' on this Bill, and let's send it out and get it to the Governor's desk, who is waiting for it to sign."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Sponsor yield for a question or two?"

Speaker Breslin: "He will."

Black: "Thank you. Representative, the Conference Committee

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Report specifically requires one of the Mississippi River licenses to be located in East St. Louis. Was that a request by the Governor's people or the gaming board or did that just materialize?"

Giorgi: "I think it was a consensus of everyone involved with the trying to solve the East St. Louis problems and trying to help them find their way to...to...for some economic development and to generate some money so that they can help pay the bonded indebtedness they are going to incur."

Black: "Alright. Perhaps you can illuminate one point, because I really don't know the answer to this question at all. Is there a...currently a port facility at East St. Louis?"

Giorgi: "Well, if there isn't, I'm sure there will be a Herculean effort to get a port facility there."

Black: "Thank you very much."

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

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

Speaker Breslin: "He will."

Ropp: "Representative, because the \$500 limit is not in there what has been projected by the Gaming Board would be the net loss to the State of Illinois?"

Giorgi: "There will be a net loss if you put a \$500 cap, there won't be a loss if there is no \$500 cap. There will be a loss if you begin with a \$500 cap. Let me give you an example..."

Ropp: "What is that amount? What is that loss projected to be?"

Giorgi: "No. There is no one...we said when we enacted Riverboat Gambling last Session of the General Assembly that none of us could accurately predict what the anticipated revenue is going to be. There has been some guesses in the thirty or forty million dollar brackets."

Ropp: "Okay...has there been a license issued yet by the Gaming

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Board? Has there been a license issued to the first boat operator by the Gaming Board?"

Giorgi: "Not as yet."

Ropp: "Why not? And when does it occur?"

Giorgi: "When will it occur? I guess the Gaming Board has had some problems getting together...gathering staff, finding...forming applications doing a search of the applicants. They've got a lot of work...that we didn't anticipate. None of us knew...none of us knew exactly what were getting into when we legalized riverboat gambling as to the process involved."

Ropp: "Okay. So, there was some talk that when it was signed they...the first boats would be in operation, January 1, 1991. It almost appears that until a license is issued those boats might not even be in the drawing board or manufacturing. It might be much later than '91?"

Giorgi: "I think you will find yourself, that there will be boats in the water by next spring."

Ropp: "Next spring?"

Giorgi: "Yes."

Ropp: "Thank you."

Speaker Breslin: "Representative Giorgi to close."

Giorgi: "Madam Speaker, all I want to say is that the language in this Conference Committee Report was dictated by the Gaming Board, Department of Revenue, the Governor's Office and in all the boats that are plying the southern parts of Ill...of the United States, the Caribbean, the Mediterranean, none of them have a \$500 cap. Atlantic City, New Jersey and Nevada...Las Vegas, Nevada don't have a \$500 cap, so I think that we're on safe grounds in supporting this Conference Committee Report. I urge your support."

Speaker Breslin: "The question is, 'Shall the House adopt the



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

First Conference Committee Report on House Bill 3962?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative McCracken, one minute to explain your vote."

McCracken: "Thank you. Our staff attorney tells us the Gaming Board lawyers came to him both yesterday and today. And the East St. Louis package was not part of the Gaming Board's package. All of a sudden we find it here in this Conference Committee Report. And I don't think we should be deferring to the gaming board in any event. The \$500 was something we all voted on last year. We thought it was in there. We all voted thinking it was in there. It passed thinking we were in there. Sponsors since that time have talked about restoring the \$500 limit, which we thought was in there, and for some reason it has never happened. We...we should not be deferring to the gaming board on that issue. We should be imposing that cap and passing this legislation only with that cap."

Speaker Breslin: "This is final action. Sixty votes are required. Have all voted who wish? Representative Younge, one minute to explain your vote."

Younge: "I think it is important to..."

Speaker Breslin: "Representative Younge."

Younge: "Yes. I think it is important to permit the City of East St. Louis to have a gaming license, because that is going to be needed to pay back bonds that are needed to stabilize the economic situation in East St. Louis. And that is a part of the other piece of the legislation that is...approved. So, this Bill...this legislation is the second part of a very important package in order to try to lessen the dependency of the City of East St. Louis on the State of Illinois. I ask for your support for this meas...measure because it was one of the intentions of the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

original Bill passing...that was passed, that it help economically depress municipalities."

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

Younge: "So, therefore, I ask for your help."

Speaker Breslin: "The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker. Members of the General Assembly, if it is the intent of the General Assembly to defeat the Riverboat Gambling Bill this is not the legislation that will do it. All we're basically doing with this Bill, and I think Representative Wennlund made it quite clear, is adding on, providing more people to involve...involve themselves in economic recovery. It's a Bill that merits consideration...serious consideration. It goes without saying, yes, a cap of \$500 was not put on this Bill, but that's a past subject. I don't think when the Governor of the State of Illinois appoints a racing...a gambling commission to oversee the implementation of what will take place pertaining to this operation, that you should take issue with the Governor. I think a 'yes' vote is a proper vote. And for that reason I ask for your consideration."

Speaker Breslin: "The Gentleman from Lake, Representative Matijevich. One minute."

Matijevich: "Madam Speaker, let's be practical for a moment. Let's say you are on that boat. The boat went out of dock and you didn't get too far and you lost \$500 bucks. What are you going to do? Twiddle your thumbs? You know, what are you going to do on that boat? You want your money back. You know you are not going to sit there and read comic books. You want to keep betting. That is what betting is all about. You know, I told you once before, I haven't bet on the Lottery at all. Not a dollar, yet. But

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

I know betting people, and I know what they do, they like to bet. And if they lose in a hurry, they want a chance to get their money back. They may lose again, but sometimes they do get their money back, and I think you ought to let them have that opportunity. The second point I want to make, I'm a little disturbed about what I hear about East St. Louis. Here's a chance to give some form of economic recovery. What is this...East St. Louis bashing..."

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

Matijevich: "You know, I tell you, I sit on this floor and I've sat here a long time. And I'm not black, but I'll tell you some of the comments I've heard all this Session, when Wyvetter Younge has been on the floor of the House, gets under my skin. And I'm not black. What is this about East St. Louis bashing that I hear? I can't understand it. Give East St. Louis a chance of economic recovery. And the cap, that's crazy. You know it's crazy. So, let's vote 'aye'."

Speaker Breslin: "Representative Weaver, one minute."

Weaver: "Thank you, Madam Speaker. I wasn't going to say anything, but the previous Speaker had earlier this morning talked about the Chrysler bailout. I think we've gone him one better. We've not only just declared East St. Louis a distressed area and provided it with \$4 million, but we have not guaranteed them a riverboat license, now they can build a dock for the riverboat. The only thing that lacks in this puzzle is if the mayor and the city council get the license."

Speaker Breslin: "Representative McPike, one minute."

McPike: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I didn't hear anyone on the other side of the aisle rise and criticize this legislation because we specifically tried to help Representative Wennlund. No one over there

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

said a word that we singled out Joliet and said in the second year we must have one in Joliet. Nobody objected. But the objection was that we had in the first year, that we must have one in East St. Louis. Isn't that terrible? Now you didn't object when we gave East St. Louis a \$34 million loan. But you do object, when we try to give them a chance to raise some money to pay off the loan? They are sitting across the river from St. Louis with two million people. And you know this is going to be successful operation. And you know it is going to bring some money into East St. Louis. And you know it is going to help this city. And you sit there and...but you don't want to punish your own Representative from Joliet. That's alright."

Speaker Breslin: "Have all voted who wish? Sixty votes are required. Have all voted who wish? Representative McCracken, one minute to explain your vote. He indicates he does not wish to speak. Have all voted who wish? Only vote your own switch, the Gentleman will seek a verification. Have all voted who wish? The Clerk will take the record. On the question there are 61 voting 'aye', 53 voting 'no'. Poll the Absentees, Mr. Clerk."

Clerk Leone: "Poll of those not voting: Barnes and Krska, no further."

Speaker Breslin: "Poll the Affirmative."

Clerk Leone: "Poll of the Affirmative: Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Didrickson. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. Leverenz..."

Speaker Breslin: "Excuse me, Mr. Clerk. The Gentleman withdraws his verification. On this question, there are 61 voting 'aye', 53 voting 'no'. The House does adopt the First

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Conference Committee Report on House Bill 3962. This Bill having received the Constitutional Majority is declared passed. On Supplemental #8 under Speaker's Table there appears Senate Joint Resolution 211, Representative Currie."

Currie: "Thank you, Madam Speaker. Members of the House, I move for immediate consideration of Senate Joint Resolution 211. This would empower the Speaker, the President of the Senate, the Minority Leaders in both chambers to appoint two Members each to a committee to draft language in opposition in opposition to the proposed Tax Accountability Amendment. I'd appreciate your support."

Speaker Breslin: "You've heard the Lady's Motion. Is there any discussion? Being none the question is, 'Shall the House adopt Senate Joint Resolution 211?' Representative Johnson, for what reason do you rise?"

Johnson: "I guess I didn't understand what she said."

Speaker Breslin: "She said this Resolution advances the procedure for appointing people to write the Tax...Accountability...the arguments pro and con."

Johnson: "Pros and cons...the pros and the cons. Okay. Okay. I just didn't hear, that's why I..."

Speaker Breslin: "Excuse me, Representative Currie. Isn't that what you said?"

Currie: "It's actually just the negatives...just the con, because the pro is written by the proposers of that Amendment, which as you know got there or will get there if it does by virtue of initiative."

Speaker Breslin: "The Gentleman from Du Page, Representative McCracken."

McCracken: "Let's roll it."

Speaker Breslin: "You're all for this, okay. The question is, 'Shall the House adopt Senate Joint Resolution 211?' All

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. By use of the Attendance Roll Call Senate Joint Resolution 211 is adopted. House Bill 2872, Representative Homer."

Homer: "Thank you, Madam Speaker. This Bill does several things. I'll briefly mention them. First, creates the Will - Kankakee Regional Development Authority Act, and prescribes the authority of that Author...the legal authority of that Authority. Section 2, it...the Conference Committee provides that DCCA shall grant funds to regional tourism councils for administrative costs, which will subject the...the councils to the Open Meetings Act and other legal requirements. Section 3 authorizes East St. Louis a window of opportunity to oppose a home rule sales tax on its own businesses. Section 4 was recommended to us by Cook County Assessor Hines, that regards a historic family residence and the eight year assessment available to owners. Also, changes references from quadrennial to general assessments in accord with plans that Cook County has regarding its change of four assessments to three assessments in 1991. Section 5 amends the TIF provisions to extend currently 23 years to 35 years enterprise...TIF districts rather, for Canton and Bartonville. Section..."

Speaker Breslin: "Excuse me. There has been a request that we take this out of the record to give Members a little more time to look at it since it is so complicated. So, out of the record. House Bill 2899, Representative LeFlore or Balanoff. Who's handling this Bill?...for Representative LeFlore? Mr. Bugielski? Representative Bugielski, are you handling this for Representative LeFlore? 2899. House Bill 2899. Representative Cullerton. Representative Currie. Representative Balanoff."

Balanoff: "I think that my name has...should have been removed

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

from this Bill."

Speaker Breslin: "I see. Mr. Clerk, would you remove this...Representative Balanoff's name from this Bill. Representative McCracken, do you know who is supposed to present this Bill? Who? Representative Bugielski. Representative Currie, for what reason do you seek recognition?"

Currie: "With a parliamentary inquiry. Representative LeFlore is the principal Sponsor and he is not here. In his absence how do we organize somebody else to handle the Bill for him?"

Speaker Breslin: "We go to the next named Sponsor. Representative Balanoff has taken his name off the Bill. The next person is Representative Preston."

Preston: "Madam Speaker, I've filed a Motion to have my name removed as a Sponsor of this as well."

Speaker Breslin: "Remove this man's name from the...from the Bill. Mr. Clerk and Representative Bugielski, do you want your name left on this Bill? Representative Currie."

Currie: "Which one? Which one? He's still not the Chief Sponsor, as I think we define it. And I have a Rule 35-1(a) the bottom of the paragraph says, no Resolution or Bill shall be called for consideration in the absence of the Chief Sponsor unless the Chief Sponsor files with the Clerk a written statement authorizing one or more of the principal Sponsors to call the Bill in the Chief Sponsor's absence. Is that note on file?"

Speaker Breslin: "Representative McCracken, for what reason do you rise?"

McCracken: "Need I belabor the obvious? Representative Bugielski is the only person left on this Bill other than Representative LeFlore. Representative Bugielski is handling the Bill and does not require any parliamentary

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

intrigue to stop him from doing that. So, let's just have him handle the Bill. It is late. Let's consider this on the merits and give us a chance to vote on it."

Speaker Breslin: "Representative Hultgren, for what reason do you seek recognition?"

Hultgren: "Madam Speaker, the Second Conference Committee Report has not been distributed here."

Speaker Breslin: "Representative Bugielski, for what reason do you seek recognition?"

Bugielski: "Thank you, Madam Speaker and Members of the House. I move to suspend Rule 38...35.1 Rule...(a)."

Speaker Breslin: "(a)...Rule 35.1(a). You've heard the Gentleman's Motion. Is there any discussion? There being none, Representative Currie, for what reason do you seek recognition?"

Currie: "If there is objection, how many votes does this take?...71?...Thank you very much. I object to the Motion."

Speaker Breslin: "Seventy-one...you've heard the Gentleman's Motion? Is there reason for discussion? Representative McCracken."

McCracken: "This 'Control by Chief Sponsor' changes the historic rules only to the extent that it extends traditional control to Conference Committees. This Chair on many occasions in the eight years I've been here has allowed hyphenated Cosponsors to handle Bills, even where the lead Sponsor has objected. And I can recall one, about eight years ago, involving Representative Homer and then Representative Karpel. There is no need to suspend a Rule. You have, by your practice in the past, extended this right to hyphenated Cosponsors under far more...intractable problems between Cosponsors. We have no..."



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "Representative...Representative McCracken, I'm afraid that you are incorrect. Those other...occasions that you remember were before the introduction of this particular Rule. The matter before this House is whether or not we will suspend the Rule. It takes 71 votes under the Rule. Representative McCracken."

McCracken: "Speaker...thank you. To the Motion. The reason the Lady stands on parliamentary niceties is to avoid a vote on the merits. This differs...this Second Conference Committee differs from the First in one respect. It will limit what type of ads can be shown on CTA busses. It is precipitated by an Art for AIDS demand that certain types of posters be exhibited on those busses. Everyone likes to think the fate of the Republic is at issue here. You're all First Amendment people who want to oppose this. I tell you it is nothing so heroic that you seek to do this evening. Allow us a vote on the merits. Vote for this Motion to suspend the Rule and then consider it and vote as you wish on the merits."

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

Mautino: "Parliamentary inquiry, please."

Speaker Breslin: "State your inquiry."

Mautino: "38 (a) for this Bill only is the Motion..."

Speaker Breslin: "That's correct."

Mautino: "For this...for this Bill only?"

Speaker Breslin: "That is correct. 35.1 (a)."

Mautino: "Explain...excuse me. We happen to be very familiar with that proposal, which is the 'Control by the Chief Sponsor'. Yes. I know, that's why I asked."

Speaker Breslin: "It takes 71 votes."

Mautino: "That's the old White Sox provision. That is exactly correct. My question is 'by suspending 35.1 as a precedent

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

is that the Motion before this House?'"

Speaker Breslin: "That's the Motion."

Mautino: "For those of us that have a very difficult time in suspending that Rule as a precedent, it puts us in a very difficult box, doesn't it? As a parliamentary inquiry."

Speaker Breslin: "It does."

Mautino: "If in fact, we were to agree with this suspension, this could be used for any future Bill of the last four or five that could be heard by this House before the end of the Session. Is that correct?"

Speaker Breslin: "That's correct."

Mautino: "With all due respect I stand in opposition to what this suspension will do, if, in fact, we are setting a precedent for the final four Bills, where then the Sponsor of the legislation would not have any control of his or her Bill through the complete process, including and not limited to Conference Committees. Is that correct as an inquiry?"

Speaker Breslin: "State you...state that...restate that."

Mautino: "My inquiry is 'By setting this precedent for the following five or six Bills during this Session of the General Assembly, would that issue take precedent whereby the Sponsor would not have control of his or her Bills including and through the Conference Committee Report provisions?'"

Speaker Breslin: "Representative Mautino, the Rule is enforced where there are objections. To the extent that there are objections we will have an individual Motion as Representative Bugielski has put forward to us. So, we will do it on an individual basis. You can decide whether or not you want to be consistent."

Mautino: "Thank you."

Speaker Breslin: "Okay. The Gentleman from Warren, Representative Hultgren."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Hultgren: "Madam Speaker, I object to proceeding on this Motion. I raised a parliamentary objection, which the Chair has not gotten back to me before this Motion was ever made. The objection I raised is that this matter has not been distributed as is required by the rules."

Speaker Breslin: "Representative...excuse me. Representative Shaw and Regan? Take...that...out! Gentlemen, you are in violation of the rules. Take it out. Representative Shaw."

Hultgren: "Madam Speaker..."

Speaker Breslin: "Representative Hultgren."

Hultgren: "My objection preceded the Motion of Mr. Bugielski. What was your ruling on my objection?"

Speaker Breslin: "You, Sir, placed an inquiry to the Chair at the time that we were waiting to find the time of the distribution. We went to the next person whose light was flashing, that was Representative Bugielski. His Motion was entertained. We will come back to yours and your...Motion will be granted also."

Hultgren: "Thank you."

Speaker Breslin: "Representative McCracken."

McCracken: "...considered at some point in the panoply of Motions. I move to suspend the rules governing decorum. I want that sign out. I want people to see it before they vote on this...merits. I want that sign out. I will make a Motion to suspend the Rules on Decorum at the proper time."

Speaker Breslin: "The Motion pending is whether or not to suspend the rules to allow Representative Bugielski to present the Bill. On that question, the Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Yes. Madam Chairman, as Chairman of the Rules Committee, I well remember when this issue came before the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Rules Committee. And to refresh those...the memories of others here, that came on the Kulas Bill, as I recall, wasn't it you, Myron? And Myron made a very, a very emotional plea before the Rules Committee. And I think the rule has been a good rule. In fact, some years ago, I made the statement, and I still believe it, that we made a mistake, when we allowed joint hyphenated Sponsors. I think that was a mistake, because all we did it really for was publicity purposes. So, we can have press releases that we have been a Chief Sponsor of a Bill. But before we did that we knew who had control of a Bill. We never had that problem. So, I think you make a mistake if you now change that precedent, because it will come up on other Bills that you are going to be sorry for. We have not violated it since we've adopted that rule. And no matter how you feel on this issue, you should not vote to suspend that rule because it will come back to haunt you. So, I would vote against this Motion...irr...regardless of what the issue is."

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

Kulas: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I would urge all of you to think before you vote on this Motion to suspend the rules. It is a bad precedent. We fought for this rule...to put this rule in two years ago. And you don't want to change it now. You want control of your Bill. Chief Sponsor should never, never lose control of his Bill. If you want to throw chaos into this House, suspend this rule. It is going to come back to haunt you, like Representative Matijevich says. So, I urge you all. I'm not talking about the merits of the Bill. I am talking about suspending the rule. I'm not talking about the Bill."

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

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

on the question."

Shaw: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this...I think what you are attempting to do here is a bad precedent. We have a Sponsor of this Bill, and it's up on the board. You need not set another precedent here tonight to make some new rules in the middle of the game, because of the fact that you don't want to hear the merits of the Bill. We put these rules in effect at time and all of us voted on those rules in good faith. Where that we could have an orderly transaction of business of this House. And tonight you are setting up there because you are wielding the gavel. You are in control, but the people of this House, the Members of this House...beg your pardon? The Members of this House, they have the votes. They are the ones that set you up there. They are the cause of you being there. And particularly those Members on this side of the House. And I am saying that we should be able to discuss this Bill 2899 on its merits. And we should not be put in a position as you have put us in tonight. Certainly, the occasion will come again, and you will need some more votes. Not only from the other side of the aisle, but from this side of the aisle. And I am one of those that will stand up and talk, because I think it is unfair what you are doing here tonight. It is unfair, and it is unconscionable what you are doing here tonight. If you don't want to discuss the issue on the merits of the Bill, tell us you don't want to discuss the issue on the merits of the Bill, without going through all parliamentary maneuvering that you have gone through. It is my understanding that you have called a sick man working up out of the hospital bed to get him to say 'let it die'. That is unfair. We have never done that before. And I voted with the Speaker of the House. But what you are

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

doing here tonight is a bad precedent, and I am one of those that will call it to your attention in the future."

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

Regan: "Thank you, Madam Speaker. Members of the House, I apologize for breaking the House rules to show you that banner. It is the most repulsive thing I have ever seen in my life, and the people of Chicago don't want to see it on their busses...Let's bring it to a vote, and get the 71 votes and let's go with it."

Speaker Breslin: "Confine your remarks to the Motion before us, Sir. The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker. The Gentleman a moment ago who said that what you're really doing is denying this Bill the right to be heard, was absolutely correct. The Gentleman whose name is on the board, did not suddenly appear from out of the blue with respect to this Bill. He is a hyphenated joint Sponsor. The principal Sponsor, the Gentleman who introduced the Bill, is not here because he is ill. Mr. Bugielski, if you'll pardon my using his name, is not seizing the Bill from another Member, who is saying 'please, don't let em have my Bill.' He is the remaining joint Sponsor, who is present. He is the only person who can move this Bill. I happen to agree that the Motion should not even be necessary, but if the Chair has ruled that it is, then we ought to support the Gentleman in the Motion, because to not do so, is to say that this Bill cannot be heard. And this Bill is very important to the families in this state. It is very important to the image of the City of Chicago and of the State of Illinois, and it cannot wait. It is very urgent that this Bill be considered in this House tonight, and I hope adopted. So, I hope that the Gentleman's Motion will be supported so that we can get to the substance of the issue, because it

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

is a grave issue of public concern. Thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Bugielski to close...on your Motion."

Bugielski: "I just support the Motion and I ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall the Rules be suspended to allow Representative Bugielski to handle House Bill 2899?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative Ronan, one minute to explain your vote."

Ronan: "Thank you, Madam Speaker. I hope the Members realize this is an important precedent. The merits of the issue are not important. The concept on protecting the integrity of a Member to control his Bill is at issue right now. That is the issue that you are voting on. If you care about having any voice in this chamber, you should be voting 'no'. The merits of this Bill is not important. Protect your right to control a Bill and vote 'no' on this bad Motion."

Speaker Breslin: "Representative Stephens, one minute to explain your vote."

Stephens: "Speaker, that is just not the case here. What is the point here, we do this all the time, you are really covering over the central issue that you don't want to discuss. This is not a permanent setting aside of the rule that we adopted. This is a temporary suspension of the rules to deal with one issue before us, because we got one

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Cosponsor, who is here. The other guy is either dropped off and the main Sponsor is in the hospital. This is the only reasonable way to deal with it. An absolutely ridiculous vote is a red vote."

Speaker Breslin: "Representative Bowman, one minute to explain your vote."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. I think out of respect for our Member, who is in the hospital, whose position on the fundamental question of substance is unknown. It is a very controversial question. And if I were in the hospital, indeed if any of you were in the hospital, and discovered the next day that one of your Bills had a provision added to it that was extremely controversial, that you disagreed with, you would be immensely embarrassed to have that Bill moved. Now, I don't think anybody here knows how the Representative, who is hospitalized, feels on this issue. I think out of respect to our hospitalized Member who is the original Sponsor of this Bill, we should not be considering a Conference Committee Report that has an extremely controversial provision added to it, that was not any part of that absent Member's original intent. I urge that we..."

Speaker Breslin: "Representative Mautino, one minute to explain your vote. Excuse me. Representative Mautino, you talked in debate. So you are not able to explain a vote."

Mautino: "Excuse me. I had a parliamentary inquiry, if you will recall."

Speaker Breslin: "Okay. One minute."

Mautino: "Would you like to rerun the tape a little bit?"

Speaker Breslin: "Okay. One minute."

Mautino: "Thank you very much. Ladies and Gentlemen, please, listen. For those of us that have gone through the process



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

of having other Members file Motions to call someone else's Bill, is what caused this rule to be established. It was done on three or four Bills, the most notable, the White Sox Bill. Whereby, person who sponsored that Bill, in this case, me opposed my own Bill, because of the Conference Committee that was established. For that reason the Members in this House have total control from introduction all the way through the Governor's signature, and if, in fact, that Governor wants to amendatorily veto the Bill, he has to consult with that Member. The only thing you've got left is this rule."

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

Mautino: "If you know anything about the process and have any experience down here. This is one you never suspend."

Speaker Breslin: "Representative Dunn, one minute to explain your vote."

Dunn: "Just to finish Representative Mautino's speech. Never let this happen. Don't put 71 votes up there."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 59 voting 'aye', 53 voting 'no' and the rule will not be suspended. The Bill is out of the record. Supplemental Calendar announcement."

Clerk Leone: "Supplemental #9 to the House Calendar is now being distributed."

Speaker Breslin: "Supplemental #6, Representative McCracken, let's have a little order. On the Order of Supplemental #6 there appears Senate Bill 1951, Representative Wolf."

Wolf: "Thank you, Madam Speaker. Senate Bill..."

Speaker Breslin: "Representative Wolf."

Wolf: "Thank you, Madam Speaker. Senate Bill 1951 is the omnibus Bill for pensions. It is a rather lengthy report..."

Speaker Breslin: "Excuse me. Representative Hoffman, for what

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

reason do you seek recognition?"

Hoffman: "Madam Speaker, I thought we had an agreement that we were not going to call this Bill under the present circumstances. Are we going back on what we agreed to do?"

Speaker Breslin: "Excuse me, Representative Hoffman, I don't know about that."

Wolf: "Madam Speaker...I'm representing that..."

Speaker Breslin: "The Gentleman has not made his Motion yet. Representative Wolf."

Wolf: "Just to respond to Mr...Representative Hoffman. Senate Bill 19...we did have a sort of an agreement not to run with this Bill...but we decided to change our minds since the Senate passed this Bill 51 - 1. And since they have such confidence in the content and the merit of the legislation, we were sure that you would not mind for us to go ahead and run this Bill, Representative Hoffman."

Speaker Breslin: "Representative Hoffman, for what reason do you seek recognition?"

Hoffman: "Madam Speaker, I'd like to respond the Gentleman. We in fact do mind."

Speaker Breslin: "Representative...excuse me. Representative Hoffman, I think you are going to have to...make your points in debate. The Gentleman has decided to present his Bill. Proceed, Representative Wolf."

Wolf: "Thank you, Madam Speaker. As I indicated at the outset, Senate Bill 1951 is the omnibus Bill for pensions, and it contains a number of changes to many of the systems. Number 1, contains a provision for the general provisions for six pension systems which covers the Section 415 limits and sets up an excess fund for payment of excess benefits in order that these pension systems themselves will not be in violation of the IRS Code. It also contains provisions changing...making some changes under the Chicago Police

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Fund providing a minimum survivor's benefit of 50% of the earned retirement benefit for all widows. It also allows surviving spouses of Members killed in the line of duty to remarry before age 60 without loss of benefits. It makes changes to the Chicago Firemen's Benefit Fund raising the widow's annuity from \$325 to \$400 a month as a provision for the surviving spouse of an active fireman killed in the line of duty, who remarries before attaining the age of 60 allowing the survivor's annuity to continue. There are also several other changes under the fireman's system. There are a number of changes under the municipal system. Number one, providing that annuities taking affect on and after January the 1st, 1991 shall be payable on the first day of the calendar month. Provides changes for a surviving spouse. If an employee was age 55 and had twenty years of service...Madam Speaker..."

Speaker Breslin: "Representative Wolf."

Wolf: "We've had another change of mind. Take the Bill out of the record."

Speaker Breslin: "Out of the record. There is a new agreement, I think. On Supplemental #8 appears House Bill 2872, Representative Homer."

Homer: "Thank you, Madam Speaker. Let me just run through the sections very briefly. The first section creates the Will - Kankakee Regional Development Authority. The second section deals with DCCA grants to regional tourism councils for administrative costs. Section 3 empowers East St. Louis a window of opportunity to impose a home rule sales tax. Section 4 was recommended to us by Cook County Assessor Thomas Hines dealing with the assessment of historic single family residences and changes in the assessment laws to allow for the implementation of the three...the change from quadrennial reassessments to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

assessments each three years. Section 5 amends the TIF provisions...effects only two cities Canton and Bartonville, to extend their real estate TIFs for twelve years. The next section, 6, is commonly called the Misericordia provision that allows a one day exemption from the bingo limits for Misericordia for developmental disabilities. It would lift the cap to \$50,000 one time per year. Section 7 is a requirement that the Department of Revenue conduct a study on the feasibility using electronic funds transfer to collect taxes and to report the study to the General Assembly by March 1st of '91. And Section 8 provides a one time acceleration in November of 1990 of home rule sales tax allocations to nine home rule communities. It is an allocation of their own money. I would move the adoption of this Conference Committee Report."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question the Gentleman from Cook, Representative Kubik."

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

Breslin: "He will yield for a question."

Kubik: "Representative Homer, there has been a little...a fair amount of controversy about this Bill. Is the...is the part regarding the collection of Chicago's Motor Fuel Tax involved...sales tax involved in this particular Bill?"

Homer: "No. That was taken out."

Kubik: "That was taken out. Okay. I think, Madam Speaker, to the Bill. The only point I would like to make to those Members who may have a problem with an expansion of either Bingo or gambling. This Bill provides for an...a one time...one day license for \$50,000 for Bingo or pull tabs. Now, admittedly it is for a very excellent cause, Misericordia. My concern, and perhaps maybe some of the other Members' concern, are that we are going to be

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

beseched with these requests next year, because there are many, many other fine charities. I think you ought to consider that as you look at this particular Bill. Make no mistake about it. Misericordia is a fine organization and they have a very, very good record of working with the disabled. I think that the Members ought to be aware that this does create a \$50,000 one day Bingo game and pull tab license. It is a new license, which we currently do not have."

Speaker Breslin: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Granberg: "Representative Homer, you mentioned Misericordia. Are there any other provisions in the Conference Committee Report regarding 15 bed facilities and the certificate of need requirement?"

Homer: "No. I'm not familiar with what it is you are speaking of, but that is not in this report."

Granberg: "Fine. Thank you."

Speaker Breslin: "The Gentleman from Madison, Representative Stephens. The Gentleman from Cook, Representative Preston. Do you wish to speak, Sir? Representative Stephens."

Stephens: "Well, thank you Madam Speaker. At the risk of beating up on East St. Louis again. I have to relate some facts. The City of East St. Louis receives about \$20 per capita in sales tax. The statewide average is about \$70. Now, we are talking about raising the rate of sales tax in East St. Louis, which will drive away even more business and make the problem even worse. Now, this is your idea of a solution. It is my idea of making the situation worse. Why you want to continue to think and promote these ideas in this manner it just amazes me."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in support of this Conference Committee Report. We heard some discussion about the provisions in this Conference Committee Report for Misericordia, which is one of the finest facilities not just in the State of Illinois, but in the United States for the care of multipli-handicapped, severely handi-capped children. To have a provision where at no cost, not one penny cost to the State of Illinois, but yet would permit Misericordia to raise badly needed funds to care for the most handi-capped of those in our society, is a good provision and one that I am very proud to support."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker. Members of the Assembly, I stand in support of the Conference Committee Report on House Bill 2872. And I would like to attest to the remarks of Representative Preston. When a Member of the other side of the aisle questioned about Misericordia. Misericordia does a tremendous amount of work. That if they were not in existence would be a tremendous financial burden to the State of Illinois. They receive federal funds. They receive state funds, but never to the amount that is needed for the care of these disabled. This is one avenue. One vehicle that could be used once a year to help them raise those needed funds to give the excellent expertise in care and handling this...these disabled persons. If any one of you ever visit Misericordia South, you'd see the very severely disabled children there, who live all the way up to 20 some years of age. And the care that they have been given through these years. If you go up to Misericordia North and all the very fine facilities that they have for these individuals, I would ask and I

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

know that you would want to support this Conference Committee Report."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 2872?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question, there are 84 voting 'aye', 28 voting 'no'. The House does adopt the First Conference Committee Report on House Bill 2872. And this Bill having received the Constitutional Majority is declared passed. On Supplemental #6 appears Senate Bill 1591, Representative Levin. Excuse me, Representative Levin, that has to come out of the record. On Supplemental #4 appears House Bill 4190, Representative McPike."

McPike: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I move that the House adopt the First Conference Committee Report on House Bill 4190. This is has about nine provisions, provides that if a vacancy occurs while the Senate is in recess the Governor will make a temporary appointment. It authorizes the authority to acquire by purchase, gift or condemnation remnants or remainder property. It changes the current semi-annual estimates of use and revenue to annual estimates. It allows the authority to expand its contractual ability to establish a hotel or to install railroad tracks. It raises competitive bidding threshold from five to ten thousand. Provides for a annual capital plan, it changes the current requirement that the rates be set at the lowest possible rate to the lowest reasonable rate. It includes a statement of legislative intent that allows toll revenues from other parts of the toll highway system to be used to pay a portion of the costs of the construction of the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

North-South toll highway. And finally, it states that prior to the issuance of bonds for the beginning of construction of any new toll highways. That particular toll highway must be authorized by Joint Resolution of the General Assembly. I move the adoption of this report."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question, the Gentleman from Du Page, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I rise in support of this Bill, there is no connection between this and other legislation we've considered this evening. This is to be considered on it's own, whether you agree or disagree with the proposals. This is largely an administration Bill, now let me tell you as I understand it what has been historically a controversial area. That is can the tolls be used for the maintenance of existing tollways, or can the tolls be used for the construction of new tollways? That is a decision which this General Assembly has already arrived at. A number of years ago the decision was made to allow the tolls to be used to build the North-South tollway. This puts into the statutes or clarifies that decision. Now there are some of us here who don't agree with that or I should say some of my colleagues who don't agree with that, and that's fine. I just don't want anyone to misunderstand. This is not a Bill authorizing the building of new tollways. This is an administration Bill that the Toll Highway Authority has brought to us. I rise in support of it."

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

Keane: "Will the Sponsor yield for a question for legislative intent?"

Speaker Breslin: "He will."

Keane: "On page...on page 10 lines 29-32, new language is added



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

dealing with the General Assembly approval of new toll highways. By this language is it your intent that the passage of a Resolution by the General Assembly would be required to add a segment of roadway to an existing toll highway?"

McPike: "Yes, the intent of this language is to require General Assembly approval prior to any addition to the current toll highway system."

Keane: "Thank you, to the Bill. I rise in support of the Conference Committee Report, the report is the subject...has been the result of a good deal of negotiations between a number of people, and I believe it's for the best for the state and the toll road. I'd urge an 'aye' vote."

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

Parcels: "Thank you, Madam Speaker, would the Sponsor yield for a question?"

Speaker Breslin: "He will."

Parcels: "On page 11, line 13 and 14 it says except for contracts for the completion of a terminated or defaulted contract. I wonder why that had to be added, I mean there's probably a reason and I'm just wondering why. Why wouldn't they have to bid on those?"

McPike: "Yeah, I believe the Republicans wanted to add that provision."

Parcels: "I beg your pardon I didn't hear you."

McPike: "I said I believe the Republican that I was talking too from the toll highway system asked that it be added."

Parcels: "I just wondered why?"

McPike: "I didn't ask him."

Speaker Breslin: "Are you finished Representative Parcels?"

Parcels: "No...I didn't particularly like the language myself because I think there is an emergency purchasing provision

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

from the Purchasing Act and I don't think that language is necessary there because I know that there are those provisions in the law and I didn't think it was necessary. There was one other area I found objectionable and I do not rise in support. And I rise in opposition to the Bill and that is the paragraph on page...near the end, page 16 starting line 7, the Amendatory Act of 1990 is intended to clarify and confirm the prior intent of the General Assembly. I'm not sure that this Assembly can do that. Some of us know there is a lawsuit out there, if this language is correct we don't need it and if it's not correct we're interfering with a lawsuit and I don't think we should do so. I find the language very offensive and I would rise in opposition to the Bill as it is so written."

Speaker Breslin: "The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Madam Speaker, Ladies and Gentlemen of the House. I think it's regrettable at 3:30 a.m. that a Bill this important has got to even be discussed, because we're limited by time. I'm gonna make some comments and if, in my comments, I may ask a question, I know the Gentleman would yield. I, have a high regard for the Sponsor and but I just don't like the Bill. Madam...Madam Speaker, on page 4, line 15, and maybe Representative McPike could answer this question, there appears innocuous, you know you mentioned about the remnants but the staff analysis doesn't include or explain why the words 'or as may be' are included on page 4 line 15. Would you tell me why the inclusion of those what is seemingly innocuous words are?"

McPike: "The attorneys tell me that is technical only."

Matijeovich: "Well let me tell you how technical it is, Jim. Let's all for a moment read the language of the old, statute as it is now. I'll read it to you: 'The authority

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

shall have the power to acquire, hold and use real and personal property including rights, right of ways, franchises, easements and other interests as land as it may desire then it's got a comma, the present statute, necessary or convenient for its authorized purposes. That's the present statute by the inclusion of the words 'or as may be' that phrase is no longer modifies the first phrase. It no longer modifies it. Therefore you could of just as well put a period after desire and what your really saying they can acquire land etc...what they may desire. That's really what your doing. This is open ended unlimited power to a authority that has a 'beat them now'. You would give them unlimited authority and there is no doubt about it, Representative McPike, I know you read language just as well as I do and that's really what it does. Now, now on line 6...on page 6 line 30 through 32 here's language we eliminate from the present law. The Resolutions rules and regulations prescribing and fixing the rates of such tolls shall be uniform and impartial as to each class of users of said highway. Now, we had a meeting of some of us who are interested in this subject matter and it was more than I that had problems with the exclusion of that language, because what you're really doing, now the authority says what they want to do is to provide a differential Du Page, North-South have a 50 cents toll, which they have now under the existing law, and that at the shorter distances they can charge 25 cents which they do now, but that's not what you do when you exclude this language. You're providing that there doesn't have to be a uniform toll as to each class, now, you know what each class means, automobiles, certain automobile...trucks are a different class. You know what you're doing, you know nobody's listening but you don't know what you're doing by

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

this. My God you're giving this agency all the power in the world and nobody gives a damn, because it's 3:30 in the morning. Am I the only guy that gives a damn about what we're doing with an important authority? Good I hope not. Do you...let me tell you do you know, look in the old blue books, you know, I've looked in old blue books. Do you know that about ten blue books in a row they have said that the Tri-State Tollway, the original tollway, is gonna be a freeway? They've finally gave up they don't put it in the blue book anymore, you know us politicians don't live up to our word they call us liars. But when a quasi-public agency doesn't live up to their word nobody gives a damn, I can't believe it. I know you do, I'm just saying you shouldn't. Now, Madam Speaker on page 8 lines 11 and 12, the present language says when they're gonna increase the polls that they publish it in the newspapers in seven of the biggest cities according to the federal census. You know what they do? They eliminate that. Publish it in one newspaper general circulation in the state. You know what they're doing. They're trying to hide it when they give a toll increase pure and simple..."

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

Matijevich: "You got to be kiddin."

Speaker Breslin: "Your five minutes are up."

Matijevich: "You've gotta be kidding, somebody."

Speaker Breslin: "Representative Saltsman will give you his five minutes. Proceed Sir."

Matijevich: "You know, like I said 3:30 in the morning and we're gonna get five minutes for an important issue like this. It's regrettable. On page 10 lines 29 through 32, this goes to the substance of the issue of the matter of construction of new highways. What you're doing you know this is the subject right now of a lawsuit, the Auditor General issued

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

a report that it is unlawful under existing law to use existing revenues for new construction. It is not only unlawful, I think it's unethical because what you're doing is you're using money that present toll users are using the highways and you're building new highways out of it. That goes contrary to the substance of what a toll highway is. A toll highway, a pure toll highway system is a user system and it ought to stand on its two feet, if it can't pay for itself it should not be a tollway system. Now, on page 14 Section 19, it changes the present language. The present language says that they provide toll rates to be calculated to provide the lowest possible rates they changed that to lowest reasonable toll rate. They like to give us the argument that they can't put it down to the pennies, they never have put it down to the pennies. You know who's kiddin whom? They never give the lowest rate anyhow, they increase the rate, the last time they raised it from 30 to 40. They're not interested in giving us the lowest rate, whom they trying to kid? Line 34, on page 14, lines 1, 2, and 3 of page 15. They add new language that the toll collected shall be sufficient for among other things to pay for the construction of a toll highway authorized by Joint Resolution. Madam Speaker, Ladies and Gentlemen of the House. You know what can happen around here. In fact, the truth of the matter is they were gonna try to do it tonight, a Joint Resolution can be adopted in five minutes, five minutes. You know the rumors around here that there was gonna be a Resolution for two extensions of Route 53, or an extension of North-South down to I-80, then the north extension from Lake Cook to Belvedere Road, 120, and then the Fox Valley tollway and the Calumet Skyway. You know they could do that in five minutes, can you imagine that? And then I read in the newspaper where the Governor said to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Morris, the Executive Director, he said give me two new tollways. Can you imagine that? Isn't that a good way to plan? Give me two new tollways and I'll look at your plan. You know, do we have anything, you know in the process and we're gonna do it by Joint Resolution possibly in five minutes. I think it's ridiculous. Now, on the matter that...you know on the matter that Representative Parcells indicated, let me ask the Gentleman one question, Mr...I know he'll yield."

Speaker Breslin: "He will."

Matijevich: "Representative McPike, is it true that what this House and this Legislature does today cannot effect the rights of anyone that may have accrued or any suits or proceedings that may be pending when the Act, this Act takes effect? Could you answer that?"

McPike: "I would if I could hear it."

Matijevich: "Alright."

McPike: "Could you tell me what page your on, John."

Matijevich: "No, this is my own question, I'm on no page now. This is my own question. Is it true that what this House and this Legislature does today cannot affect the rights of anyone that may have accrued or any suits or proceedings that may be pending when this Act takes effect?"

McPike: "Yes, it could conceivably effect current litigation."

Matijevich: "How's..."

Speaker Breslin: "Representative Matijevich, your ten minutes are up."

McPike: "It clarifies on page, if I understand your question, on page 15, it clarifies on the bottom of page 15 lines 28-33, it clarifies the original intent of the legislation. And I could read it to you but it's apparent as to what it says."

Matijevich: "Well, well then I...how can one General Assembly, there are some people that weren't here in 84, how can this

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

General Assembly say what somebody that isn't even here intended? How can this House today tell anybody what somebody intended four years ago, or six years ago, or whatever four years ago or six years ago whatever?"

McPike: "Well the answer is if you get 60 votes on this Bill, I think that establishes it."

Matijeich: "That 60 votes doesn't mean you can change someone declare what somebody else's intent is in the past. Not only that, Madam Speaker, this I'm sure there is case law that goes back to the 1800's that you cannot take anybody's rights away by legislation that's in the future. Any rights that anybody has today before this passes, you cannot deny those rights at all. You cannot affect any litigation that is pending today, by what we're going to do and may be enacted in January. Now, another thing Madam Speaker, you know when we had our pre-meeting, I mentioned to the...to well I might as well mention his name, Gerald Shea, is the lobbyist for the high tollway...the Illinois State TollWay Authority. And anytime we had any suggestions, he said yea, I'll get back to you. You know the only one he put in...the only suggestion he put in was one that they have a provision in the law, that local governments demanded for a little while back that when they build a bridge, the Toll Highway Authority has got to maintain the road underneath. And Senator Shaffer said if you keep that in that Bill's gonna be defeated, that one they took out, any other suggestions they kept in. Now, I had a suggestion you know when the DOT builds a highway they have to comply with environmental impact statements, not the toll road. They don't have to. Now, they say they do and I said well if you do put it into the law. I'll go back and talk to them. Well evidently he didn't talk to them, it's not in here. I also said that I think it ought

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

to be...I think it also ought to be they ought to live up to other agencies, the DOT has to live up with the female and minority contract set-aside, why not the tollway authority? Well, we go back to them and nothing happened in fact I think they snubbed their nose at that one. So, you know Madam Speaker and Ladies and Gentlemen of the House, I think we have something here that is giving, you know, I really think this Body ought to be looking at the Toll Highway Authority. Really, what we ought to do you know that's a quasi public authority that wants us to have no part of them. What we ought to do is bring maybe we ought to bring their office away from Oak Brook, where they're at, and bring them right here in Springfield."

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

Matijevich: "Because we have given them too much power and we go to the whole, I think, philosophy we ought to start studying what the whole philosophy of a toll road is. You know, the toll road that they're building I mentioned the other day that Noland Ryan could throw a baseball from one tollway to the other, you know their running that parallel that close to each other, and the ridiculous part of it is they feed into those freeways in Wisconsin, it's crazy, we're paying double taxation. Madam Speaker, and Ladies and Gentlemen of the House, this is a Bill that should not be even almost at four o'clock but at 3:30 a.m. to discuss this Bill, and I know it's greased, but damn it, this is bad public policy and you ought to vote 'no'."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm. Please be advised that there are still many, many people seeking recognition. Representative Klemm."

Klemm: "Thank you, Madam Speaker. Just maybe a couple of short questions, if the Sponsor would yield?"

Speaker Breslin: "He will yield."



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Klemm: "Representative McPike, I was concerned because I didn't see anything about public hearings if the tollway authority does select some sites or right of ways, I was wondering what the public input."

McPike: "The public hearings are already in the Act."

Klemm: "And how about the environmental impact studies, and the following of that I know we have a number of the highways that IDOT puts in and it's very important in our area that we try to preserve some of the caves and some of the environmental sensitive lands and I was wondering what provision is in the law for that?"

McPike: "Well, I haven't the faintest idea what you said because I just can't hear a thing."

Klemm: "Well, Madam Speaker, I guess then to the Bill. I am concerned about the environmental impact of having any highways put in Illinois without at least the study without public input, without some response to it. And this is one concern that I have that hasn't been addressed as yet. Thank you."

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

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I really think there is no shame left anymore in state government, the Toll Highway Authority is blasted by the Auditor General for not following the law, and what do they do? In there towering arrogance they come in at the eleventh hour with a proposal to change the law. Not only that, they go way beyond what the Auditor General, the findings of the Auditor General. There is one other provision that Representative Matijevich didn't mention in his very eloquent statement. Look at the last page here. At the present time under existing law the Toll Highway Authority must every year prepare a capital plan, for that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

year and for the next two years. And that capital plan at the present time must contain information which will justify project's ability to meet debt service requirements by producing sufficient revenue, and developing and presenting life expectancy and maintenance requirements. That's in the law now, they are taking that out. Under the Bill, as it is before us, they don't, any longer, have to tell us every year what projects are gonna cost. They don't have to demonstrate that projects will be able to generate sufficient revenue to meet debt service. All they have to do under this Bill is once every ten years, once every ten years, Ladies and Gentlemen, simply lists the projects. Simply list the projects they're going to do, that's all. That's not capital planning, this is a step back into the Dark Ages, this opens the door to malfeasance, misfeasance and nonfeasance as if there wasn't enough there already. Vote this down."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, I move the previous question."

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

McPike: "Representative Dunn, I would certainly like to thank you, it's apparent that the Decatur TV is not here. So I appreciate it. I know the hour is late so I would simply ask for an 'aye' vote on this."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 4190?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Zickus, one minute to explain your vote."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Zickus: "Thank you, Madam Chairman. To explain my vote, I do have a question of the Sponsor. There is a reference on page 8 to the authority's discretion to construct interchange improvements and I want to know if that pertains to the UPS facility, the new facility going up in Willow Springs?"

Speaker Breslin: "Representative McPike is recognized to explain his vote, to answer the Lady's question."

McPike: "She'll have to repeat the question then."

Speaker Breslin: "Okay, repeat the question Representative Zickus."

Zickus: "Yes, on page 8 there is a reference to the authority's discretion to construct interchange improvements, and I wanted to know if that pertains to the new interchanges for the new UPS facility in Willow Springs?"

McPike: "No."

Zickus: "I thank you."

Speaker Breslin: "The Gentleman from Du Page, Representative Hoffman. One minute."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation there has been some attempt to confiscate what, in fact, is in here. The truth of the matter is for example, the last Speaker talked about an annual capital plan, well on the last page of the Bill it says they shall prepare an annual capital plan. People were concerned about language that was taken out on page 6, in terms of fixing the rates for such tolls shall be uniform and impartial as to each class of user, this makes it possible for us to have a 50 cent toll on a highway like the North-South, which was much more expensive to build and to have a 40 cent toll on other highways. This is a good piece of legislation. And I would ask you all to look at it very carefully and very

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

thoughtfully and be supportive, because this is the step in the right direction in the use of user fees."

Speaker Breslin: "The Gentleman from Will, Representative Wennlund. One minute."

Wennlund: "Thank you, Madam Speaker. I'm afraid the hour of five minutes to four has clearly obfuscated everybody's clear judgement on this Bill. It's a clean up Bill, it's language that really is necessary for the Toll Highway Authority, to alleviate the gridlock in Illinois and to provide some necessary road systems. Representative McPike is perfectly correct in saying that this Bill needs to pass. I highly encourage you to reconsider your vote and put some more green votes up there so this Bill passes. Thank you."

Speaker Breslin: "Representative Peterson, one minute to explain your vote."

Peterson: "Thank you, Madam Speaker. Once again I would like to reiterate what some of my colleagues have said against this legislation. It certainly terrible legislation. It has no environmental safeguards, it's bad public policy, and it's certainly not in the best interest of the taxpayers of Illinois. I urge a 'no' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 59 voting 'aye', 51 voting 'no', and 3 voting 'present'. Representative McPike, asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Barnes. DeJaegher. Krska and Petka."

Speaker Breslin: "Representative Hasara."

Hasara: "Please change my vote to 'aye'."

Speaker Breslin: "The Lady changes her vote to 'aye'. There are 60 voting 'aye', 51 voting 'no', 3 voting 'present'."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative Bowman requests a verification. Poll the Affirmative, Mr. Clerk."

Clerk O'Brien: "Ackerman. Barger. Brunsvold. Bugielski. Capparelli. Churchill. Countryman."

Speaker Breslin: "Excuse me. Representative Bowman has changed his mind and has decided to withdraw his request for a verification. On this question, there are 60 voting 'aye' and the House does adopt the First Conference Committee Report on House Bill 4190. And this Bill having received the Constitutional Majority is hereby declared passed. On the Supplemental #4 appears House Bill 1550, Representative Levin. Excuse me, Representative White. Excuse me, Sir. Representative White, House Bill 1550."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I went through this Bill earlier this evening and it has not changed since we started with it. It is a simple Bill. It is the Condominium Property Act and it basically deals with conflict of interest. It has a number of other provisions in it. One that deals with attorney lien claims, which primarily deals with the cost and expenses of the attorney. Last year Representative Levin conducted hearings across the State of Illinois dealing the the condominium Act and as a result of his hearings, they devised some rules and regulations for condominium associations that do not have any rules in which to govern. We have a section in here that deals with the sale of property, and it is an Amendment that was introduced by Representative McCracken. We have another provision in the Bill supported by the Secretary of State. We have another provision within this Bill that deals with condominiums and contract purchasers. Representative Cullerton, we have the Illinois Insurance Code and that was asked by the Illinois Department of Insurance. I think I have basically gone over the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

important issues of the Bill. And I move for the adoption of Conference Committee Report to House Bill 1550."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question is there any discussion? There being none, the question is, 'Shall the House adopt the Second Conference Committee Report on House Bill 1550?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Representative Levin, one minute to explain your vote."

Levin: "Yes. Just for the record...I would like the record to reflect that I do represent condominium associations and unit owners."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', none voting 'no'. The House does adopt the Second Conference Committee Report on House Bill 1550 and this Bill having received the Constitutional Majority is declared passed. On Supplemental #7 appears House Bill 493. Representative Weller. Mr. Weller."

Weller: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Conference Committee Report #1 for House Bill 493 is anti-drug legislation with bipartisan backing, passed the Senate overwhelmingly this...about 11 o'clock last night. It serves as a preventive measure. Under this legislation a person, adult or juvenile convicted or adjudicated under the Juvenile..violation of the Cannabis Control Act, the Illinois Controlled Substance Act, while in the physical control of a motor vehicle and the court will then determine whether or not there is guilt, actual physical control, adults would have their drivers license cancelled for one year. Juvenile would be one year until their eighteenth birthday, whichever is longer. At the suggestions of Representative Countryman and Cullerton,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

this legislation also has some other additions which are put into the Conference Committee Report. It makes an exception for a person placed under probation of Section 10 of the Cannabis Control Act and Section 410 of the Controlled Substances Act so they would not be considered convicted under this legislation. And Representative Cullerton's language, which was included in this Conference Report, which allows a person to apply to the Secretary of State for restricted driver's permit. A couple of examples where this may be useful was where someone might be selling drugs out of a car in a school yard, or they have a methamphetamines lab in the back of a van. Let me make this clear. This Bill does not affect violations of the Illinois Vehicle Code, or the Liquor Control Code. One other good point, at the conclusion...one year upon payment of the appropriate fee, the Secretary of State shall issue the applicant a license or permit. This legislation will enhance a penalty without crowding our jails. Will not cost very much, and will hold the driving privilege accountable for staying away from drugs. This Bill passed the Senate overwhelmingly with bipartisan support. It is an idea that has been endorsed by our State Treasurer and Secretary of State. It is also supported by the Cook County States Attorney and the Illinois State Police. I ask for an 'aye' vote. I move for adoption of Conference Committee Report #1 to House Bill 493."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. This is the same bad Bill that we considered earlier, which clouds a lot of issues about what happens if something which is a subject of an offense...cannabis or alcohol is found in a motor vehicle. It clouds up that

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

whole area, I just recommend that you turn this Bill down. It is a bad Bill. The Conference Committee Report doesn't make it much better."

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

Laurino: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The main question is put. Representative Weller to close."

Weller: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The Gentleman from Macon County said that this legislation involves violations of the Liquor Control Act. That is not the case. This only involves violation of the Cannabis Control Act and the Controlled Substances Act. It is simple legislation. Whether or not someone is guilty or is physical control the act, will be determined by the court. Violations of these Acts requires that a defendant must appear before the court and it is at that time, which the court should make the determination whether or not the defendant was guilty of such an offense, was in actual physical control of a vehicle. This legislation has been heard in committee. It has been heard before the Senate twice. It has been heard in the House several times. It has been greatly discussed, we've worked hard on this legislation. It is good anti-drug legislation. If you care about drugs, you want to do something about drugs without crowding our prisons, I ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 493?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative Davis, one minute to



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

explain your vote."

Davis: "Thank you, Madam Speaker. I wanted to ask a question. Was the driver's license of a person over 18 suspended if they were found guilty of the same offense? And I also wondered, would this crowd the court dockets? And I wondered, would the Secretary of State have to hire an awful lot of different people or additional people? And I also wondered, why would we have discriminatory laws for the same kind of crime that adults commit also? If adults are doing the same thing, I think they, too, should lose their drivers license. Otherwise, we should have the same law apply to children as well."

Speaker Breslin: "Representative Wennlund, one minute to explain your vote."

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this legislation is not like wine. It does not get better with time, and we have faced it time and time again. And at 4 a.m. in the morning it is not any better than it was the first time it was proposed, and it should be defeated."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 66 voting 'aye', 33 voting 'no' and 10 voting 'present'. And the House does adopt the First Conference Committee Report on House Bill 493, and this Bill having received the Constitutional Majority is hereby declared passed. On Supplemental #10 appears Senate Bill 1591, Representative Levin."

Levin: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, we began a discussion of the First Conference Committee Report a while ago. This is the same report...it's the second conference..."

Speaker Breslin: "Representative Levin."

Levin: "Yes. This is the same report. If there are questions,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

be happy to answer them. We would not need this legislation if we were able to meet our obligations. We don't have the money..."

Speaker Breslin: "You made that speech already once today, Representative Levin. The Gentleman's Motion is to adopt a Conference...#2 to Senate Bill 1591. On the question the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I know it is late, but I am going to ask all of you to listen to this report, because some of you are going to be held accountable, especially those of you south of I-80. This Bill requires the State of Illinois to pay the entire employer contribution to the Chicago teacher's pension system. At present, the state contributes approximately \$66 million annually and the Chicago Board of Education contributes \$60-70 million. The state pays the employer contribution for downstate teacher's systems. According to economic and fiscal commission, this change will cost the state an additional \$60-80 million annually, if the state chooses to fully fund it. Extends...it also extends the provisions of Senate Bill...95, the Chicago Teachers Pension System. Phases in, over seven years, the state contribution level, which meets the normal costs and amortizes the unfunded liability of the system over 40 years. But not only the additional unfunded liability attributed to the diversions of the pension tax proceeds under this Bill, thus the state assumes the \$1 billion existing unfunded liability of the system. According to Illinois Economic and Fiscal Commission this change will cost the state an additional 47...\$4 to 7 million annually to fully fund. This Bill creates no property tax increase in Chicago, but it does create massive new state responsibilities. As a result of this Bill between \$66 and

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

78 million will be freed up for the Chicago board to meet the...up coming teacher's contract. According to economic and fiscal commission, this report will cost the state approximately \$74 million a year to fully fund, not including the additional costs of the change in retirement age. If the state chooses to not fully fund this language, the Chicago changes will be funded on the backs of unfunded liabilities of the Chicago Teachers Pension System. I will tell you that this is opening up Pandora's box. I don't care if it is early in the morning, you are asking the taxpayers of this state to come up with millions of dollars now and tens of millions of dollars in the future. This is a bad idea. This is the wrong time to do it. I know that there are things in...some of...for both Chicago and downstate teachers, but I am telling you, if you talk to them individually they will not be for this. I ask this Body to reject this Conference Committee Report, and let's get on with this in the fall of this season."

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

Currie: "Thank you, Madam Speaker. Members of the House, just to clarify some of these pension allegations that we have just heard. In the first place, there are many who believe that the state already has responsibility for funding the Chicago Teachers Pension Program as it does downstate teachers. This Bill clarifies that responsibility. It provides that there will be equity in the two pension systems. You can talk about shortfalls. Let's talk about the existing shortfall of \$60 million in the downstate teachers pension. At the moment, Chicago is the only system that taxes more than 50¢ to pay for its teacher pensions. It seems to me that when people crafted Senate Bill 95 last year, it was everybody's intent to provide equity to public school teachers across the state, whether

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

they happen to be serving the school children of Chicago, the school children of Decatur, or Cairo, or Joliet or any other community across Illinois. So, this pension talk is exaggerated. There is no problem for the State of Illinois in this language. It is clarifying language and when the pension dollars are used for other than pension purposes, those dollars will not create any obligation against state liabilities."

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

Johnson: "We have needs downstate, too. And they are not being met, in part because of the necessity of fiscal responsibility. We have parks and roads and schools and a variety of other needs. And as is typical, near the end of the Session, the last day of the Session, we come in here again, contrary to the denials of many, and bail out Chicago again. We've done it for fifteen or twenty years. The fifteen years that I've been here. And it is time for us to say as legislators and representing...variety of interests in the state, that enough is enough. This is not a good Bill. It is not good legislation. Parenthetically, to...to bail out the superintendent for his own lack of ability to be prepared to do the job, is not something that ought to be the public policy of this legislature. And it is certainly not...it ought not to be the public policy of this legislature in the last hours to bail out Chicago again as we've done time after time after time. And I urge, not only my colleagues on this side of the aisle, but downstate and concerned legislators on the other side of the aisle, to join in defeating this very bad, fiscally irresponsible piece of legislation."

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

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Laurino: "Move the previous question, Madam Speaker."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye'. All those opposed say 'no'. There are objections, Representative Laurino. Representative Curran."

Curran: "Thank you, Madam Speaker. If two of the three previous Speakers had suggested that this Bill might land a person on Mars, that still wouldn't make it land the person on Mars. It sounded to me like I was listening to some other Bill in some other chamber in some other state in some other planet. I have some questions for the Gentleman who sponsored this legislation."

Speaker Breslin: "He will yield."

Curran: "Representative, this Bill now includes language which affects Chicago, suburban and downstate teachers. Does this Bill include language, which provides a retirement option for those suburban and downstate teachers...suburban and downstate teachers with 20 years experience at age 55?"

Levin: "It certainly does."

Curran: "Is it true that any increased unfunded liability from the Chicago pension levy transfer is covered by the Chicago school district and not by the Gentleman from Champaign, not by the Gentleman from any other downstate county, but by the Chicago school district?"

Levin: "Yes."

Curran: "Does the language in this Bill regarding the use of the Chicago pension levy sunset after three years?"

Levin: "At the outset. It could be one year or two years, if the contract is for a lesser period."

Curran: "Thank you. Madam Speaker, I rise in support of this Bill. And I do so because that is the way for us to open Chicago schools this year. And all of this partisan

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

drivel about what we might be doing to upstate or downstate, is just that. It is last night's speeches. It is borne of a weariness at 4 o'clock in the morning, but it is wrong. It is partisan. It is inaccurate, and it is bull. And we ought not to pay attention to it."

Speaker Breslin: "The Lady from Du Page, Representative Cowlshaw."

Cowlshaw: "Madam Speaker, I know it is very late and we are all equally tired, but I would remind the Members of this chamber of something that the woman who is now sitting in the Speaker's Chair said to us, not more than a couple of days ago. No matter our fatigue, or any of the other conditions, we ought to always respect one another, respect one another's integrity and always expect the best of one another because what we expect is what we will get. And I think that particularly, since we are about to adjourn is no time for us to become, with one another, any less than courteous. To the Bill, Madam Speaker. I believe there are some serious faults in this legislation. And one of those I spoke about earlier, because it seems really that we ought not in all conscience, to relax the requirements for certification for the person who is the most important school superintendent in all of Illinois and has the greatest responsibility. But perhaps what we ought to do is just try to condense into one sentence what is the most fundamental thing that this Bill does. This Bill obligates the State of Illinois to fund the forthcoming Chicago Teachers' Union contract. I don't know of any other school district in Illinois, when it arranges for a teachers union contract that it can come to the state and expect the state to accept the obligation for that funding. If that is the choice of the Members of this General Assembly, fine. But I think we ought to be very clear about the choice that we

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

are making and what that means and what the precedents are that we are setting for all of our pension systems. Thank you, Madam Speaker."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, we've frequently talked about the fact that there are differences in the way we have legislated what happens in Chicago schools and downstate schools. In this case there are two ways that we could equalize this situation. We could be passing legislation that says the state will no longer pay the downstate teacher employer portion of their pension funding. We would then be in a position in downstate Illinois of having to pick up that cost through our property taxes. That is exactly what Chicago has been doing since 1980. They are asking for a temporary reprieve. They are asking for the state to do the same for the Chicago employer of the teachers, as has been done for the downstate employers of the teachers, giving state monies to cover that cost. This is only being asked for on a temporary basis. Yes, it will be an additional obligation to the state; but would you downstaters prefer to have an additional obligation on your property tax instead? Is that the way you would like to equalize how we treat our school systems throughout the state? I don't think that those of us who are downstaters are willing to accept that. Why should we then saddle our Chicago colleagues with having to do that instead? We are one state. If we do not provide a mechanism for educating the children of Chicago, we are the ones who will be paying later for public aid, for corrections, for other kinds of problems that occur when we do not provide an education for all of the children of the state. I believe that this is a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

way of opening schools in Chicago next fall, and I believe that those of us throughout the state should help to see that happen. I urge a 'yes' vote."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Representative LeFlinn...Representative Levin to close...briefly."

Levin: "Thank you, Madam Speaker. I would simply ask for your favorable Roll Call on Conference Committee..."

Speaker Breslin: "The question is, 'Shall the House adopt the Second Conference Committee Report on House Bill 1591?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Representative Hoffman, one minute to explain your vote."

Hoffman: "Thank you, Madam Speaker. Just as a point of information. What we are doing in this Bill that's unrelated to the City of Chicago and their needs, is the fact that we're reducing the age at which a teacher in Chicago and the rest of the state can retire without paying the discount, which is now paid for early retirement. So, as you drop from 60 back to 55, those of us who went through that particular early retirement program paid the penalty. Under this, this would be eliminated, not only for Chicago, but also for downstate and would be a very expensive increase and unfunded...very large amount of unfunded liability increase for the downstate pension system as well as the City of Chicago. And it is a program that no other system has."

Speaker Breslin: "Representative Bowman, one minute to explain



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

your vote."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, just to correct what the previous Speaker said. Actually, very few people take advantage of the early out provision, and in many cases this saves the local school districts money, because the more expensive teachers who retire are replaced by less expensive younger teachers who are hired. But what I really want to say is that there are two kinds of bills around here. Bills that have to pass. Bills that we can do without. Now this has passed the Senate and they have gone home. This Bill is like the...the Bill that we did on the Toll Highway Authority. The reason I withdrew my request for a verification, I knew that Bill had to pass, and the votes would eventually materialize. So, if this Bill doesn't pass, we'll just have to have a Motion to reconsider later on, and I would just remind everybody that it is 4:20 and we can either pass it now or we can pass it at 6 a.m., or we can pass it at 8 a.m., but I can tell you, Ladies and Gentlemen, we are going to stay...we're going to stay here without another Attendance Roll Call until it passes. The Attendance Roll Call will come after it passes and then we get our per diems, so a I recommend a few more votes up there."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, before I vote on Senate Bill 1591 I think some things need to get put in the right place. I keep hearing people talking about 'we're going to help the kids.' This money is going for pay raises, and it's not going for pay raises for the people who really need them. It is going

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

for the people who don't need them...the glazers, engineers and those are the ones that don't even let my kids in them. They lock them out. So, that reasoning of do it for the kids is a bunch of bull...bunch of bull. I'm going to vote 'aye' for this Bill just..."

Speaker Breslin: "Representative Morrow, your one minute is up; but we have to hear the end. Proceed, Sir."

Morrow: "At 4:20 there is a lot of bull going around. I'm going to do my part, but I want those service unions that represent the Board of Ed to get off your duff and take care of the kids and stop taking care of yourself."

Speaker Breslin: "The Gentleman from Cook, Representative McGann, one minute."

McGann: "Thank you. Thank you, Madam Speaker. Members of the Assembly, this is a very serious matter. I ordinarily would not be voting for diverting pension funds to pay salaries, neither would I be looking to omit the necessities for the certification of this superintendent, but it is beyond this. We have a superintendent. We have to have him in order to lead the schools, and from my point of view he has been doing an excellent job since he has been there. As far as the teacher's salaries are concerned, we have to take care of them and the students will be the ones that will lose. Because they go back at the end of August, we have to have their contract in place, otherwise..."

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

McGann: "...the best thing, but it is the only thing we have to do, and that is to vote 'aye'. I'd ask for 'aye' votes up there, please."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Sixty votes are required for passage. Have all voted who wish? The Clerk...the Clerk will take the

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

record. On this question, there are 58 voting 'aye', 46 voting 'no' and 10 voting 'present'. Poll the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting: Barnes. Hoffman. and Krska. No further."

Speaker Breslin: "Representative Preston votes 'aye'. Representative McCracken, for what reason do you seek recognition? They will be here. They'll be here. Representative Granberg. Representative Granberg votes 'aye'. Representative Mulcahey."

Mulcahey: "Speaker, I'd ask for a verification."

Speaker Breslin: "That's already been requested, Representative Mulcahey. Poll the Affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Bowman..."

Speaker Breslin: "Excuse me. Representative Morrow asks leave to be verified, Representative McCracken. Just a moment. Ladies and Gentlemen, I'm going to ask all Members to sit in their seats and all staff to move to the back of the room so that we can do this verification quickly. And so that people can be seen. Democratic Members, sit in your seats. All Members, sit in your seat. Just a moment. Just a moment. Representative McCracken, we have some Members requesting leave to be verified. Will you grant them leave? Representative Jones...Lou Jones. Davis and Morrow. And Bruce Farley. No wait, Bruce Farley is in the Nurses Station. And Representative White...Jesse White. Now, proceed with the Roll of the Affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. Leverenz. Levin. Martinez. Matijevich.

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Mautino. McGann. McNamara. McPike. Morrow. Munizzi.  
Novak. Phelps. Preston. Rice. Richmond. Ronan.  
Saltsman. Santiago. Satterthwaite. Steczo. Stern.  
Sutker. Terzich. Trotter. Turner. Van Duyne. White.  
Wolf. Woolard. Wyvetter Younge. Mr. Speaker."

Speaker Breslin: "Representative Stephens, for what reason do you seek recognition?"

Stephens: "Parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Stephens: "Do you have to be awake to be counted as a 'yes' vote?"

Speaker Breslin: "No, Sir. Representative McCracken, do you have any questions of the Affirmative Roll?"

McCracken: "Okay...well, I'm over that. Representative Richmond?"

Speaker Breslin: "Representative Richmond is in his chair."

McCracken: "Representative Martinez?"

Speaker Breslin: "Representative Martinez...he's in the aisle."

McCracken: "Representative DeJaegher?"

Speaker Breslin: "He's in his chair."

McCracken: "Representative Hicks?"

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

McCracken: "Representative DeLeo?"

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

McCracken: "Representative Keane?"

Speaker Breslin: "He's in his chair."

McCracken: "Representative Wolf?"

Speaker Breslin: "He's in his chair."

McCracken: "I can't see you guys in your chairs. I'm not use to that. Representative Trotter?"

Speaker Breslin: "He's in his chair."

McCracken: "Representative Steczo?"

Speaker Breslin: "He's in his chair."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

McCracken: "Representative Sutker?"

Speaker Breslin: "He's in his chair."

McCracken: "You guys ought to get up and move around. I'm more use to that. Representative Van Duyne?"

Speaker Breslin: "He's in his chair."

McCracken: "You weren't kidding, were you?"

Speaker Breslin: "No."

McCracken: "Representative...Daley?"

Speaker Breslin: "He's not a Member. Do you have any further questions, Sir? Are you finished with...are you finished with your questions, Sir?"

McCracken: "If I were good at small talk, I'd say 'no', but no..."

Speaker Breslin: "Yes? You are? Representative McAuliffe. Why'd you wait so long? Vote Representative McAuliffe 'aye'. Representative Williamson 'aye'. And Representative Goforth 'aye'. On this question, there are 62 voting 'aye', 43 voting 'no', 9 voting 'present'. The House does adopt the Second Conference Committee Report on Senate Bill 1591. And this Bill having received the Constitutional Majority is hereby declared passed. On Supplemental #4 appears House Bill 1220, Representative Curran."

Curran: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I assure you this is considerably less controversial. House Bill 1220, Conference Committee Report contains nine non-controversial items. It contains Senate Amendment #1, offered by Senator Welch which allows several school districts to participate in the \$4000 consolidation grant, it contains Representative McNamara's language in Amendment #1, to Senate Bill 1843 this language effects only one school district in the state. Contains Representative Steczo's language of House Amendment #2 to

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Senate Bill 1843, which cleans up House Bill 32, Public Act 86-128 Sponsored by Representative Hallock last year. Contains Representative Phelps language of House Amendment #1 to Senate Bill 1674 which codifies the existing law to the State Board of Education, has the exclusive authority to issue certificates. Contains Representative Homer's language in House Bill 3336 which helps several small school districts to experience a large decline in EAV. Contains Representative Curran's language that's me. Amendment #1 Senate Bill 1842, establishes Parent-Teacher Advisory Committee. Contains language Amendment #2 Senate Bill 1842 codifies current WECEP program. Contains Representative Bowman and Senator Burman's clean up language on 4148 passed last week, pertaining to Evanston School District, to allow them to withdraw jurisdiction of the Township Treasurer. And finally one new item con...language in Section 10-2112, codifies the existing law when a new school district is reorganized the employees contained are not classified as new employees but are continuous employees. I think there'll be a few questions simply for the record. Be glad to answer those questions and ask for a favorable Roll Call."

Speaker Breslin: "You've heard the Gentleman's Motion and on the question the Gentleman from Du Page, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker. Question of the Sponsor?"

Speaker Breslin: "Proceed."

Hoffman: "On page 35 of the Conference Committee Report there is a new section 10-2112 that's referring to the transfer of teachers. Does this new language in Section 10-2112 in anyway change the meaning or construction of Section 2411 of the School Code which refers to continuous service?"

Curran: "No, Representative Hoffman it does not."

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Hoffman: "Thank you."

Speaker Breslin: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Breslin: "He will."

Hannig: "Representative Curran, what do you mean by administration of medication in the new Section 10-30.14B."

Curran: "Administration of medication includes the dispensing of aspirin, to the administration of track tubes."

Hannig: "And also what types of positions are we talking about in Section 21-10?"

Curran: "Certification of teachers, school counselors, school psychologist, school occupational therapist, school audiologist, school physical therapist, school superintendents, school administrators and the like."

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

Santiago: "Yeah. Madam Speaker, would the Gentleman yield for a question?"

Speaker Breslin: "He will."

Santiago: "Representative Curran, does your language in Section 21-10 change in anyway the certification procedures presently used by the State Board of Education through a regional superintendent of schools?"

Curran: "No, Representative Martinez it does not change the current procedure."

Santiago: "Santiago."

Curran: "I'm sorry, Santiago, it does not change the current procedure."

Santiago: "We all look alike, huh? Thank you."

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

Levin: "Madam Speaker, Ladies and Gentlemen of the House. These

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

are all measures that have passed this House before, they are non-controversial. I urge a favorable Roll Call."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Satterthwaite: "Representative Curran, does your original Bill still remain in this legislation?"

Curran: "Your speaking of the portion which dealt with the...the..."

Satterthwaite: "Math Science Improvement Grant Program for K-6..."

Curran: "No, it does not. Regretably it does not."

Satterthwaite: "Well, that's too bad but otherwise it's okay."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1220?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye' and the House does adopt the First Conference Committee Report to House Bill 1220. And this Bill having received the Constitutional Majority is hereby declared passed. Senate...on Supplemental #9 appears Senate Bill 2127, Representative Currie."

Currie: "Thank you, Madam Speaker. I move the House to adopt the First Conference Committee Report on Senate Bill 2127. The report deletes everything that was in the Bill. Incorporates the City of Chicago into the state trauma system and authorizes the Department of Public Health to give grant monies to state wide trauma centers, level one trauma centers based on need. I'd appreciate your support."

Speaker Breslin: "You heard the Lady's Motion. Is there any



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "A couple quick questions, Madam Speaker. If the Sponsor will."

Speaker Breslin: "Proceed."

Mautino: "Would you please repeat your last statement, I didn't hear it."

Currie: "There is authorizing language for the Department of Public Health to give grants to level one trauma centers state wide with a criteria based on need."

Mautino: "And how many level one trauma centers are out side of Cook County?"

Currie: "Ten."

Mautino: "Where are those ten?"

Currie: "I think they're distributed fairly far across the state. I know Rockford has one. I know Belleville has one. I'm not sure what other communities."

Mautino: "Does that mean that there is no funding mechanism for level two trauma centers which are most of those in downstate Illinois? Is that correct?"

Currie: "This Bill only deals with level one trauma centers."

Mautino: "I guess if we're going to fund level one trauma centers, does that mean there's no...for a response, does that mean there nothing for funding for level two trauma centers?"

Currie: "Not in this Bill, Representative. There may be in some other."

Mautino: "Are there...are there any funding mechanism for the downstate trauma centers?"

Currie: "The Rural Health Care Bill, Senate Bill 2277, contained funding mechanisms for EMS and other downstate..."

Mautino: "I'm sorry, it's getting late but I can't here you, Barb. I don't know what you said. What did you mumble

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

through? I thought for a second you were Zeke."

Currie: "I'm sorry, I couldn't hear you, Representative. This is an Authorization Bill. There was authorization also in Senate Bill 2277 for various health care needs."

Mautino: "Can you give me some idea of what? I mean, I happened to miss that one, I apologize."

Currie: "How...how much money we're talking about here? Is that what your asking?"

Mautino: "Well, I want to know if there's funding for downstate trauma centers. Or is it only for..."

Currie: "This is a statewide program, Representative. Ten of the level one of are downstate. I now have the list and I'll give it to you later. Six are in the City of Chicago. And this provides the authority, merely the authority for the Department of Public Health to give grants based on need to level one trauma centers."

Mautino: "My question is, is there any funding for the..."

Currie: "This is an agreed program between the state Department of Public Health, the Governor's office, the City of Chicago."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks. He indicates he does not wish to speak. The Lady from Cook, Representative Davis."

Davis: "Will the Sponsor yield?"

Speaker Breslin: "She will."

Davis: "Representative, what are the level one trauma center?"

Currie: "Pardon me?"

Davis: "What is a level one trauma center?"

Currie: "I think it's defined as one that provides abs...full services. All kinds of services for the most critical of emergencies."

Davis: "So in other words, that's for top of the line service for a trauma that has occurred. A level two would give a

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

lower...a lesser service."

Currie: "That's right. That's right. Emergency services but not the full range."

Davis: "You said there will be six in Chicago? Where will they be?"

Currie: "Cook County is one. Northwestern Memorial Hospital...I've got Mount Sinai, Masonic...so those are the one's in Chicago. As you know there's been a serious problem with the delivery and in Oak Lawn serving Chicago, is Christ Hospital. As you know there's been a serious problem with trauma services in the City of Chicago. We've lost several trauma centers."

Davis: "Representative Shaw, just explained that this at one time was his Bill, so thank you. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 2127?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Representative Hicks, one minute to explain your vote."

Hicks: "Thank you, Madam Speaker. You know, let's talk a little bit about level one trauma centers. There's one in Springfield, one in Carbondale. We're talking about \$5 million statewide. The majority of all of them are in Chicago. A downstate guy better vote 'no'."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 77 voting 'aye', 33 voting 'no'. The House does adopt the First Conference Committee Report on Senate Bill 2127. And this Bill having received the Constitutional Majority is declared passed. On Supplemental #9...excuse me, on Supplemental #11, appears Senate Bill 2239, Representative Mautino. Just a moment Representative Mautino. Just a moment,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative Mautino. We have one other item of business first. Representative Hicks is recognized on a Motion to extend a deadline."

Hicks: "Thank you, Madam Speaker. I would move to extend the deadline on Senate Bill 1065. Currently the Bill's on Second Reading. It's a Bill to take out...repair clean up stuff for the horse racing stuff. It's been cleared by both sides of the aisle. I would move to extend the deadline November 30, 1990."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House extend the deadline on this Bill, Senate Bill 1065?' All those in favor...is there any objection? Any objection? All those in fav...by use of the Attendance Roll Call; therefore the deadline is extended on Senate Bill 1065. Representative Curran, for what reason do you seek recognition?"

Curran: "Thank you, Madam Speaker. Move to extend the deadline until the next time we meet on the Conference Committee for House Bill 3891...November 30."

Speaker Breslin: "Okay, you weren't recognized for that purpose, Representative Curran. Representative McCracken, for what reason are you seeking recognition? Representative Currie, for what reason are seeking recognition?"

Currie: "I'd like...I move to extend suspend Rule 79(e) with regard to House Bill 3777. That's the Bill that's available to incorporate recommendations from the Cook County Health Care Summit. But, at this point, there's no agreement of what that implementation would look like."

Speaker Breslin: "You've hear the Lady's Motion. Is there any discussion? There...3777, House Bill 3777. You've heard the Lady's Motion. The Gentleman from Will, Representative Wennlund. Indicates he does not wish to speak. Is there

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

any objection to this Motion? Hearing none, by use of the Attendance Roll Call, the Lady's Motion is granted. Representative Van Duyne, for what reason do you seek recognition?"

Van Duyne: "If you're going to use today's deadline, Mrs...Madam Speaker, maybe you ought to take one."

Speaker Breslin: "Representative Currie is recognized on a Motion."

Currie: "Thank you, Madam Speaker, Members of the House. I move to suspend Rule 37(g) with respect to House Bill 4050 to extend the deadline on that Property Tax Relief Bill until November 30, 1990."

Speaker Breslin: "You've heard the Lady's Motion. Is there any objection? Hearing no objection by use of the Attendance Roll Call, the rule is waived. The deadline is extended. Representative McCracken is recognized on a Motion."

McCracken: "On 3815 and 406..."

Speaker Breslin: "House Bills?"

McCracken: "Yes, House Bills."

Speaker Breslin: "House Bills 3815..."

McCracken: "And 4061. I move to suspend Rule 79(e)."

Speaker Breslin: "And House Bill 4071. 4061."

McCracken: "4061. Yes."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any objection? Representative Mautino."

Mautino: "Question. Is that the Chemical Storage Tax that you want to delay or move, is that the one you want to do?"

McCracken: "Yes. Yes."

Mautino: "I think I'll object."

McCracken: "Sixty votes."

Speaker Breslin: "The Gentleman objects. The Gentleman therefore move to suspend the appropriate rule, 79(e), on these two Bills. On that question, the Gentleman from Sangamon,

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Representative Curran. No, okay. All those in favor vote 'aye', all those opposed vote 'no'. This is for two Bills, House Bill 3815 and House Bill 4016. 4016. 40...Representative McCracken, do I have the wrong number?"

McCracken: "4061. 4061."

Speaker Breslin: "4061. Excuse me, Mr. Clerk. 4061. Thank you. Mr. Clerk, take the record. On this question, there are 76 voting 'aye', 31 voting 'no'. And the rule is waived. Representative Curran is recognized."

Curran: "Madam Speaker, I move to suspend the provisions of Rule 79(e), so that the Conference Committee Report on House Bill 3981 can be heard in the veto session."

Speaker Breslin: "You've heard the Gentleman's Motion. On that question, is there any objection? Representative McCracken."

McCracken: "What is it?"

Speaker Breslin: "It's a Mine Subsidence Bill."

McCracken: "Alright, that's fine. Is there any objection? Hearing no objection, by use of the Attendance Roll Call, leave is granted. The hour of 12:01 a.m., June 30 having arrived, Mr. Clerk, take an Attendance Roll Call. Speaker Madigan in the Chair."

Speaker Madigan: "Have all responded to the Attendance Roll Call, Speaker...have all responded to the Attendance Roll Call? Mr. Curran, we are on the Attendance Roll Call."

Curran: "That's correct. Mr. Speaker, on the last legislative day, I inadvertantly...I inadvertantly asked for...to suspend the Rule 79(e) to put House Bill 3981 on...the Conference Committee report to heard in the veto session. It actually should have been 3891."

Speaker Madigan: "Is there leave, Mr. McCracken? Leave is granted. Have all responded to the Attendance Roll Call? Mr. Clerk, take the record. There being 116 Members

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

responding, there is a quorum present. Is there any further matter to come before the Body? Mr...Mr...Mr. Pedersen."

Pedersen: "Yes, Mr. Speaker. I'd like to call Senate...House Bill 3897 to...to concur with the Senate Amendments."

Speaker Madigan: "Mr. Pedersen, the Clerk informs me that he can't find the Bill."

Pedersen: "I have a copy."

Speaker Madigan: "We need the original. Any thing further?"

Pedersen: "Could we have it extended?"

Speaker Madigan: "The Clerk will read the Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 212 resolved by the Senate of the 86th General Assembly, the State of Illinois. The House of Representatives concurring herein that when the two Houses adjourn on June 30, 1990, they stand adjourned until Thursday, November 8, 1990 at 12:00 noon. And when the House of Representatives adjourn on Thursday November 8, 1990, it stands adjourned until Tuesday, November 13, 1990 at 12:00 noon."

Speaker Madigan: "Mr. McPike moves for the adoption of the Adjournment Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. Mr. Clerk, anything further? Agreed Resolution."

Clerk O'Brien: "House Joint Resolution 146, Keane..."

Speaker Madigan: "Mr. Clerk...Mr. Clerk, excuse me. Mr. Daniels. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, on behalf of the Republican side of the aisle, let me thank you for your cooperation and assistance during this session. You could have passed a few more of our Bills, but we understand. But we want to thank you very much for

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

your working with us. The Governor would like of us to join him at the Mansion as traditional. Wants to shake all of your hands and to say hello to you. Of course this is the last session that the Governor will preside over us as Chief executive. So we would like for all to join us at the mansion as soon as possible. Thank you, Sir."

Speaker Madigan: "Thank you, Mr. Daniels. I also would like to thank all of the Members for the fine work that they performed during this session of the General Assembly. Everybody is to be commended. Get some rest over the summer and we'll see you for the Veto Session is October. Mr. Clerk, Agreed Resolutions. November."

Clerk O'Brien: "House Joint Resolution 146, Keane. 147, Ropp. 148, Laurino. House Resolutions. 2102, Davis. 2103, Terzich. 2105, Regan. 2106, Noland. 2107, Noland. 2108, White. 2109, Stephens. 2110, Zickus."

Speaker Madigan: "Mr. Matijevich moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2104 offered by Representative Johnson with respect of the memory of Donald R. "Bus" Schiff."

Speaker Madigan: "Mr. Matijevich moves for the adoption of the Death Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk, anything further? For those of you looking for a laugh, the Clerk has some Introductions and First Readings. Mr. Clerk."

Clerk O'Brien: "House Bill...House Bill 4235 offered by Representative Granberg. A Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill."

Speaker Madigan: "Committee on assignment. Any thing further?"



STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

139th Legislative Day

June 29, 1990

Nothing further? Alright. There being nothing further, Mr. McPike moves that the House stand adjourned to Tuesday, November 13 at 12:00 noon providing for a Perfunctory Session on Tuesday, November 8 at 12:00 noon. So as we prepare to adjourn it is now 5:00 p.m...5:00 a.m., June 30, 1990. Those in favor of the Motion say 'aye', those opposed say 'no'. The 'ayes' have it. The House does stand adjourned."

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 29, 1990

|         |                               |      |     |
|---------|-------------------------------|------|-----|
| HB-0493 | CONCURRENCE                   | PAGE | 318 |
| HB-0954 | CONCURRENCE                   | PAGE | 157 |
| HB-0954 | NON-CONCURRENCE               | PAGE | 49  |
| HB-1220 | CONCURRENCE                   | PAGE | 156 |
| HB-1220 | CONCURRENCE                   | PAGE | 333 |
| HB-1550 | CONCURRENCE                   | PAGE | 256 |
| HB-1550 | CONCURRENCE                   | PAGE | 317 |
| HB-1550 | OUT OF RECORD                 | PAGE | 257 |
| HB-2181 | CONCURRENCE                   | PAGE | 5   |
| HB-2231 | CONCURRENCE                   | PAGE | 213 |
| HB-2388 | CONCURRENCE                   | PAGE | 58  |
| HB-2647 | CONCURRENCE                   | PAGE | 110 |
| HB-2872 | CONCURRENCE                   | PAGE | 286 |
| HB-2872 | CONCURRENCE                   | PAGE | 299 |
| HB-2872 | OUT OF RECORD                 | PAGE | 286 |
| HB-2896 | CONCURRENCE                   | PAGE | 159 |
| HB-2899 | CONCURRENCE                   | PAGE | 113 |
| HB-2899 | MOTION                        | PAGE | 286 |
| HB-2899 | OUT OF RECORD                 | PAGE | 113 |
| HB-2967 | CONCURRENCE                   | PAGE | 12  |
| HB-3024 | CONCURRENCE                   | PAGE | 216 |
| HB-3051 | CONCURRENCE                   | PAGE | 13  |
| HB-3058 | CONCURRENCE                   | PAGE | 14  |
| HB-3090 | CONCURRENCE                   | PAGE | 183 |
| HB-3151 | CONCURRENCE                   | PAGE | 15  |
| HB-3164 | CONCURRENCE                   | PAGE | 16  |
| HB-3242 | CONCURRENCE                   | PAGE | 57  |
| HB-3261 | CONCURRENCE                   | PAGE | 257 |
| HB-3265 | MOTION                        | PAGE | 46  |
| HB-3266 | MOTION                        | PAGE | 46  |
| HB-3270 | NON-CONCURRENCE               | PAGE | 45  |
| HB-3271 | CONCURRENCE                   | PAGE | 210 |
| HB-3310 | CONCURRENCE                   | PAGE | 194 |
| HB-3374 | CONCURRENCE                   | PAGE | 205 |
| HB-3458 | CONCURRENCE                   | PAGE | 73  |
| HB-3462 | CONCURRENCE                   | PAGE | 74  |
| HB-3562 | CONCURRENCE                   | PAGE | 25  |
| HB-3580 | CONCURRENCE                   | PAGE | 27  |
| HB-3610 | CONCURRENCE                   | PAGE | 107 |
| HB-3639 | CONCURRENCE                   | PAGE | 32  |
| HB-3656 | CONCURRENCE                   | PAGE | 214 |
| HB-3656 | NON-CONCURRENCE               | PAGE | 48  |
| HB-3656 | MOTION                        | PAGE | 48  |
| HB-3682 | CONCURRENCE                   | PAGE | 206 |
| HB-3720 | NON-CONCURRENCE               | PAGE | 45  |
| HB-3722 | CONCURRENCE                   | PAGE | 207 |
| HB-3727 | CONCURRENCE                   | PAGE | 84  |
| HB-3748 | CONCURRENCE                   | PAGE | 209 |
| HB-3771 | CONCURRENCE                   | PAGE | 33  |
| HB-3777 | MOTION                        | PAGE | 340 |
| HB-3793 | CONCURRENCE                   | PAGE | 189 |
| HB-3793 | CONCURRENCE                   | PAGE | 229 |
| HB-3793 | OUT OF RECORD                 | PAGE | 190 |
| HB-3815 | MOTION                        | PAGE | 341 |
| HB-3824 | CONCURRENCE                   | PAGE | 85  |
| HB-3843 | CONCURRENCE                   | PAGE | 262 |
| HB-3843 | NON-CONCURRENCE               | PAGE | 45  |
| HB-3875 | CONCURRENCE                   | PAGE | 162 |
| HB-3875 | CONCURRENCE                   | PAGE | 263 |
| HB-3891 | MOTION                        | PAGE | 340 |
| HB-3891 | MOTION                        | PAGE | 342 |
| HB-3962 | CONCURRENCE <i>Conference</i> | PAGE | 274 |
| HB-3981 | MOTION                        | PAGE | 342 |
| HB-4050 | MOTION                        | PAGE | 341 |

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 29, 1990

|                             |      |     |
|-----------------------------|------|-----|
| HB-4074 MOTION              | PAGE | 341 |
| HB-4124 CONCURRENCE         | PAGE | 113 |
| HB-4124 CONCURRENCE         | PAGE | 263 |
| HB-4126 CONCURRENCE         | PAGE | 211 |
| HB-4190 CONCURRENCE         | PAGE | 256 |
| HB-4190 CONCURRENCE         | PAGE | 303 |
| HB-4190 OUT OF RECORD       | PAGE | 256 |
| HB-4235 FIRST READING       | PAGE | 344 |
| HB-4778 CONCURRENCE         | PAGE | 61  |
| SB-1065 MOTION              | PAGE | 340 |
| SB-1491 CONCURRENCE         | PAGE | 67  |
| SB-1504 CONCURRENCE         | PAGE | 180 |
| SB-1504 CONCURRENCE         | PAGE | 191 |
| SB-1504 OUT OF RECORD       | PAGE | 183 |
| SB-1518 CONCURRENCE         | PAGE | 106 |
| SB-1523 CONCURRENCE         | PAGE | 124 |
| SB-1532 CONCURRENCE         | PAGE | 34  |
| SB-1591 CONCURRENCE         | PAGE | 268 |
| SB-1591 CONCURRENCE         | PAGE | 321 |
| SB-1591 MOTION              | PAGE | 272 |
| SB-1591 OUT OF RECORD       | PAGE | 272 |
| SB-1700 CONCURRENCE         | PAGE | 174 |
| SB-1702 CONCURRENCE         | PAGE | 126 |
| SB-1798 CONCURRENCE         | PAGE | 158 |
| SB-1798 NON-CONCURRENCE     | PAGE | 32  |
| SB-1802 CONCURRENCE         | PAGE | 75  |
| SB-1803 CONCURRENCE         | PAGE | 76  |
| SB-1827 CONCURRENCE         | PAGE | 83  |
| SB-1829 CONCURRENCE         | PAGE | 83  |
| SB-1884 CONCURRENCE         | PAGE | 91  |
| SB-1884 CONCURRENCE         | PAGE | 93  |
| SB-1884 OUT OF RECORD       | PAGE | 92  |
| SB-1933 CONCURRENCE         | PAGE | 212 |
| SB-1951 CONCURRENCE         | PAGE | 298 |
| SB-1960 CONCURRENCE         | PAGE | 86  |
| SB-2083 SECOND READING      | PAGE | 103 |
| SB-2083 THIRD READING       | PAGE | 105 |
| SB-2127 CONCURRENCE         | PAGE | 336 |
| SB-2190 CONCURRENCE         | PAGE | 38  |
| SB-2217 CONCURRENCE         | PAGE | 264 |
| SB-2222 CONCURRENCE         | PAGE | 127 |
| SB-2231 CONCURRENCE         | PAGE | 136 |
| SB-2231 OUT OF RECORD       | PAGE | 140 |
| SB-2253 CONCURRENCE         | PAGE | 49  |
| SB-2277 CONCURRENCE         | PAGE | 140 |
| SB-2306 CONCURRENCE         | PAGE | 86  |
| SB-2896 CONCURRENCE         | PAGE | 172 |
| SB-2899 MOTION              | PAGE | 257 |
| SB-3242 CONCURRENCE         | PAGE | 57  |
| HR-2090 RESOLUTION OFFERED  | PAGE | 142 |
| HJR-0018 CONCURRENCE        | PAGE | 92  |
| HJR-0066 CONCURRENCE        | PAGE | 273 |
| HJR-0144 MOTION             | PAGE | 99  |
| SJR-0177 MOTION             | PAGE | 97  |
| SJR-0209 CONCURRENCE        | PAGE | 216 |
| SJR-0210 CONCURRENCE        | PAGE | 272 |
| SJR-0211 CONCURRENCE        | PAGE | 285 |
| SJR-0212 RESOLUTION OFFERED | PAGE | 343 |

SUBJECT MATTER

|                                 |      |   |
|---------------------------------|------|---|
| HOUSE TO ORDER - SPEAKER GIGLIO | PAGE | 1 |
| PRAYER - REVEREND CAMPBELL      | PAGE | 1 |
| PLEDGE OF ALLEGIANCE            | PAGE | 1 |

STATE OF ILLINOIS  
86TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 29, 1990

SUBJECT MATTER

|  |      |     |
|--|------|-----|
| ROLL CALL FOR ATTENDANCE                           | PAGE | 2   |
| AGREED RESOLUTIONS                                 | PAGE | 3   |
| REPRESENTATIVE KEANE IN THE CHAIR                  | PAGE | 24  |
| INTRODUCTION - WHITESIDE COUNTY HISPANIC COALITION | PAGE | 85  |
| REPRESENTATIVE GIGLIO IN THE CHAIR                 | PAGE | 102 |
| REPRESENTATIVE BRESLIN IN THE CHAIR                | PAGE | 156 |
| MESSAGES FROM THE SENATE                           | PAGE | 204 |
| REPRESENTATIVE YOUNG IN THE CHAIR                  | PAGE | 213 |
| REPRESENTATIVE BRESLIN IN THE CHAIR                | PAGE | 214 |
| SPEAKER MADIGAN IN THE CHAIR                       | PAGE | 342 |
| AGREED RESOLUTIONS                                 | PAGE | 344 |
| DEATH RESOLUTIONS                                  | PAGE | 344 |
| ADJOURNMENT  | PAGE | 345 |