

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

49th Legislative Day

May 14, 1991

Speaker Keane: "The House will come to order. Members be in your seats. The Chaplain for today is the Reverend Richard Pistol of St. John's Episcopal Church in Naperville. Reverend Pistol is the guest of Representative Cowlshaw. Our guests in the gallery may wish to rise for the invocation."

Reverend Pistol: "Let us pray. Oh God, Lord of power and giver of grace and wisdom, we commend to You all who are engaged in the government of the State of Illinois, and especially the Representatives in this House. We beseech You to guide and bless them in all their deliberations that Your will is done here to the glory of Your name. To Thee, merciful Lord, we commend their work, praying that it may be such that all of us may see Your hand in all they do. As they speak let Your words and Your presence guide each one to Your glory and for the good of the people of this state. We ask in the name of Jesus Christ, our Lord and Savior. Amen."

Speaker Keane: "We will be led in the Pledge by Representative Hartke."

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

Speaker Keane: "Roll Call for Attendance. Representative Matijevich, excused absences."

Matijevich: "Yes, Mr. Speaker, on this side of the aisle, Representative Flinn is excused due to his injuries, and Representative Brunsvold due to an illness in the family."

Speaker Keane: "Representative Kubik."

Kubik: "Mr. Speaker, Representative Barnes is excused today due to illness, and I'd like to report to the Members that as

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we were down in southern Illinois for our Reapportionment Committee the Republicans went over to visit Monroe Flinn. He's looking very well. He tells us he's going to be back sometime late in May or early June. So, he's looking very well, but only the Republicans visited him."

Speaker Keane: "Mr. Clerk, a quorum being present, take the record. A quorum being present. Representative McGuire, for what purpose do you rise?"

McGuire: "Mr. Speaker, I'd like to take a second to introduce a group from Joliet that is down here visiting, and it's the Joliet Area Senior Citizens Association. They're up in the gallery. Would you all stand up and wave, please? Thank you, Mr. Speaker."

Speaker Keane: "Welcome to Springfield. Ladies and Gentlemen, we will now go to Order of Business on today's Special Calendar, Second Reading. Labor. House Bill 824, Representative Mautino. Out of the record. Next order is on Second Reading. Human Services. House Bill 1408, Representative Bugielski. Out of the record. House Bill 2050, Representative Steczko. Out of the record. House Bill 2469, Representative Capparelli. Out of the record. House Bill 2510, Representative Currie. Out of the record. Constitutional Officers. Third Reading. House Bill 2, Representative Novak. Out of the record. House Bill 1592, Representative Williams. Out of the record. House Bill 2112, Representative Saltsman. Out of the record. House Bill 2118, Representative Lou Jones. Out of the record. House Bills, Second Reading. Agriculture and Environment. House Bill 345, Representative Richmond. Representative Richmond, do you wish your Bill called? Out of the record. House Bill 580, Representative Schakowsky. House Bill 580, Representative Schakowsky. Out of the record. House Bill 742, Granberg. Out of the record. House Bill 1850,

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Representative Hicks. Out of the record. House Bill 2022, Representative Hensel. Out of the record. House Bill 2253, Representative Kulas. Out of the record. Second Reading. Banking. House Bill 1488, Representative Capparelli. Banking, 14...Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1488, a Bill for an Act to amend the Currency Exchange Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Young."

Young: "Withdraw #1."

Speaker Keane: "Withdraw Amendment #1."

Clerk O'Brien: "Floor Amendment #2, offered by Representative Harris and Capparelli."

Speaker Keane: "Representative Capparelli."

Capparelli: "Harris' Amendment is accepted. I'll accept and run it for him. All it says is 'soft drinks'. In the Bill it says 'vending machine'. In the Bill he wants it clarified for soft drinks. I would move to adopt Amendment #2."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Flowers and Anthony Young."

Speaker Keane: "Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 deals with the Currency Exchange Board of Advisors, and it says that one member of the board has to be a Public Aid recipient. The reason, of course, is to get Public Aid input into the Currency Exchange Board. It

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also says that no more than four of the seven members may come from the same political party. I move for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #3?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. The House adopts Amendment #3. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bills, Second Reading. Consumer Protection. House Bill 1981, Representative Hartke. Out of the record. House Bills, Second Reading. Economic Development. Representative Wyvetter Young. Out of the record. House Bill 187...Representative Young on House Bill 1571. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1571, a Bill for an Act to amend the East St. Louis Area Development Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. Fiscal note has been filed. House Bill 1875, Representative Morrow. Out of the record. On the Order of Education...on the Order of Housing, Second Reading. House Bill 2...2003, Representative Davis. Out of the record. House Bills, Second Reading. Government Operations. House Bill 225, Representative LeFlore. Out of the record. House Bill 472, Representative Brunsvold. Out of the record. House Bill, House Bill 1375, Representative Schoenberg. Out of the record. House Bill 1497, Representative Edley. Representative Edley, do you wish 1497 to be called? Out of the record. We'll now go to Second Readings. Municipal, County, and Conservation Law. House Bill 262, Representative Lang. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 262, a Bill for an Act to amend the

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Deposit of State Moneys Act. Third Reading of the Bill."

Speaker Giglio: "Representative Lang. House Bill 762, Representative Lang."

Clerk O'Brien: "House Bill 762, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. 763, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 763, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. 764, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 764, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. 765. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 765, a Bill for an Act to amend the Clerks of Courts Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Lang on Amendment #1."

Lang: "Thank you, Mr. Speaker. Amendment #1 is really cleanup language. In the section dealing with fees under the Act, last year the General Assembly excluded DuPage County from this particular section of the Act and accidentally deleted Cook County. This Amendment would simply put Cook County back into the posture it was before we made the mistake last year, and I ask the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', opposed 'nay'."

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In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #2 simply provides a \$3,500 stipend for certain recorders of deeds in various counties, and I ask its adoption."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hartke, 798. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 798, a Bill for an Act to amend the Township Law. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Peterson on Amendment #1 to House Bill 798."

Peterson: "Thank you, Mr. Speaker. Floor Amendment 1 would require the township supervisor to account to the township board within 30 days before rather than on the Wednesday preceding, the annual town meeting for all moneys received and disbursed. I know of no opposition to the Amendment. I ask for approval of Amendment 1 to House Bill 798."

Speaker Giglio: "Any 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

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adopted. Further Amendments?"

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

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

Giorgi: "Mr. Speaker, I move to table Amendment #2 because #2 is incorporated in Amendment #3."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments."

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

Giorgi: "Mr. Speaker and Members of the General Assembly. Amendment #3 provides that in counties, the law as it is today in counties of 400,000 or more for the expense of maintaining a law library there is a fee of \$10.00. I'm lowering that, lowering that population from 400,000 to 150,000 to pick up four or five other counties that can use that fee to maintain their libraries to where the customer is tended to. I urge the adoption of the Amendment."

Satterthwaite: "Representative Satterthwaite in the Chair. Is there any discussion? Seeing no one seeking attention, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #3 is adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #4, offered by Representative Giglio and Schoenberg."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Thank you, Madam Speaker and Members of the House. Amendment #4 gives the people in, in Cook County the opportunity to vote to put the question on the ballot whether or not to abolish township government or not. We, we ran this once before on another Bill and this is the Bill that comes from counties and townships, and what it does, it affords the people the opportunity to give them a

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voice to whether or not they have property tax relief or not, and I would ask for your favorable support."

Speaker Satterthwaite: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. This...this Amendment cuts at the heart of township government, and I am, I am opposed to this Amendment."

Speaker Satterthwaite: "Representative Pedersen."

Pedersen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Township government is...is...is a form of government that's been closest to the people since this state began. In the suburban Cook County it's...it's an absolutely vital for us to have local government to represent us in the suburbs, and this constant attempt to abolish it so that the county can take over its functions is detrimental, not only to the suburbs but to, to the whole state, and I think this is a move in the wrong direction. I recommend a 'no' vote."

Speaker Satterthwaite: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, Members of the House. I, too, rise in opposition of Amendment #4. First of all, from...the majority of the people who sit on the House floor, this is the only government that is the closest to them. This is where you have your voice, your input. Not only does it serve the senior citizens, the youth, the disabled, it also helps you with your assessments on your taxes. For some of you who live in the collar areas of the City of Chicago such as Palos Hills and Worth and Northfield and Palatine, you would have to travel into the city to have this information. You get into the city, the majority of the people in the Assessment Office don't even understand your area. You go locally to your local assessor; they understand what you're talking about. This Bill is so detrimental to services for our people and for your people

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that I would strongly urge its defeat and also, Madam Speaker, I ask for a Roll Call vote."

Speaker Satterthwaite: "There are a number of other people seeking recognition, but we have a procedural matter that needs to be taken care of first, and we will call upon Representative Kubik. Representative Kubik, you had some information for us."

Kubik: "Thank you, Madam Speaker. Representative Doederlein has fallen and...and injured herself, and she will not be on the floor for the rest of the day. She would request an excused absence for the day. Could we have her recorded as excused?"

Speaker Satterthwaite: "With leave of the Body for the use of the Attendance Roll Call, we will have Representative Doederlein on an excused absence for the day. Now, back to the issue at hand. Representative Schoenberg."

Schoenberg: "Madam Speaker, Members of the House. I rise in support of this Amendment because this is the most fiscally responsible, prudent action that we can take on behalf of Cook County suburban taxpayers. A number of functions of government, virtually all functions of government which are currently being carried out by township government are either being carried out by county government, as is the case with assessments, or through local municipalities, as is the distribution of general aid, as is the distribution of surplus cheese, providing counseling and other social services. Many of the suburban municipalities are already doing this, and this purely represents a duplication of services. My district features both Democratically controlled townships and Republican controlled townships, but the people who benefit the most from this will be the taxpayers who find that the services are currently being rendered and that we're merely paying for the duplication.

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I rise and urge all of you for this measure's solely limited to Cook County, to vote in the affirmative. Thank you."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. To the Amendment. Could we have some order, please?"

Speaker Satterthwaite: "Proceed."

Wennlund: "Thank you. What this Amendment does is change the current law which now provides...Thank you, Madam Speaker, Ladies and Gentlemen of the House. The current law on abolishing township government is by county. Ten percent of the registered voters of the county can petition to abolish township government within the county. Can you imagine what a crazy patchwork of service delivery if some townships were abolished and others were not abolished in the county and the county having to pick up those services in this patchwork quilt of crazy forms of government. What will happen will be if you think that the Cook County Forest Preserve has workers who are taking naps on the job, then you ought to have the Cook County Highway Department and the Cook County Forest Preserve workers working within those townships that abolish government. This is only the start of a movement to abolish township government in the entire State of Illinois, and those who are served by the most democratic form of government yet in America today will be the losers. This Amendment is only the start of the destruction of this basic form of democracy that everybody in this state knows and is proud of. I urge a 'no' vote on this Amendment and also request a Roll Call vote."

Speaker Satterthwaite: "Representative Mautino."

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

Speaker Satterthwaite: "He indicates he will."

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Mautino: "Representative Giglio. In downstate Illinois, township government is the government that provides a service and it is not as costly I'm assuming as in Cook County. Can you tell me in Cook County, since this is a...a voters' question as you present it, what is the cost of county...township government that would be affected by this? What is the cost of running..."

Giglio: "Right now the township government budget of the 30 townships in Cook County is approximately \$48 million."

Mautino: "Forty-eight million dollars. As a comparison then, I know that downstate we pay like supervisors and clerks in the area of \$14 to \$20 thousand a year. What are the salary schedules in townships in Cook County?"

Giglio: "Some of the salaries in, in, in Cook County at the township on the assessors office range from anywhere from \$8,000 to \$51,000 for an office that the assessor does not even assess. They're nothing but an information office because the Cook County Assessor does not want the Township Assessor explaining how the assessment works, and they send them over to the civic centers that we have where it costs the taxpayers in Cook County anywhere from \$30 to \$40 million to put these civic centers up. This is the whole purpose and the genus of this Amendment."

Mautino: "How about supervisors? What is the salary range in..."

Giglio: "Supervisors salary, Ladies and Gentlemen, are anywhere from \$3,000 from the smallest to \$35,000 a year for supervisors."

Mautino: "And the people would have the option of...of...this...is this an advisory referendum or is this..."

Giglio: "This is only to put the question on the ballot. This is permissive. It's not mandatory, and we're doing it by individual townships. We're giving the people an

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opportunity to voice their opinion if they want property tax relief, and this is what it's all about."

Mautino: "In other words, you're not mandating, would...would the questionnaire on your...on your ballot be to eliminate township government in Cook County or is it advisory to the...the local township board?"

Giglio: "Once the question is on the ballot then if the overwhelming majority vote 'yes', then township government is eliminated in that particular township and all the assets go to the county government."

Mautino: "Thank you very much."

Speaker Satterthwaite: "Representative McCracken."

McCracken: "I'd be more sympathetic to the proposal if it also allowed by referendum the elimination of the ward form of government for the City of Chicago. I think the case made in favor of abolishing townships in Cook County can be made just as effectively for the wards of the City of Chicago. I am not sympathetic when this attacks only what are largely Republican offices. The township is an important form of government in suburban Cook County. It is applicable on one's tax bill only when there is no incorporated municipality covering that area, and to try to make the case that what are Republican areas, suburban areas, that they alone should have the possibility of elimination is just a political ploy. The wards can be just as meaningless in the City of Chicago as they claim that townships are meaningless in the suburbs. What is good for the goose is good for the gander. If you really want to make this available as an option, include wards in it. Let's see if the City of Chicago likes that legislation."

Speaker Satterthwaite: "Representative Schoenberg for what reason do you arise? You have spoken once on this issue."

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Schoenberg: "I withdraw, Madam Speaker."

Speaker Satterthwaite: "Representative Novak."

Novak: "Yes, Madam Speaker, and Ladies and Gentlemen of the House. I really find this kind of hard to believe that we are not allowing the people to determine their own destiny, whether it's in...whether it's in townships in Cook County or wherever else it's going to apply to. We're sent down here by roughly 100,000 people to decide their fate and to decide their destiny to make crucial decisions that can affect them from the cradle to the grave. Now all this Bill simply says is that we're allowing people to go to the ballots, exercise their fundamental principle of democracy at the polls. We ask them to vote for us in November for to be re-elected or not to be re-elected. The people in their respective townships should have the opportunity and the choice to do this. It's a simple question of fairness, and I can't see why there's so much opposition to it."

Speaker Satterthwaite: "The background noise is getting very loud, and I think as a courtesy to Members we should keep our conversations to a minimum. There are several other people still seeking recognition on this issue. Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker and Members of the General Assembly. It goes without saying that many of us here today, basically our first involvement in government, was the involvement with township government. Many of us has held seats in township government. I have held a seat in township government for the past 29 years. When our forefathers came to this country many, many years ago, one of the first governments they imposed upon the people and what they felt would be more receptive to the people than anything else, was the township form of government. Township government has survived what you might say the

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passage of time. It goes without saying that no government is as unique as township government. They represent people and be totally aware of what this legislation will not only do to township government if this Amendment was to be put on this particular Bill. For that reason I ask each and every one of you and especially those people that represent the downstate of the State of Illinois to be totally against this Amendment. Thank you."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I agree with all the people speaking in support of township government, but there's obviously a blatant approach with this legislation to try to handstring the Republican minority in Cook County by simply doing away with township government so that the citizens of Cook County then have to go to the major bureaucracy of county government, and I will tell you that in the townships that make up Cook County that there is no other government that is closer to the people than the township especially in the arena of human services. People have the ability to go and sit down in a township office and talk about the problems and their needs with people who know who they are, who are their neighbors, who have some understanding of the area in which they're part of, without regard trying to go down to Cook County to get taken care of the services. Throughout the seven years I've served in this General Assembly we have traditionally seen in the townships and in the communities outside of Chicago a lack of responsiveness on behalf of Cook County and both in services and in spending of moneys, and I will tell you that I resent this kind of legislation being foisted upon the Republican minority, especially found in most of the townships in Cook County by the big bullies in Chicago and the Chicago Democrats, and I

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will tell you that I think this legislation is ill-advised, and I would ask all the Members of this Body go against this bad Amendment."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Illinois does sport more local units of government with taxing authority than any other state in the nation. Never mind we are not geographically the largest nor are we in terms of population. People on this floor complain, complain, complain as do their constituents back home about their high property taxes. There's no question that the level of property taxation in part reflects a plethora of local governments with the power to raise local property tax rates. All this Amendment does is to point to one of those levels of government that is not perhaps the best suited to raise your tax rates and that's the townships whose work can be performed by general purpose governments. That's the townships it gives people back home the opportunity to vote yes or no on the question, 'Shall we keep them?' But I rise as well to correct the speech of a Member opposing this Amendment earlier this afternoon. The suggestion was the townships are just like wards in the City of Chicago. They are not. The wards in the City of Chicago have no governmental responsibilities. They have no authority to raise taxes. They do not operate like government so there's nothing similar about wards in the City of Chicago and townships across the rest of the state at all. Wards in the City of Chicago do have the purpose of dividing members of the City Council and they are used by political parties for purposes of electing ward committeemen. Under this Amendment even were a community to decide to abolish the township for purposes of governmental decision and governmental activity there's no

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reason that they could not continue to use the township area as a way of working through political party issues. So don't be misled by the notion that wards in Chicago are just like townships every place else. They are not in any way, shape or form, similar. I urge a 'yes' vote on Amendment 4 to House Bill 798."

Speaker Satterthwaite: "Representative Manny Hoffman."

Hoffman: "Thank you, Madam Speaker. I move the previous question."

Speaker Satterthwaite: "I think we have only one additional speaker. Representative Pullen."

Pullen: "Thank you, Madam Speaker. I would like to suggest that those from the City of Chicago who talk about the right of the people to vote on such questions ought to examine their own voting records on any Bill that is ever brought up that would try to give referendum rights to the people of the City of Chicago on property taxes, school policies, or any other question. I would like to suggest also that township government is the lowest, most local form of government for many, many citizens in the state, and that to transfer the duties of townships to the county is to remove services and vastly increase costs. I know that is the case in Cook County. I'm sure it is downstate as well, and I urge a 'no' vote."

Speaker Satterthwaite: "Representative Giglio to close."

Giglio: "Thank you, Madam Chairman and Ladies and Gentlemen of the House. You know, it's, it's really something to listen to the reasoning on the other side of the aisle. First of all, I'm not the big bully from the City of Chicago. I represent the suburban area, and I'm also a township committeeman and also we have the largest township in the State of Illinois, and if this Bill passes, for my people in Thornton Township, I personally will lead the charge to

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give property tax to my people in Thornton Township, and as far as...as comparing us to the wards of the City of Chicago, the Representative on the other side of the aisle forgets that the wards cannot assess property taxes. Forty-eight million dollars of the 30 townships in the...in the County of Cook. Why did the county build \$30 and \$40 million civic centers in the outlying area to bring county government to the people? A hundred years ago when there was no county seat or the county seat was in the City of Chicago, 30, 40, 50 miles away, yes, township government was great, and in the rural areas today throughout the state it is still great. The assessor assesses, the collector collects, and it's a function that should stay, but in Cook County, the 30 townships in Cook County, the services are provided now by the county at the various civic centers. Also, at the local level in my home town, we have a youth center, we have the health center, we have all facilities for senior citizens that they have at the township. My assessment in Thornton Township alone is \$3,790,000. On an \$85,000 house that is worth \$50. That's a \$50 reduction in property taxes, and that's what this is all about. Therefore, Ladies and Gentlemen, I would ask for your favorable support on Amendment #4 to House Bill 798."

Speaker Satterthwaite: "There is a request for a Roll Call vote. The Gentleman's Motion is to adopt Amendment #4 to House Bill 798. All in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Balanoff."

Balanoff: "Yes, to explain my vote, Madam Chairman. You know, quite honestly I'm very surprised at my colleagues on the other side of the aisle. Republicans always talk about excess government. Well, this is certainly a way to get

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rid of unnecessary, duplicitous government, township government. Township government is a tremendous burden on taxpayers, and this is certainly one way to start putting a check on skyrocketing property taxes without a loss of service. Certainly, by referendum, when people are given choices they will be able to decide very clearly what is best for them, whether or not they want township government. But I guess that the only time that...that Republicans are interested in eliminating government is when it's not their officeholders that are going to be eliminated, and I would really urge everybody on both sides of the aisle to look very carefully at this because this could save taxpayers in many townships a tremendous amount of money."

Speaker Satterthwaite: "Representative Weaver to explain his vote."

Weaver: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I think the previous speaker had a pretty good idea, but we found that the closer government is to the people, the better they're served. If we ought to eliminate a branch of government, it's this one right here."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Wojcik, I'm sorry. Did you wish to explain your vote?"

Wojcik: "I was...No, I was just going to say if it gets the numbers of votes to make the majority, I want to...verified."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "I'd like to verify the negative, Madam Speaker."

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

Clerk O'Brien: "A poll of those not voting: Homer. Marinaro. McPike. Wolf and Woolard. No further."

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Speaker Satterthwaite: "A poll of the negative."

Clerk O'Brien: "Ackerman. Balthis. Black. Burzynski. Churchill. Cowlshaw. Cronin. Daniels. Deering. DeJaegher. DeLeo. Deuchler. Ewing. Virginia Frederick. Harris. Hartke. Hasara. Hensel. Manny Hoffman. Hultgren. Johnson. Kirkland. Klemm..."

Speaker Satterthwaite: "Excuse me, Representative Giglio, Representative Ropp and Representative Ackerman are asking leave to be verified. Do they have leave? Thank you."

Clerk O'Brien: "...Lang..."

Speaker Satterthwaite: "Representative Stange is asking leave to be verified. Does the Gentleman have leave? He has. Representative Tenhouse the same request. Leave is granted."

Clerk O'Brien: "...Leitch. Mautino. McAuliffe. McCracken. McGuire. Mulcahey. Noland..."

Speaker Satterthwaite: "Representative Robert Olson is asking leave to be verified. The Gentleman has leave. Representative Black. Same request?"

Black: "An inquiry of the Chair, Madam Speaker. I thought I heard you tell the Clerk to take the record. I, did I not hear correctly?"

Speaker Satterthwaite: "We have taken the record. Yes."

Black: "You've taken the record, and you have preparation for a verification?"

Speaker Satterthwaite: "Yes, yes."

Black: "Alright. Thank you."

Clerk O'Brien: "...Obrzut. Bob Olson. Myron Olson. Parcels. Parke. B. Pedersen. Persico. W. Peterson. Petka. Phelps. Pullen. Regan. Richmond. Ropp. Ryder. Sieben. Stange. Steczko. Tenhouse. Wait. Walsh. Weaver. Weller. Wennlund and Wojcik. No further."

Speaker Satterthwaite: "Representative Homer, for what reason do

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you rise? Add the Gentleman as voting 'aye'. Representative Jay Hoffman requests a 'no' vote. Representative Hannig requests to change his vote to 'no'. Representative Currie asks leave to be verified. But you're...you're...on the wrong side for the verification at the moment. Any other Members seeking recognition? This issue, having received 52 'yes'...Representative Giglio, do you have questions of the negative Roll Call?"

Giglio: "Representative Doederlein."

Speaker Satterthwaite: "Representative Doederlein is not voting."

Giglio: "Representative Harris."

Speaker Satterthwaite: "Representative Harris. Is the Gentleman in the chamber? Representative Harris. Remove him from the Roll Call."

Giglio: "Representative Hensel."

Speaker Satterthwaite: "Representative Hensel is at his chair."

Giglio: "Representative Balthis."

Speaker Satterthwaite: "Representative Balthis is at his chair."

Giglio: "Representative Richmond."

Speaker Satterthwaite: "Representative Richmond. Is the Gentleman in the chamber? He is not. Remove him."

Giglio: "Representative Johnson."

Speaker Satterthwaite: "Representative Johnson. Is the Gentleman in the chamber? He is not. Remove him."

Giglio: "Representative Weaver."

Speaker Satterthwaite: "Representative Weaver is in his chair."

Giglio: "Representative Myron Olson."

Speaker Satterthwaite: "Representative Myron Olson is in his chair."

Giglio: "Representative Mulcahey."

Speaker Satterthwaite: "Representative Mulcahey. Is the Gentleman in the chamber? Representative Mulcahey. Remove him."

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Giglio: "Representative Mautino."

Speaker Satterthwaite: "Representative Mautino. Representative Mautino is in the rear of the chamber."

Giglio: "Representative Leitch."

Speaker Satterthwaite: "Representative Leitch is at his chair."

Giglio: "Representative Steczo."

Speaker Satterthwaite: "Representative Steczo. Is the Gentleman in the chamber? Remove him. Representative Mulcahey has returned."

Giglio: "Representative DeLeo."

Speaker Satterthwaite: "Just a moment. Representative Mulcahey, you were removed. Do you wish to be voted on this issue? Let us know when you decide how you want to be voted."

Giglio: "Representative DeLeo."

Speaker Satterthwaite: "Representative DeLeo is at the rear of the center aisle."

Speaker Satterthwaite: "Representative Mulcahey wishes to vote 'no'. Any further questions?"

Giglio: "No further questions, Madam Speaker."

Speaker Satterthwaite: "On this issue there are 52 voting 'yes', 54 voting 'no', and the Amendment fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. House Bill 799, Representative Hartke. Out of the record. House Bill 833, Representative Brunsvold. Out of the record. House Bill 867, Representative Noland. Representative Noland. Out of...oh, out of the record. House Bill 942, Representative Keane. Out of the record. House Bill 1188, Representative Giglio. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1188, a Bill for an Act to amend the Municipal Code. Second Reading of the Bill. No Committee or Floor Amendments."

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Speaker Satterthwaite: "Third Reading. House Bill 1537, Representative Marinaro. Out of the record. House Bill 1572, Representative Wyvetter Younge. Call the Bill...Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1572, a Bill for an Act to amend the Local Governmental Financial Planning Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Satterthwaite: "And the fiscal note has been filed. Third Reading. Representative McGann on House Bill 2149. Out of the record. Representative Keane requests that we go back to House Bill 942. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 942, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Satterthwaite: "Third Reading. We will then go to the Special Order of Public Utilities, Second Reading. House Bill 990, Representative Deering. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 990, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #5 was adopted previously. Floor...Floor Amendment..."

Speaker Satterthwaite: "Any additional Amendments?"

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

Speaker Satterthwaite: "Representative Curran."

Curran: "Withdraw Amendment #6."

Speaker Satterthwaite: "The Amendment is withdrawn. Further Amendments."

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Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Fiscal note?"

Clerk O'Brien: "No."

Speaker Satterthwaite: "There is no request for a fiscal note, and the Bill will be placed on Third Reading. Representative McNamara, House Bill 1392 on Second Reading. Out of the record. House Bill 2057, Representative Giorgi. Representative Giorgi, this Bill is on Second Reading. Do you wish to have it read? Out of the record. House Bill 2643. Out of the record. On the Special Order of Real Estate Law, Second Reading. Representative Turner, House Bill 909. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 909, a Bill for an Act concerning the management of housing projects. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Satterthwaite: "Third Read...There is a request for a fiscal note, and the Bill will remain on Second Reading. Representative Hasara will be in the Chair for an introduction."

Hasara: "Thank you. Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the General Assembly. On April 25th we passed House Resolution 394, and I'd like to read it for you at this time."

HOUSE RESOLUTION

WHEREAS, The members of this House are honored and pleased to recognize significant achievements and important occasions in the lives of the citizens of this great State; and

WHEREAS, It has come to the attention of this body that the Divernon Junior High School girls' seventh grade volleyball team took first place in the Class 7A Illinois Elementary School

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Association State Volleyball Tournament; and

WHEREAS, The members of the Lady Dragons are: Amanda Bourne, Shannon Becker, Marcie Adams, Jenni Sergent, Heather Harrison, Gina Piazza, Cori Rettberg, Laura Logsdon, Jeanette Gruen, Janna McQuality, Jill Jones, Melissa Cisco, Kate Padavic, Sarah Sergent, Jennifer Cisco, Katie Skaggs, Amanda Spindel, and Cory Goleman; and

WHEREAS, Head Coach Carol Weber and Assistant Coach Shellie Wilmarth have provided the instruction, support, and inspiration which contributed to the spirit and dedication put forth by this team; and

WHEREAS, The entire community of Divernon and the numerous fans of this fine team are justly proud of these outstanding athletes and have displayed their admiration with a reception held to honor the team; and

WHEREAS, Village Mayor James C. Crawford proclaimed March 17, 1991, to be set aside to honor the champion Lady Dragons; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Divernon Junior High School seventh grade volleyball team on winning the I.E.S.A. Class 7A Girls State Volleyball Championship; that we commend the coach on her inspired leadership; and that we extend our best wishes to them for continued success in their future endeavors; and be it further

RESOLVED, That suitable copies of this preamble and resolution be presented to each member of the team and their coach with our very best wishes.

Hasara: "Congratulations to the coaches, the parents, and particularly to the team members. We're all very proud of

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you. Thank you."

Speaker Giglio: "House Bill 1196, Representative Homer. Second Reading. 1196. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 1196, a Bill for an Act to amend the Responsible Property Transfer Act. This Bill's been read a second time previously. Amendment, Floor Amendment #1, offered by Representative Homer."

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

Homer: "Thank you. I ask to withdraw that Amendment."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Amendment #2 becomes the Bill. It provides that all causes of action for latent diseases caused by exposure to harmful materials would be allowed to be commenced within two years after the disease and the disease's causes, cause are known or reasonably should have been known or within two years after the effective date of this amendatory Act, whichever is later. The purpose of the Amendment is to allow for a cause of action to be brought by an individual that has been harmed by one of these latent diseases, that has incurred a latent disease as a result of the exposure to harmful materials. Specifically the most common material to which this Bill would have implications would be the disease known as, 'asbestosis', which can lay dormant and be latent for as long as 20 years, and sometimes even more. Under current law the injured party would have only 12 years from the date of exposure to file a cause of action for recovery of damages. Obviously, if the condition is

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not known or could not have been known prior to that time, then a misjustice has been worked on such an individual because their...their claim would be barred by the appropriate statute of limitations, and so this Bill is...is an attempt to provide a reasonable period of time, being two years, from the date that the disease would be diagnosed or at the date that the person should have known that they had contracted that particular disease. I would answer any questions and then would move for the adoption of the Amendment."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "An inquiry of the Chair, Mr. Speaker. We don't have a copy of the Amendment. I don't know whether it's been printed and distributed."

Speaker Giglio: "Mr. Clerk, has the Amendment been printed and distributed? Take it out of the record. We're going to return back to Representative Giorgi's Bill, House Bill 2057. Representative Giorgi, House Bill 2057. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2057, a Bill for an Act in relationship to Public Utilities Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Lang."

Speaker Giglio: "Representative Lang, on Amendment #1 to House Bill 2057. Representative Currie."

Currie: "Thank you, Mr. Speaker. I move to table the Amendment. I did discuss it with the Gentleman, and it's my understanding that his plan was to withdraw it as that Amendment has already been adopted on another Bill."

Speaker Giglio: "Representative Lang, do you concur? Table the

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Amendment, Mr. Clerk. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Currie."

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

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment would provide that on our telephone Bills we have the opportunity, voluntarily, to contribute to a fund that will enable low-income residents of the State of Illinois to participate in the federal Link Up II program. This is the topic that led us to so much confusion and distress with the Illinois Commerce Commission and led to legislation on this floor that after the Commerce Commission dropped the plan for mandatory participation in the Link Up II program. This would offer us, adoption of this Amendment, would offer people in the state who want to make sure that poor people can call the doctor or call 911 or call their son or call their long-lost cousin in Africa that they've have the opportunity to do so by virtue of having help in paying the access charges. We know that there are voluntary programs like this. In fact, NIGAS, Northern Illinois Gas Company, has been doing a voluntary check off for some time, and that check off program has brought in at this stage about \$4-1/2 million dollars. To give up the federal funds that are available in Link Up II would be a mistake. I urge your support for Amendment 2 to House Bill 2057."

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

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

Speaker Giglio: "She indicates she will."

Black: "Alright. Representative, we've...we've seen this Amendment before and you withdrew it. Under existing

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federal link up legislation, does a state have the authority to make such a program voluntary?"

Currie: "It is my understanding that it does. We've checked that with the telephone companies, with the Commerce Commission, and my understanding is, yes, the state does have that opportunity."

Black: "If...if...then, the contributions to finance link up simply fell far short of the expected amount, what...what then do we do? Do we...do we turn to a mandatory assignment? Do we turn to a...a hidden charge, or...or tax revenue? I mean, I...I know where you're headed. I'm just not sure we're going to get there, and I guess the question is, 'What do we do if we don't?'"

Currie: "Well, I think that question is before this Body with or without adoption of this Amendment, Representative. That question's been before this Body since the Commerce Commission decided to rescind the mandatory program a few months ago and since this Assembly adopted legislation that guaranteed that, in perpetuity, the Commerce Commission not be permitted to reenact, reenable that program. This is one methodology that might guarantee some access for low-income people to telephone service and might access for those individuals in the state some federal funds. I'm not opposed to other methodologies that might be employed, but I think that this is at least one that has merit, and in the absence of alternatives, I think that it would behoove us to say 'yes'."

Black: "Alright. Thank you very much, Representative."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As somebody who was opposed to the mandatory surcharge imposed by the Illinois Commerce Commission and who received, like many of you, many of...everybody almost

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received...you know...many, many communications from constituents resentful about the mandatory surcharge. This, I think, is a very good idea. This is purely voluntary and whatever money it makes available can be put into very good use by the people who cannot afford telephone service at this point. We don't force anybody to do anything. It is not something that would be inconsistent with the current law. You know, I think it's a good idea. We do have, it currently in existence in the City of Chicago with respect to Peoples Gas. On the gas bill there is a box that says, 'You want to make a voluntary contribution of \$1.00,' and many people make that contribution. It's a good idea. It is purely a voluntary; it's the way we should go, and I urge adoption of Amendment #2."

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

Klemm: "Well, thank you, Mr. Speaker. I...I guess I don't have a problem with Amendment #2, but I...because it's...it...it almost mirrors the Bill that's...I...we had passed in the House and sent over to the Senate of mine except it has a different ring to it than the Bill that I had passed out of here several...a few weeks ago, which was a volunteer program. This Amendment requires the Commerce Commission to establish a program which is a mandatory type of thing rather than a voluntary type of program, and I have no problem with having the utilities establishing this program to assist low-income families to receive services, but I do have some concern about requiring the Commerce Commission to do this. So I guess I do tend to prefer the voluntary provisions that I have in my Bill that's been passed and over in the Senate versus this requirement that is a mandatory thing, and so...therefore, I'm not sure what I'm

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going to do with the darned Bill, but anyway, I thought I'd call it out that it's not so voluntary. It is a mandatory program by the ICC to do it, and it would then be required by the carriers. I think I prefer the more voluntary program."

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

Currie: "To close? Am I the last person?"

Speaker Giglio: "Yes, you can close."

Currie: "Thank you, Mr. Speaker and Members of the House. This is indeed mandatory on the Illinois Commerce Commission so that we can capture federal funds that are available through Link Up II. It's my understanding that our ability to capture federal funds through these voluntary contributions is enhanced if those funds are funneled through a state agency and that means the Illinois Commerce Commission, but this is not a mandate on any individual to decide to be charitable to low-income people in respect to their opportunity to access a telephone line. If you want to give the people of Illinois a chance to hold out a helping hand to the poor so that they may access telephone services and access federal dollars, I urge your 'yes' vote on this Amendment."

Speaker Giglio: "The question is, 'Shall Amendment #2 pass?' All those in favor say 'aye'. Opposed 'nay'. Somebody asked for a Roll Call. All those in favor vote 'aye', opposed 'no'. The 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 67 voting 'yes', 31 voting 'no', and 9 voting 'present', and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third...Third Reading. Under the Order of Municipal, County and Conservation Law appears House Bill

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799, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 799, a Bill for an Act to amend the Township Law. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Saltsman."

Speaker Giglio: "Representative Saltsman on Amendment #1 to House Bill 799."

Saltsman: "Yes, thank you, Mr. Speaker. This allows the townships to purchase bonds in order to build a senior citizens housing project, and it has to be done by referendum, and I ask for its passage."

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

McNamara: "I'd just to raise a point of personal privilege that Harry 'Bus' Yourell, the former Representative in Metropolitan Water Reclamation District is on the floor up front."

Speaker Giglio: "Welcome back, Representative. Any discussion on the Gentleman's Motion? All those in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Brunsvold. Out of the record. Representative Noland, 867. Out of the record. Representative Marinaro on House Bill 1537. Out of the record. I will return to where we left off prior to Representative Homer's Bill on real estate law, Second Reading. Appears House Bill 1311, Representative Shirley Jones. 1312, I'm sorry. 1312, Mr. Clerk."

Clerk Leone: "House Bill 1312, a Bill for an Act concerning

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utility payments. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representatives Shirley Jones and Levin."

Speaker Giglio: "Representative Jones on Amendment #2. Representative Levin."

Levin: "Amendment #2 is a purely technical Amendment that was drafted by the Illinois Realtors. Just ask for its adoption."

Speaker Giglio: "Any discussion? The Gentleman from Kane, Representative Kirkland."

Kirkland: "Has it been distributed?"

Speaker Giglio: "Lee. Yes. Further discussion? All those in favor of the Amendment, excuse me, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment has been printed and distributed and all it does is it, it really puts into law what everybody's been doing anyway. I've been renting an apartment in Springfield for five years that, that, that the rent was charged on a flat basis which included electric and other utilities, and we support the Amendment."

Speaker Giglio: "Further discussion. Hearing none, all those in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Satterthwaite in the Chair."

Speaker Satterthwaite: "House Bill 1926, Representative Woolard."

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Representative Woolard. Representative Woolard, do you wish to have this Bill called on Second Reading? House Bill 1926. Out of the record. Representative Levin, House Bill 1929. Mr. Clerk...Representative Levin."

Levin: "Yeah, can you read it a second time and then leave it on Second?"

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

Clerk Leone: "House Bill 1929, a Bill for an Act to amend the Condominium Property Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Satterthwaite: "At the Sponsor's request the Bill will be held on Second Reading. Representative Flowers. Is the Lady in the chamber? We will proceed then to the Special Order Transportation. Second Reading. Representative Ronan, House Bill 718. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 718, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 and 3 were adopted previously."

Speaker Satterthwaite: "Any further Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #4 is being offered by Representatives Ronan and Hensel."

Speaker Satterthwaite: "Representative Ronan, Amendment #4."

Ronan: "Thank you, Madam Speaker. I'm pretty sure Amendment #4 is just a cleanup Amendment that was brought to us by the Illinois Department of Transportation. I move for the adoption, the adoption of Amendment #4."

Speaker Satterthwaite: "You heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Ronan on House Bill 719. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 719, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendments #1, 2, and 3 were adopted previously."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Kulas."

Speaker Satterthwaite: "Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #4 is a...is a change in the Vehicle Code which amends the Food Safety Transportation Act which we passed last year. We had a line that stated that the vehicle which has been properly cleaned in accordance would establish industry practices, and we're changing that to comply with the regulations of United States Department of Transportation, and I would move for the adoption of Amendment #4."

Speaker Satterthwaite: "You heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representatives Ronan and Hensel."

Speaker Satterthwaite: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. Amendment #5 is again a cleanup Amendment brought to us by the Illinois Department of Transportation."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #5. All in favor say 'aye', all opposed 'nay'. The 'ayes' have it, and Amendment #5 is adopted. Any

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further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Hicks on House Bill 1184. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1184, a Bill for an Act to amend an Act concerning Underground Storage Tank Fund. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Satterthwaite: "Third Reading. We will continue now to the Special Order of Revenue, Second Reading. Representative Giorgi. Representative Keane, on House Bill 1429. Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1429, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer. Is the Gentleman in the chamber? Representative Keane, what is your wish?"

Keane: "I move to table Floor Amendment #2."

Speaker Satterthwaite: "The Gentleman moves to table Amendment #2. All in favor say 'aye', opposed 'nay'."

Keane: "Table the Amendment, please."

Speaker Satterthwaite: "Representative Homer is now available. Representative Keane, would you like to withdraw your Motion? Representative..."

Keane: "Madam Speaker, I'll make it easy. I ask to withdraw Amendment 2."

Speaker Satterthwaite: "Amendment #2 is withdrawn. Any further Amendments?"

Clerk Leone: "Floor Amendment #3 offered by Representative

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Homer."

Speaker Satterthwaite: "Representative Homer."

Homer: "Thank you, Madam Speaker. Amendment #3 would propose to close a loophole in the current income tax law. As you know, retirement income is, and will continue under this Amendment of course, to be exempt from Illinois Income Tax. Under the federal income tax system, not only do they tax pensions that were deferred contributions or employer contributions at the time of withdrawal, but they also impose a 10% penalty on early withdrawals of retirement income. So under the federal system if somebody makes a tax deferred investment, a retirement investment, that they are supposed to leave there till they are age 59-1/2, if they withdraw the money early, then under the federal tax code not only is that amount withdrawn subject to tax in the year of withdrawal but the IRS imposes a 10% penalty on the entire amount of the distribution. We, in Illinois, don't tax it at all even though it's truly not retirement income because it's been withdrawn early. The taxpayer evades entirely the payment of Illinois income taxes on that income even though it is not even retirement income because it's been withdrawn early. That is a loophole and was brought to my attention by some CPA practitioners that did taxes for clients and the CPAs were bewildered why Illinois would choose to disregard those early withdrawals altogether. So this Amendment would simply say that where these federal penalty applies, in other words, where there's been an early withdrawal and it has not been rolled over into another investment, that, for purpose of Illinois income tax, that amount will be included in the taxable income and be subject to the Illinois income tax rate. So it's something that we owe it to our constituents to do because it's going to generate according to Economic and

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Fiscal, approximately \$2 million a year in additional revenue to the State of Illinois. It does not disturb at all our long-standing practice here of exempting retirement income but rather simply closes a loophole so as to discourage those who would utilize this loophole to avoid the payment of Illinois income taxes on regular income. I would try to answer questions. I would hope the Amendment is not controversial. It would mean some additional revenue to the State of Illinois. I would urge its adoption."

Speaker Satterthwaite: "Representative Wennlund."

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

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Representative Homer, when...when a person files their Illinois state taxes, are...are we...are we then taxing early retirement again a second time? Because there's already included in the base income calculated on, on the federal forms. Is that?"

Homer: "No, let me explain that. That, that's not correct. Let's say...let's say you have a nontaxable IRA because you're below the federal threshold for...for it being taxable. You make a \$2,000 contribution to your, last year, to your nontaxable IRA. That amount is subtracted from your adjusted gross income on your federal return and therefore is reflected in your base income for your Illinois tax return. Now, this year you withdraw that money. The federal government would require you not only to put the \$2,000 in your taxable income this year, but would, in addition, plus any interest that it accrued, but would, in addition, assess you a 10% penalty for early withdrawal. However, on your Illinois tax return you would not, because we allow a special subtraction for anything that meets the definition of retirement income, you would

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be entitled to subtract that amount from your Illinois income tax base so that the answer is you've never paid on it in Illinois and you never will, whereas the federal government requires you not only to pay a tax on it, hits you with a penalty, we in Illinois don't tax it at all."

Wennlund: "Does this Amendment establish a similar 10% penalty on...because you withdrew earlier than age 59-1/2?"

Homer: "No, no. We're not asking for any penalty. The Feds do that. They not only hit you with their regular rate, they hit you with a 10% penalty. We're not ask...This Amendment does not impose any state penalty. It simply requires you to include it in your Illinois income...income for purpose of the regular rate of tax."

Wennlund: "Now, the...the...at...the federal level the...they tax the whole of...of any early retirement that's taken out instead of...even though it may be just partial withdrawal. Is that correct?"

Homer: "Right. They...whatever you withdraw. Let's say you just took out a thousand dollars and you take it out early. They would make you count that in your...as income in the year you withdraw it, and then in addition to that being subject to tax, they would assess an additional 10%, or in that case \$100 penalty, on top of that. That's what they would do."

Wennlund: "And...and the State of Illinois would, would in effect, gain about \$2 million a year as a result of this?"

Homer: "Yes. That's according to Economic and Fiscal. Although they didn't really have hard data to make a very firm estimate."

Wennlund: "So that, so the, so the Members understand that this, this may be considered by some as a tax increase."

Homer: "Are you asking that as a question? I don't...I don't consider it as a tax increase. I don't know how anyone

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could. It's closing a loophole. If you didn't close the loophole then you should tell all of your tax consultants they should advise their clients in order to avoid tax in Illinois to make a tax shelter investment this year and just go ahead and withdraw it next year and that way you could avoid Illinois taxes altogether. I don't think that is, is really good policy for this state."

Wennlund: "One last question, what's the genesis of this Amendment?"

Homer: "It was brought to my attention by a CPA practitioner in my district who said that he and some other practitioners were discussing this issue and that they thought perhaps they should advise clients to take advantage of this loophole by intentionally making an investment one year and then withdrawing it early next year, avoiding altogether, Illinois taxes. But they thought it was a kind of an odd, peculiar provision in the Illinois Tax Code, that created a loophole."

Wennlund: "Thank you. To the Bill, Madam Speaker. The one thing that everyone in the House should know, is that, people back home may consider this closing of a loophole as a tax increase, and you should vote your switch as your conscience dictates."

Speaker Satterthwaite: "Representative Keane."

Keane: "Thank you, Madam Speaker. Unfortunately, I haven't seen this Amendment until just now. The underlying Bill is of some importance to me. It's my understanding that the same Amendment has been filed on a number of Bills income tax Bills because I think that the Governor, many people in this Body, in the Senate as well as the Governor, might consider this to be a tax increase, I don't really want to have this hanging on the base Bill. And, for that reason, I rise reluctantly to oppose it, simply because the Bill, the

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underlying Bill was not a vehicle Bill and for that reason I'd ask you to vote 'no' on this."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would rise to at this point in time, oppose the Amendment. And, I think that my colleagues on the Republican side of the aisle ought to look at this Amendment very carefully. While I certainly understand and appreciate the Gentleman's idea of closing a loophole, I do believe that this could and should be considered a tax increase on pensioners, particularly those who are early retirees. So, I would caution Members on this side of the aisle. As Representative Keane indicated, the Bill itself is a rather important Bill, and I think it would be wise if we defeat this Amendment and leave the Bill as it is in its current state. So, I would oppose the Amendment at this time."

Satterthwaite: "Representative Churchill."

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

Satterthwaite: "He indicates he will."

Churchill: "Tom, is this just for those people who retire before 59 and a half?"

Homer: "Well, it really doesn't have anything to do with when they retire, it has to do with when they withdraw their investment."

Churchill: "If they would withdraw it before the time that they would legally be entitled to receive the dollars under the pension program."

Homer: "Right. If they withdrew it after age 59 and a half, it would not be subject to any federal penalty or Illinois Income Tax. It, this Amendment, would only apply to those who withdraw it prior to that age. Prior to age 59 and a half."

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Churchill: "Alright. There are certain circumstances where they can withdraw their funds if they're disabled. So, if they go on disability, then...will they also have to include this in the Illinois Income Tax?"

Homer: "What we did was, Representative Churchill, this is triggered only if the federal penalty applies. The IRS has a special code section that applies a 10% penalty for early withdrawals and there may well be some exceptions from that penalty. If there are, then this income would be exempt from Illinois Income Tax."

Churchill: "And, then, does this apply to every pension program across the board including 401 k's, IRAs..."

Homer: "Well, I, yes, I'm not familiar with all the terminology, but, it would be any qualified, I think the terminology is 'qualified retirement plan' which would include the two you just indicated."

Churchill: "Okay, so it's not just limited to state pension programs, this is for any person across the state that receives any dollars out of any pension program before the time that they are legally,"

Homer: "Qualified, 'qualified pension plan'."

Churchill: "Qualified Pension Plan."

Homer: "Qualified for purpose of IRS."

Churchill: "Okay, thank you very much."

Speaker Satterthwaite: "Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, is this, let's think back about 3 years. Would this be similar to the situation we found ourselves in after tax, the Federal Tax Reform Act, when the senior deduction was taken off the Illinois Income Tax. I think you'll recall how much of a fuss that raised. Wouldn't you

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think this would be somewhat similar and work at odds with what many people are trying to do now, business and labor, to negotiate early retirement?"

Homer: "Representative Black, are you talking about the double exemption for seniors and Blind?"

Black: "Right."

Homer: "I'm having trouble seeing the analogy here. When the Federal Tax Reform Act came into play, it eliminated the double deduction on the federal level and, therefore, also eliminated the double deduction on the state level. We then restored that double exemption a year ago, and...but...I'm not sure I see the parallel between that issue and this."

Black: "Well, I think the only parallel I'm trying to draw is that, the Illinois Income Tax Act is rather clean and simple and it seems as if any time we do something to alter that, I think our constituents become a little dismayed. I'm sure they would at this and I'm not sure that we're not doing something here that is at odds with what the private sector is attempting to do and that is to encourage early retirement. I think it's also a negotiable item in many collective bargaining agreements."

Homer: "Representative Black, let me point out to you that if we were wanting to be consistent with the federal rules on retirement income, we would be making a radical revision to the State Income Tax Code and would result in about \$400,000,000 per year in our State Treasury. We're one of the few states in the nation that totally exempts retirement income. Federal Government doesn't do that. If you have deferred investments that you withdraw after age 59 and a half on the federal level, you pay income tax on them at the time you withdraw, such as an IRA, such as any other taxable pension. We, in Illinois, are very generous.

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We exempt, entirely, retirement income, so that even though it's taxable at the federal level, we have a provision on our form that allows for the subtraction of any retirement income. And, I think that is a very generous policy. I'm not suggesting that we change it, although some have. But what I'm suggesting that we do is not let that policy apply to situations where we're not even talking about retirement income because the withdrawal was made prior to the retirement. It was made before someone was 59 and a half years old. Now what public policy would justify preferential treatment for investments that are made and withdrawn prior to the age of retirement? And, that's what our system currently does and the Amendment would attempt to undo."

Black: "Thank you."

Speaker Satterthwaite: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. I have a question for the Sponsor, please."

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

Ryder: "Representative, the last quote that you made troubles me. You said that this is money that is taken out before retirement. Meaning prior to 59 and a half. There are a lot of folks that are now retiring at 55. My wife's parents, for example, retired from the federal government before 59 and a half; he was...got an early out at 55. So, indeed, these could be retired folks who retire at 55 and because of whatever reason, elect to take the money from their IRAs or other qualified retirement plans before 59 and a half. So, are you sticking by your statement that it's not retirement funds that are being taxed?"

Homer: "Well, Representative Ryder, the Bill...the Amendment is worded so that this income would only be taxable if the federal penalty applies. The federal penalty applies only

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if there's an early withdrawal from a qualified retirement plan. If you're talking about someone's pension, that they have a right to at the age of 55 or the age of 50, as in the case of the State Police, there's no federal penalty and, therefore, there would be no income tax paid on it at the state level. It only applies where the federal penalty kicks in because of an early withdrawal."

Ryder: "Representative, I understand that. We're not talking about a federal or state pension, we're talking about a qualified retirement plan, primarily a 401 k, or an IRA, but the point that I'm trying to make is, that early withdrawal, after it's taxed by the Federal Income Tax, and after it's taxed by a penalty, under your Bill would then be taxed by the state even though the purpose of those funds is to serve as income for retired person."

Homer: "Well, it apparently didn't meet that definition by virtue of the Federal Internal Revenue Code, if they imposed a penalty, then..."

Ryder: "No, if I may, the Federal Code allows exemptions to the penalty, but it doesn't state in the affirmative, that if it's used for retirement, the penalty doesn't apply. That's not the way the Federal Code describes the cases in which the penalty is either assessed, or exempted. What I'm suggesting to you is that it is entirely likely that someone knowing the penalty, knowing the federal taxation still decides to collect the money for legitimate retirement purposes and you are adding an additional tax on top of that, as I understand your Bill."

Homer: "Well, I'm not adding any additional tax. If it doesn't meet the definition of qualified retirement plan, then it would be subject to Illinois Income Tax. That's all that this Bill would do. If it meets the definition, then it would be exempt under current law, and under this

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Amendment."

Ryder: "Well, then, Representative, let me ask you, and I think this question can be answered 'yes' or 'no', currently, if a person at 57 takes money out of an IRA account, pays the Federal Income Tax and pays the federal penalty, does that person pay a tax on that money in the State of Illinois? And, the answer is,"

Homer: "Under current law?"

Ryder: "Yes."

Homer: "No."

Ryder: "Under your Bill, would that person pay tax?"

Homer: "Yes, they would pay whatever the, 2 and a half or 3%, whatever our tax rate is."

Ryder: "So, it is a tax increase?"

Homer: "Well, that's your word, 'increase', it's tax,"

Ryder: "I didn't expect that you'd answer that one, 'yes' or 'no', and you're not required to do that."

Ryder: "I think, to the Bill, Madam Speaker. I think the problem with the Amendment, it may be a good idea, but it does two very important things. It unnecessarily complicates the way that we collect taxes in the State of Illinois, and we are known for a very simple and straightforward tax. At this point, we would have to have some way of certifying whether that was before or after 59 and a half, whether that money included the penalty or didn't. Secondly, even more importantly, it is a new tax. The Sponsor of the Amendment indicates, it is a new tax. That makes it a very clear decision for those who favor, or don't, on this Amendment. Thank you."

Speaker Satterthwaite: "Representative Homer, to close."

Homer: "Thank you, Madam Speaker. I appreciate the comments of the speakers about questions about this Bill, but many of those voices are the same ones that have risen during the

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course of the debate here on the budget, to talk about the need to cut vital services of this state and the need to adopt a responsible tax and fiscal policy. This is not a tax increase. This is simply recognizing that certain early withdrawals from qualified retirement plans, which are subject to the federal penalty, should also be included in the income that a person has in their Base for the purpose of state taxes. It would generate at least \$2,000,000 a year to close this loophole. I can't believe that you would go home, after voting for this Bill, and receive one complaint or one accusation that you voted for a tax increase. This is not a tax increase. This is tax fairness. This...we tax all other income that isn't exempt in this state, from the working class people up and down the economic scale, but for some reason, and I believe it was inadvertent, when our statute was drafted, we did not make exception for these early withdrawals from these qualified retirement plans. If someone doesn't qualify for the federal retirement benefits, then why should they be allowed to avoid the payment of state income tax on that money? And, when you have CPAs in this state suggesting that it might be prudent to advise clients to utilize this method to avoid the payment of income tax on their regular income, then, I say, it's time that we step in and, in the interest and fairness to all the taxpayers in the state, close the loophole, and I can't believe that anyone would be afraid, I hope it hasn't come to the point where we're unwilling to fix an obvious error in our income tax law, that we're so fearful of being labeled as someone who might support a tax increase, that we would be afraid to do what is right, to put fairness and equity into our tax system to support such a measure. So, I would urge the adoption of this Amendment which is a tax fairness and tax equity

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proposition."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #3 on House Bill 1429. All in favor say 'aye', opposed 'no'. The 'nos' have it, and the Amendment fails. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer."

Homer: "Thank you, Madam Speaker. I propose Amendment #4 as a manner of putting a great deal more fairness into our Tax Code. Currently, we allow a double deduction for real estate taxes, in the name of real estate tax relief when what we should be doing is engaging in meaningful and real property tax relief, not amending the income tax statute in the name of property tax relief. What we've really done is simply allow for a distortion and a substantial erosion from our income tax revenues, not only allowing a deduction for real estate taxes for residential properties, but also allowing that figure to be doubled. At the same time, since 1969, we have had an income tax exemption in this state of \$1,000. At the time that our income tax statute was adopted, more than 20 years ago, the federal exemption for individuals was \$750. We allowed an exemption of \$1,000. In the intervening 22 years, the federal government, the Congress, has substantially increased the value of the exemption for individuals. Depending on a person's filing status, it can be as much as \$4,000, or more. But in Illinois, after 22 years of inflation, we still have a standard exemption of \$1,000 per individual. This Bill, this Amendment would increase that standard exemption to \$1,650 per exemption, if a family of four would be entitled to an additional \$2,600 of exemptions, under this Bill, from their state income tax base. This

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Amendment is revenue neutral. It would not cause any revenue loss to the State of Illinois at all, assuming the extension of the temporary surtax rate of 3%. So that what we've done is address the substantial criticisms that have recently been leveled at us, pointing out that our tax structure in this state is among the 10 most regressive in the country. The State of Illinois was listed among the 'terrible 10', in terms of regressivity of our tax system, imposing the most substantial burden on the lower economic people in our tax structure. This Amendment would take a giant step towards a much more fair and equitable system by eliminating the double deduction for property taxes and by increasing the standard exemption from \$1,000 to \$1,650 for all citizens, for all taxpayers of this state. We will have benefited all classes of taxpayers, including the poor and the working middle class who now derive very little benefit from the double deductions, but who would, under this Amendment, derive a real meaningful tax relief program. This is tax relief for the working middle and lower class people that we represent and a tax burden shift from the poor to the wealthier end of the spectrum. Those who now live in the palatial mansions are able to deduct the most from this double deduction. Those who rent property and those who have modest abodes, reap very little, if any, benefit under the current system. Under this change, all taxpayers, at all ends of the economic spectrum, poor and rich, middle class, would receive meaningful tax relief because the exemption would be increased from \$1,000 to \$1,650. And for senior citizens that would mean even more because of the double deduction allowed them. So, again, this Bill is revenue neutral; what it does is make our system more fair and shift the burden from where it is now, the poor and the working

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class, in a much more fair manner across the board. I would, again, attempt to answer any questions, would urge support for the Amendment."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Just so that everybody understands what it is that we're considering here, it's important that you know that this Bill, this Amendment, may be premature because the temporary surtax, which contains a double deduction, provided only in the body of the Bill, that the double deduction was only for 1989 and the year 1990. It did not extend beyond that. And perhaps we ought to be waiting to see and determine whether or not the temporary surtax is going to be extended permanently or for another two years, or for some other period of time. The Department of Revenue, I think that what we need is more time to consider what the real impact of this is going to be on our own constituencies. By eliminating the double deduction for real estate taxes, you are eliminating the only form of real property tax relief that we have in the State of Illinois. I think it's too early to consider an Amendment like this that would change the Income Tax Act and may have an adverse effect on whether or not the temporary surcharge becomes permanent, or whether it becomes even extended in the language of the body of the Surcharge Act two years ago that provides for the double deduction, whether or not that's going to be continued under some scenario. So, that the Members of the House know exactly what they're voting on, and, my understanding is, that the Sponsor's correct, that it appears to be revenue neutral. But merely because it's revenue neutral, you don't know what the impact of this is going to be back in your district, when, if it has rising property taxes, that may be more valuable to your

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constituents, particularly if you're in the collar counties, where real estate values are rising and the EAV is increasing drastically each year. The property taxes are going up. You'd better take a look and see what impact that will have on you. Increasing the exemption from \$1,000 to \$1,650 may not mean anything at all to your constituency if they lose the double deduction. And, I suspect, that if you live in an area, like I do, where there are rising property taxes, that eliminating the double deduction will have a more drastic effect, a greater drastic effect, than eliminating it and increasing the personal exemption. I think that the people in those areas should take a good, hard look at this, and oppose it."

Speaker Satterthwaite: "Representative Keane."

Keane: "Again, I rise in opposition to the Gentlemen's Amendment. The Amendment is a...creates a problem for most of us in that, it takes away with one hand what it gives out with the other. If you're from a district such as mine, where the great bulk of voters are home owners, this is a bad Bill. Because what you're doing is, you are, in effect, increasing their tax. You don't get...there's no such animal as the 'free lunch'. What we're doing is we're removing something from someone to give it to someone else. I would hope, that in the future the Sponsor would consider putting in his own Bill and running a Bill such as this on his own, rather than amending it on something that has, as its base, a very important Revenue Bill. I would oppose this because it also increases the taxes for home owners and would urge my colleagues to so vote."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this particular Amendment. And I think those who are concerned about people who pay

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property taxes ought to be looking at this Amendment very, very carefully. What this Amendment does is to...for those of you who pay property taxes, this is a bad Amendment, a real bad Amendment. I know the Sponsor talks about how he wants to shift the tax burden from the people who have mansions in Lake Forest, but the reality is, that if you have a middle income taxpayer, in, for example, on the northwest and southwest sides of the city, this will be a tax increase for those people. The Sun Times did an article over the weekend, and the average taxpayer on the northwest and southwest sides of the City of Chicago is paying between \$900, \$1,200, \$1,300 per year in property taxes. Under a double deduction, they would make out better, under the current law, than they would under Representative Homer's Amendment. So, the burden is shifted, but it's shifted to those people who are paying property taxes. The people who are funding government. So, I would be very, very careful in looking at this Amendment, and I would urge you to look at that Amendment very, very carefully. You know, this particular Amendment, well, Representative Homer is talking about equity in the Tax Code, when we passed the surcharge a couple of years ago, this was the only property tax relief in that surcharge. The only portion property tax relief. So, what this Amendment does is to remove the only form of property tax relief that was made available under the Surcharge Bill of a couple of years ago. So, for those of you who are concerned about property taxes, concerned about property taxpayers, you ought to be opposed to this Amendment. I urge its defeat."

Speaker Satterthwaite: "Representative Homer, to close."

Homer: "Thank you, Madam Speaker. I again emphasize this Bill is revenue neutral and it should be supported because all

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taxpayers, including homeowners, will benefit by virtue of an increase in their standard exemption from \$1,000 to \$1,650. The first increase they've gotten since 1969. It's long overdue. It would apply to those who rent and pay income taxes, to those who own homes and pay real estate taxes, they would all receive a significant increase in their standard deduction. They would be very pleased about that and if there was more than one member of that family, then there would be multiple benefits. A family of four, for example, who now gets a \$4,000 exemption under this Bill, would get a \$6,600 exemption which would be meaningful tax relief to them as it would be to all taxpayers of this state. But, currently, under the double deduction provision, some people are left out. Those who have modest homes, who don't pay very much property tax, those who can't afford homes, who pay income tax but don't pay any real estate tax, many of our senior citizens who may be in nursing homes or may be in subsidized housing who pay income tax but don't pay real estate tax, right now, our tax system leaves them out of any benefits. I think they should be included. I think they should be treated just like any other citizen in this state when it comes to tax relief, and that is why this Amendment proposes tax relief for everyone: Homeowners, the wealthy, the poor, the renters, the seniors, everyone would receive an increase in their exemption. And, in fact, Seniors and Blind would receive a double benefit. Don't catch yourself voting against this increase in the standard exemption for seniors and blind and for every taxpayer because a 'no' vote on this Amendment, you're saying 'no' to this kind of tax relief. I would submit this Bill is long overdue; we need to give tax relief across the board; our system needs to be more fair; we need to come off of that 'terrible 10'

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list that we received the dubious distinction of being placed on a week or two ago by a taxpayer group. This...this Amendment would restore fairness to the system and would provide tax relief to all of our taxpayers, regardless of their circumstances. I urge your support for the Amendment."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed 'no'. The 'nos' have it, and the Amendment fails. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Currie on House Bill 1830. Out of the record. Representative Ronan on House Bill 1852. Out of the record. Representative Bugielski on House Bill 1982. Out of the record. Representative Kubik on House Bill 1985. Out of the Record. Representative Novak on House Bill 2138. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2138, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Novak."

Speaker Satterthwaite: "Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 becomes the Bill. Essentially, the Bill I'm speaking to is an agreement between the Illinois County Treasurers' Association, the Community Bankers' Association, the Illinois Bankers' Association and the Mortgage Lenders' Association, such as the title companies. This Bill is the initiative of the Illinois County

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Treasurers' Association. Problems have arisen around the state when people are having their taxes, their real estate taxes paid by an agent, such as a bank, a mortgage company, or other entities that pay the income tax bill out of an escrow and oftentimes, unfortunately, it's happened that the mortgage company (They may have 500 or 1,000 escrow accounts to handle.), they may be late on making their payments to the county treasurer's office, or county collector's Office, so what has happened is that the banks or whomever...what entity was paying the taxes, have gone in and taken money out of the individual's escrow account to pay the interest and penalties on the property tax bills and that simply isn't right, and what this Bill does...attempt to do is to rectify this. To reiterate, it's been approved and agreed to by all the associations involved. This restates that the interest penalty is assessed against the mortgage lender or service agency, if their error is responsible for the delinquency. It is the mortgage lender's fault if all mortgage payments have been received, escrow funds are held to pay the taxes, such funds are sufficient to pay the taxes and hazard insurance premiums. Taxes shall not be deemed delinquent through a mortgage lender's error, or if failure to pay is due to inadequate or inaccurate partial information provided by a mortgagor, a title abstract company or the local government assessing the tax. Be happy to entertain any questions."

Speaker Satterthwaite: "Representative Wennlund."

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

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Representative Novak, does this Amendment take into consideration an underpayment by the mortgagor in his monthly installments of taxes?"

Novak: "Yes, yes it does, Larry."

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Wennlund "How does it treat that? In other words, if the mortgagor, the homeowner, if there's a huge increase because of the quadrennial assessment or something, and he hasn't paid in enough, into the escrow, does the Bill compensate for that?"

Novak: "No, it doesn't affect that at all. Normally, whether you have a quadrennial assessment, or whether you're on an estimated tax basis, or whether you get your tax bill for the new year and it's a huge increase, the bank or the mortgage company, Manufacturers' Hanover's Trust for that matter, or service company, will go in and pay that, then they will pro rata your escrow account for the following year to make up the difference."

Wennlund: "Okay. But is this the...has this Bill been...I believe that this Bill has been agreed to by...through the bankers and the county treasurers and..."

Novak: "Yes, right. Absolutely."

Wennlund: "Thank you. To the Amendment, Madam Speaker. I think it's an excellent Amendment and that it certainly should be no fault of the mortgagor or the homeowner that his real estate taxes, which have been escrowed by the lending institution, have not been paid on time, and the homeowner shouldn't suffer as a result of it. I think it's an excellent Amendment, and I ask you to adopt it."

Speaker Satterthwaite: "Representative Levin?"

Levin: "Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Levin: "Thank you. I think this is a very good Amendment. I just would like to get some understanding in terms of what kind of lending institutions are covered. Clearly, if the lending institutions in the State of Illinois, your intention is that it be covered?"

Novak: "Right. Any lending institution or service company. We

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have many service companies that process escrow payments for banks and savings and loans. This also includes any bank or savings and loan that has to pay an escrow account or service company, that has to pay an escrow account, wherever they may be."

Levin: "So, is your intention that if your lender or service account holder is located in the State of Maryland, for example, they would be covered by this in terms of..."

Novak: "If they do business in Illinois, they have to comply with this law."

Levin: "So, the key is if they do business in Illinois, even if your mortgage payments are made out-of-state."

Novak: "They could be made out of New York City."

Levin: "It's not just limited to institutions that are physically located in the State of Illinois. The key is the, 'doing business'. I think that it's an excellent Amendment, and I urge its adoption."

Speaker Satterthwaite: "Representative Novak to close."

Novak: "Yes, I move for the adoption of Floor Amendment #2, Madam Speaker."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. We'll go back now for Representative Giorgi's Bill, House Bill 1109. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1109, a Bill for an Act to amend the Charitable Games Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2 is being offered by Representatives Wennlund and Curran."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Floor Amendment #2 puts on the Bill the senior citizen penny bingo which passed out of this House with 116 votes last year and got held up in Senate Rules Committee. What's been happening, and it's happened here in Springfield, which is why Representative Curran's the Cosponsor of the Bill is, that senior citizens' centers have been closed down and prevented from playing their favorite pastime which is bingo because they're part of a federal program that provides 'meals-on-wheels' and they would be in effect operating unlicensed bingo. So, they've been closing down these 'meals-on-wheels' programs because these senior citizens play the most popular game of all, which is, their 'penny bingo', and, in fact, it is 'penny bingo'. What the Amendment does is put back into place the Bill that passed out of here last year and it provides that the maximum price that can be paid for a card is 5¢ per game. And it provides for...instead of going through all the licensing procedures and the taxes and the filing requirements, it provides for a restricted license of \$10 a year when they play within a facility that is a government facility or a senior citizens center provided by a township, or park district or city or village, and the aggregate retail value of all prizes awarded in any one game cannot exceed \$1, and believe it or not, senior citizens do play a bingo for a penny a game. I have watched it, and it...put that back into place, and I urge the adoption of the Amendment."

Speaker Satterthwaite: "Is there any discussion on this Amendment? Representative Giorgi."

Giorgi: "Madam Speaker, the change I'm trying to make in the law

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is for charitable games, Representative Wennlund, because of the rural areas where they're having trouble finding facilities good enough for a charitable game, and I won't object to this Amendment, but you're gonna have to support me on some other Bills that I've got coming up that are pretty important if you're gonna want me to allow you to put this one up. What do I hear? What do I hear? What do I hear? For the good of the populace, it's all for the good of the populace. Giorgi has no personal interest. Alright. Okay, then I'll accept his Amendment without any strings."

Speaker Satterthwaite: "Representative Wennlund moves for the adoption of Amendment #2 on House Bill 1109. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Turner on House Bill 2152. Out of the record. Representative Currie on House Bill 2194. Out of the record. Representative Phelps on 2342. Out of the Record. Representative J. Hoffman on House Bill 2579. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2579, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer. Is the Gentleman in the chamber? Representative Hoffman, what is your wish?"

Hoffman: "I move to table Amendment #1."

Speaker Satterthwaite: "The Gentleman moves to Table Amendment

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#1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is tabled. Any further Amendments?"

Clerk Leone: "Floor Amendment #2 , offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer. Representative Hoffman, what is your wish?"

Hoffman: "I move to table Amendment #2."

Speaker Satterthwaite: "The Gentleman moves to table Amendment #2. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #2 is tabled. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer. Representative Hoffman."

Hoffman: "I move to table #3."

Speaker Satterthwaite: "The Gentleman moves to table Amendment #3. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and Amendment #3 is tabled. Any further Amendments? Third Reading. On the Special Order of Veterans, Second Reading. House Bill 614, Representative Walsh. Do you wish to have the Bill called on Second Reading, Representative Walsh? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 614, a Bill for an Act to amend an Act concerning veterans. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative J. Hoffman on House Bill 816. Out of the record. Representative

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Burke on House Bill 847. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 847, a Bill for an Act in relationship to the Persian Gulf Veterans. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed."

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative Burke."

Speaker Satterthwaite: "Representative Burke."

Burke: "Yes, Madam Speaker, Members of the House. This particular Amendment relates to the Persian Gulf Veterans Compensation Act and it would call for, as we discussed in committee, the sundown clause. That once the Compensation Act was fully funded the surcharge on rental vehicles, in the State of Illinois, would cease."

Speaker Satterthwaite: "Is there any discussion on the Amendment? Seeing no one seeking recognition, the Gentleman's Motion is to adopt Amendment #2 on House Bill 847. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Burke."

Speaker Satterthwaite: "Representative Burke."

Burke: "Madam Speaker and Members of the House. This Amendment relates to the inclusion of Merchant Marines in the Compensation Act."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the Gentleman's Motion, Representative Black."

Black: "Inquiry of the Chair, Madam Speaker. I believe Amendment #2 changed the line numbers and text of the original Bill. Amendment #3, I think is therefore incorrectly drafted and

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out of order."

Speaker Satterthwaite: "In the opinion of the Parliamentarian, the point is not well taken. Amendment #1 replaces Section 7 of the Bill. Amendment #2 replaces line 17 and 18 within that section, and Amendment #3 deletes lines 23 and 24."

Black: "That's not our point, Madam Speaker. Our point is that the Amendment, to be in order, must say amend House Bill 847 as amended. The section's already been amended. We're not trying to kill the Bill. I really think when you get it up to enrolling and engrossing you're going to find that it's out of order."

Speaker Satterthwaite: "It's my understanding that we have not ruled Republican Amendments out of order because they did not refer to the Bill as amended, and therefore we think it's improper to use that rationale on this instance."

Black: "Madam Speaker, it is not our intent to have this ruled out of order on any partisan basis whatsoever. If you've let other Bills go out of here on that respect, that's fine, I simply think the Gentleman's Amendment is out of order, and it will come back to haunt him, but, we'll defer to the Chair."

Speaker Satterthwaite: "The ruling of the Chair is that the Amendment is in order. Representative Burke."

Burke: "Yes, Madam Chairman, Members of the House. I move for the adoption of this Amendment."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #3. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. We will now go back to the Special Order of Labor. Third Reading. On that Order

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of Call we have House Bills 175 through 179. Representative McPike. Out of the record. House Bill 589, Representative Curran. Out of the record. House Bill 2104, Representative DeJaegher. Out of the record. On the Special Order of Human Services. Third Reading. House Bill 274, Representative White. Out of the record. House Bill 1160, Representative Richmond. Mr. Clerk, read the Bill. 1160."

Clerk Leone: "On page 29 of the Calendar. House Bill 1160, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would ask for permission to bring the Bill back to Second Reading for purpose of an Amendment."

Speaker Satterthwaite: "Representative Richmond asks leave to bring the Bill back to Second Reading for purposes of an Amendment. Is there objection? Hearing no objection, the Attendance Roll Call will be used for that purpose, and the Bill is on Second Reading."

Clerk Leone: "Floor Amendment #3 being offered by Representative Richmond."

Speaker Satterthwaite: "Representative Richmond."

Richmond: "Thank you, Madam Speaker. Amendment #3 was drafted at the request of the Department on Aging, makes some technical changes in House Bill 1160, and I move for its adoption."

Speaker Satterthwaite: "The Gentleman moves for the adoption for Amendment #3 on House Bill 1160. All in favor say 'aye', opposed 'nay', the 'ayes' have it and the Amendment is adopted. The Gentleman asks leave to hear the Bill immediately on Third Reading. Is there objection? Seeing no objection, by use of the Attendance Roll Call, the

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Gentleman is given leave to hear the Bill on Third Reading."

Richmond: "Thank you, Madam Speaker. Ladies and Gentleman of the House, Bill 1160 amends the Illinois Act on Aging and requires the Department to establish at least one urban and one rural specialized Alzheimer's day care resource center. It requires the centers to be specially equipped and designed to meet the needs of Alzheimer's participants and requires specialized staff and requires concert action between the centers and the regional ADA centers. The Department of Aging after the Amendment that we just put on this Bill said they would be very happy to see this Bill pass because it's something they've been wanting to add into their program for some time. I would ask for your favorable vote on this on House Bill 1160."

Clerk Leone: "House Bill 1160, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone stand in opposition to the Bill? Seeing no one seeking recognition, the question is, 'Shall House Bill 1160 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. The Bill having received the Constitutional Majority is hereby declared passed. Representative Trotter. Do you wish to have House Bill 274 called on Third Reading, at this time? House Bill 1195, Representative McGann. Representative McGann, do you wish to have...take it out of the record, please. Representative Shirley Jones, on House Bill 1644. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1644, a Bill for an Act concerning the

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renovation of homes. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Jones."

Jones: "Yes, Madam Speaker. I would like for you to bring the Bill back to Second Reading for my Amendment, please."

Speaker Satterthwaite: "The Lady asks leave of the Body to bring the Bill back to Second Reading for purpose of the...an Amendment. Is there any objection? Seeing no objection, Representative Black."

Black: "Madam Speaker, I have no objection to the Lady bringing her Bill back for a possible Amendment, but I want you to know, we will object to immediate consideration, and we will, also, rise to take the Bill off Short Debate."

Speaker Satterthwaite: "Thank you. Seeing no objection to bringing the Bill back to Second Reading, for purposes of an Amendment, the Attendance Roll Call will be used for that purpose. Representative Jones."

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

Jones: "Yes, Madam Speaker. Amendment #1. Instead of the money coming from the state, it would come from the federal, funding. That's what the Amendment does."

Speaker Satterthwaite: "The Lady asks for adoption for Amendment #1 on House Bill 1644. Is there any objection? Seeing none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed say 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Levin on House Bill 1797. Out of the record. 1804, Representative Levin? We'll take it out of the record, momentarily."

Speaker Satterthwaite: "Representative Granberg on 1854. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1854, a Bill for an Act to amend the

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Medical Practice Act. Third Reading of the Bill."

Speaker Satterthwaite: "Any Amendments? Oh. Third Reading of the Bill. Yes, Representative Granberg."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1854 amends the Medical Practice Act to provide for visiting resident permits under similar terms and conditions as visiting physician permits. There's no opposition to the Bill, and I'd appreciate a favorable vote."

Speaker Satterthwaite: "Is there any discussion on the Gentleman's Bill? The Bill is on Short Debate. Is anyone standing in opposition? Seeing no one seeking recognition, the question is, 'Shall House Bill 1854 pass?' All 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 question there are 105 voting 'yes', none voting 'no' and none voting 'present'. The Bill having received the Constitutional Majority is hereby declared passed. We'll add Representative Steczko to that Roll Call, and it passes with 106 voting 'aye'. On House Bill 1908, Representative Burzynski. Mr. Clerk, read the Bill. 1908."

Clerk O'Brien: "House Bill 1908, a Bill for an Act to amend the Illinois Act on the Aging. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Burzynski."

Burzynski: "Thank you, Madam Speaker, Ladies and Gentlemen of the chamber. Basically what we have here is House Bill 1908 which will conduct a study, the Department of Aging will conduct a study, to determine the need for and viability in establishing laws and regulations governing boarding care homes in Illinois for adult foster care homes. I think we see a great need for this in our state; I think we can save some money in the long run by providing adults with the

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opportunity to go into a foster care situation rather than our nursing homes. I would move for its adoption."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Yes, would the Sponsor yield to a question?"

Speaker Satterthwaite: "He indicates he will."

Matijevich: "Representative Burzynski. You're fairly new, and I hesitate asking you this because I'm sure you're not aware of it, and I'm under the understanding that this creates a board or a commission. Could you tell us what it creates?"

Burzynski: "That's correct."

Matijevich: "It creates it by Amendment, is that true?"

Burzynski: "I'm sorry, I didn't understand..."

Matijevich: "Is it created by Amendment?"

Burzynski: "Yes, Sir."

Matijevich: "Well, that's the problem, and I don't fault you because you're not aware of it, but we have a House rule that where a Bill creates a board or commission that the Bill goes to the Rules Committee, and the reason we do that is the Rules Committee is a burial ground because we try not to establish any board or commission if we can help it because it's caused some problems in the past and, if that's what it does, I would ask the Membership, as long as you passed the Bill already, your first Bill, that we oppose it only on that basis. I hesitate to do that because you weren't aware of it, but if that's what it does, I would reluctantly ask everybody to oppose it only on that grounds."

Burzynski: "Representative Matijevich, my understanding is that we don't really form a new commission. Basically, what we have is a committee of eight Legislators who will be serving in a capacity. The Department of Aging, as well as Public Health, will be doing the actual study, so, we're not really forming a new commission."

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Matijevidich: "Well, that's what commissions were. They were made up of Legislators. I don't know if it's any different. A Commission. Very often we had commissions and somebody else did our work for us, but we made the decisions on that commission, and until I'm convinced that it does anything other than that, I would still have to oppose it."

Speaker Satterthwaite: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker. John, you're making references to 1908 and, basically, what this is, it is just a study commission. I am concerned with this Bill. I would like to see this Bill passed. What changes are you basically recommending that be done to this particular Bill for passing stage, then?"

Matijevidich: "Well, actually, if it provides for creation of a special House or Joint Committee, or provides for the creation of a legislative commission, a board or directs a legislative study, it's supposed to go to Rules Committee. I don't want to kill something you're for, Representative DeJaegher, but those are the rules. It should've gone, that's what happens. By Amendment, we sometimes something that subverts the intent of the House by its own Rules. And so the Amendment has subverted the House rules."

DeJaegher: "So, in other words, John, with all due respect as Chairman of the Rules Committee, do you feel it would be appropriate to take this Bill back, take the Amendment off, and then work for the passage of this Bill?"

Matijevidich: "I think so. I think if you took it back to Second Reading and took off the language that creates the legislative commission, is really what it does, then you've got a Bill that everybody can support."

DeJaegher: "Thank you, John. Mr. Burzynski, I hope that you've heard the recommendations of the Chairman of the Rules Committee. I think this is a very good concept that you're

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trying to put through because for a number of years I was acting on something similar to this, and I think I would advise you, at this particular time, to ask, or request the Chair to take this Bill back to Second so we could possibly remove the Amendment and then call it back to Third. We'd still have another week. That's just my suggestion, I think that unless you follow those particular suggestions from your Rules Chairman, I seriously doubt that there would be Democratic people who would vote, to...basically against John's wishes."

Burzynski: "Madam Chairman, can we take this out of the record, please?"

Speaker Satterthwaite: "The Gentleman asks to have the Bill taken out of the record. Representative McGann on House Bill 1940. Is the Gentleman in the chamber? Out of the record. House Bill 2010, Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2010, a Bill for an Act to amend the Illinois Public Aid Code. . Third Reading of the Bill."

Speaker Satterthwaite: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House. House Bill 2010 would require payments for ambulatory services for eligible people under the Part B of the Medicare Program. It's a very simple Bill, very straightforward. Be happy to try to answer any questions."

Speaker Satterthwaite: "Is there any discussion on the Gentleman's Bill? Seeing no one seeking...Representative Wennlund."

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

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Representative Hicks, my file indicates that there was a committment in committee made that the Bill would be held on Second Reading while an agreement was worked out between

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the Department of Public Aid and the IEA. Is that, I don't know that's my file indicates, and, if so, has that been done?"

Hicks: "Representative, I'm not aware, at this time, that the Department of Public Aid has any problems with it as it is written. I'd be happy to check with them, if you would like, to insure that that's been done. I'd be happy to take it out of the record, if you would like to and we could both check with them. I'm not aware of them having a problem with it, if they are."

Wennlund: "Well, the Department of Public Aid just handed me a Fiscal Note that indicates the fiscal impact at 6.3 million dollars. Maybe you want to take it out of the record and talk with the Department."

Hicks: "Madam Chairman, would you take the Bill out of the record for a moment? Maybe we can come back to it."

Speaker Satterthwaite: "Out of the record. Representative Giorgi on House Bill 2292. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2292, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Giorgi."

Giorgi: "Madam Speaker. There was an agreement to let 2292 go to the Senate as a technical vehicle, and I think we inadvertently put an Amendment on that we'd like to take off if the Amendment is indeed on. Is there an Amendment on the Bill, Mr. Clerk?"

Speaker Satterthwaite: "Mr. Clerk, is there an Amendment on the Bill? There is no Amendment on the Bill."

Giorgi: "The Bill then is a technical vehicle. Is that correct? There's no language in it, Jack, is there?"

Speaker Satterthwaite: "The Bill is in the same condition at which it was introduced."

Giorgi: "Well, this is a transfer Bill. This is not the Bill

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I've introduced. There is no substantive language in the Bill, is there, Mr. Clerk? There is? Well, then, let's table that Amendment that created the substantive language."

Speaker Satterthwaite: "There is no Amendment on the Bill."

Giorgi: "I think there is. I think there was one."

Speaker Satterthwaite: "But the Clerk indicates that there is substantive language in the Bill itself."

Giorgi: "Madam Speaker, was Amendment #1 ever adopted?"

Speaker Satterthwaite: "The Clerk indicates that there are no Amendments on the Bill."

Giorgi: "Mr. Wennlund wants to..."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. There is no substantive language in the Bill. It merely changes one word from 'the' to 'such' and it's just a stylistic change. Really a shell Bill. Amendment #1 has been filed. Sponsor wants to withdraw it and move the Bill out, and we're fine with that."

Satterthwaite: "The Bill is on Third Reading. It has not been Amended. The Sponsor indicates, and Representative Wennlund agrees, that it is a non-substantive, Bill and Representative Wennlund agrees that the Bill can move to the Senate. All in favor of House Bill 2292 vote 'yes', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Lang."

Lang: "Thank you, Madam Speaker. On a point of personal privilege, I'd like to introduce some students who are here, from my district, the young men from the Aire Crown Hebrew Day School, up here."

Speaker Satterthwaite: "Welcome. Have all voted who wish. Mr. Clerk, take the record. On this issue, there are 82 voting 'yes', 1 voting 'no', 28 voting 'present'. The Bill hereby

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having received Constitutional Majority is hereby declared passed. Mr. Clerk, we'd like to go back to House Bill 426. Representative Currie is going to handle that Bill for the Committee."

Clerk O'Brien: "A Bill for an Act in relation to Public Aid. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker. I ask leave to return this Bill to Second Reading for purposes of an Amendment."

Speaker Satterthwaite: "The Lady asks leave to bring the Bill back to Second Reading for purpose of an Amendment. Is there any objection? Seeing none, the Attendance Roll Call will be used, and the Bill is on Second Reading. Mr. Clerk, further Amendments."

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

Currie: "Thank you, Madam Speaker, Members of the House. This Amendment takes out reference to transportation support for GA recipients, thus, taking the remaining few dollars out of this Bill, as it originally was introduced and was heard in the House Human Services Committee. I would answer your questions and appreciate your support for the Motion to adopt Amendment #4."

Speaker Satterthwaite: "Is there any discussion of the Lady's Motion? Seeing no one seeking recognition, the question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Would the Lady care to proceed with the Bill on Third Reading?"

Currie: "I'm checking with Republican staff to see if I want to pursue with the Bill on Third Reading at this time. They

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seem to be suggesting that the answer is that I 'do not wish to proceed with the Bill at this time.'

Speaker Satterthwaite: "Fine. Take the Bill out of the record. Representative Laurino on House Bill 2471. Is the Gentleman in the chamber? Out of the record. Representative Trotter asks leave to go back to House Bill 274. Representative Trotter. Excuse me, the Clerk needs to read the Bill a third time."

Clerk O'Brien: "House Bill 274, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Now, Representative Trotter."

Trotter: "Yes, good afternoon, Madam Speaker. I would like to have leave to bring House Bill 274 back to Second for purpose of amending."

Speaker Satterthwaite: "The Gentleman asks leave to bring House Bill 274 back to Second Reading for purposes of an Amendment. Are there objections? Seeing none, the Bill will be returned to Second Reading with the Attendance Roll Call. The Bill is on Second Reading."

Clerk O'Brien: "Floor Amendment #2, offered by Representative White. Jesse White, Representative Trotter."

Speaker Satterthwaite: "Representative Trotter."

Trotter: "Yes. Amendment #2 deletes the revisions relating to the previous Amendment #1 which is deleting the Drug Utilization Review Program, and I ask for its adoption."

Speaker Satterthwaite: "Is there any discussion? Representative Wennlund."

Wennlund: "Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Due to the noise level, I did not hear an explanation of exactly what is it this Amendment does, Representative Trotter. If you'd be so kind to explain it."

Trotter: "Well, what it all simply does is just deletes the

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provisions from Amendment #1 which incorporated the Drug Utilization Review Program. Amendment #1 had incorporated three different provisions, three different Bills, and we now are only dealing with two Bills, and that's House Bill 2018 and House Bill 1211, and we deleted House Bill 1212."

Wennlund: "Does this reduce the estimated out-year, fiscal year 1993 estimated cost of \$20,000,000?"

Trotter: "It just takes out...it doesn't delete the 20 million. 'No' is your answer. But, what it does, it deals with the savings that they had anticipated on making, just for purposes, at this time, so they can review it and deal with it a little bit at a later time."

Wennlund: "And, so, the fiscal notes of the Illinois Department of Public Aid that the estimated 1992 cost of 11.7 million dollars, and the out-year costs for FY '93 at 20.4 million dollars, has not been affected by this Amendment, or reduced?"

Trotter: "No, actually, you're asking about the overall Bill. What we're doin'...we're actually gonna be saving \$20,000,000 with the two provisions that we've now incorporated, which will be left in there. But this Amendment has nothing to do with that impact. This Amendment is not related to that."

Wennlund: "The Amendment does not reduce our costs?"

Trotter: "No."

Wennlund: "Okay, thank you."

Speaker Satterthwaite: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker. As a matter of personal privilege, I think all of us here, by now, realize that Representative Joel Brunsvold had an excused absence. I have just received communication. Joel's excused absence was to be with his mother. His mother has just passed away."

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Speaker Satterthwaite: "Thank you, Representative DeJaegher. Is there further discussion on the Gentleman's Amendment? Representative Trotter to close."

Trotter: "I just ask for its adoption."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2 on House Bill 274. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Trotter."

Trotter: "May I have leave for immediate consideration?"

Speaker Satterthwaite: "There is objection to hearing the Bill immediately on Third Reading."

Trotter: "Thank you very much, Madam..."

Speaker Satterthwaite: "Is there anyone else with a Bill on Human Services, Third Reading, wishing to have that Bill called at this time? Then, we will proceed to the Special Order of Constitutional Officers. Third Reading. The Sponsors at the top of that list are: Representatives McNamara, Homer and Matijevich. Representative McNamara on House Bill 262. Out of the record. Representative Homer on House Bill 316. Out of the record. Representative Matijevich on House Bill 967. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 967, a Bill for an Act to amend an Act concerning membership of the State Treasurer. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. House Bill 967 is a Bill which would provide that the State Treasurer or his designee shall be a voting member of certain boards or authorities and with the Amendment now, there are only five authorities upon which he would serve. One would be the Illinois Farm Development Board, the

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Illinois Development Finance Authority, the Illinois Housing Development Authority, the Illinois Health Facilities Authority and Illinois Export Development Authority. Amended out of the Bill have been the Metropolitan Pier and Exposition Authority, the Toll Highway Board, and the Capital Development Board and the Illinois Educational Facilities Authority. I would appreciate your support of House Bill 967."

Speaker Satterthwaite: "This Bill is on Short Debate Calendar. Are there...is there a person rising in oppositon to the Bill? Representative Ropp."

Ropp: "Thank you, Madam Speaker. Might I ask a question of the Sponsor?"

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

Ropp: "Representative, is this same individual that at one time thought that there were too many Members in the House, that they couldn't do their job very well?"

Matijevich: "You're gonna answer your own question. I went all over the state, Gordie, for the multi-member district. Art Teltser and I went around the state lobbying for it, we talked to editorial boards, we ran into some rough editorial boards and I oppose that, but, you have to live with what you have to live with."

Ropp: "So, you don't like this Bill, either, eh?"

Matijevich: "No, I'm handling it. You know...I've learned...in the legislative process that yesterday's enemy may be tomorrow's friend, and I think that's a good way to handle this position. You never know who your best friend's going to be tomorrow."

Ropp: "Or, in this next Bill, even."

Matijevich: "Of course, you could also say you never know who your best enemy's going to be tomorrow."

Ropp: "That's absolutely correct."

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Speaker Satterthwaite: "The Chair reminds you, the Bill's on Short Debate. The Gentleman was asked whether he rose in opposition."

Ropp: "I tried to get longer, but it didn't work. I guess...I want to ask one other question, John. Is the sincere intent by the Treasurer that he would be able to...what...provide expertise that currently is not being provided on all these boards?"

Matijevich: "I think the position ex officio, is one where the Treasurer can provide expertise, and, also, let's face it, learn something on his own, too. I think it's a two way street. The Treasurer can provide expertise to the board and can learn from it himself. So, I think it's a win, win, situation."

Ropp: "Madam Speaker, might I ask for the appropriate number of people to take this off of Short Debate, please? Under Rule 10 E?"

Speaker Satterthwaite: "The Gentleman asks for the appropriate number which I believe is six, to take it off. There are six hands raised and more, and the Bill is off Short Debate. Representative Ropp, to continue."

Ropp:" "Okay, just one other question. John, I'm sorry, I didn't hear real well, but what I thought you said was that the Treasurer thought that his expertise was not allowed to participate without this Bill becoming law which would allow him to offer his knowledge and expertise to the various boards and commissions which he wishes to become a member of. Is that correct?"

Matijevich: "I'm wasn't sure I understood the thrust of your question if you're...the question was...couldn't he provide expertise anyhow, that's probably true, but by the same token I would ask anybody, 'Why wouldn't they want the Treasurer?' To me, it's almost suspect. Why wouldn't

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somebody want the chief investment officer of the State of Illinois ex officio, no matter who he is? You know, this Bill isn't being written for this Treasurer. This Bill is being written out of principles for whomever is Treasurer, from this day forward. And, therefore, I think, from that standpoint, it makes good public policy."

Ropp: "Well, I happen to know that on the Farm Development Authority, it's made up, primarily, of farmers and people who are very knowledgeable of the financial market and of value of farmland and other programs like this, and you go down through the history of production credit, farm land bank and a number of those other agricultural programs, have been pretty much established well in hand because of farmers who worked together because they called themselves 'knowledgeable' and provided the knowledge that they needed in a cooperative manner, and they have survived for a long time without having the State Treasurer involved. So, I guess, when one looks at the many varied jobs that a state elected official has, it would almost seem that we're really asking him to do a tremendous amount of work and that, many times there'd have to be a designee and so the Treasurer would probably not be there all the time, anyway. I guess I think that these groups have been working satisfactorily. I've not heard of any major problem among...at least the several that I'm knowledgeable of...and I would not support this effort."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. And to the Bill, the Sponsor of the Bill made a very interesting observation a while ago. Well, gee, why wouldn't we want the Treasurer on all of these Bills? I think it's a rhetorical question that he himself answered when he added some Amendments to this Bill. Why is not the Treasurer on the Metropolitan

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Pier and Exhibition Authority?"

Speaker Satterthwaite: "Excuse me, Representative Matijevich. Excuse me, excuse me, no, Representative Matijevich, for what reason do you seek recognition?"

Matijevich: "I'd like to pull the Bill out of the record, that's all. Not that that's a tough question. I'd like to answer Bill Black, anytime, but I've been asked to pull the Bill out."

Speaker Satterthwaite: "The Bill will be taken out of the record at the Sponsor's request. The next Bill on the order of Constitutional Officers is House Bill 1515, Representative Curran. Out of the record. House Bill 1564, Representative Preston. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1564, a Bill for an Act to amend an Act in relation to charity. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Preston."

Preston: "Excuse me, Madam Speaker. Has Amendment #1 been adopted to this Bill?"

Speaker Satterthwaite: "The Clerk indicates that there are no Amendments on the Bill."

Preston: "Madam Speaker, may I ask leave to return this Bill to Second Reading for the purpose of an Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of an Amendment. Are there any objections? Seeing no objections, the Attendance Roll Call will be used for that purpose, and the Bill is on Second Reading."

Clerk O'Brien: "Floor Amendment #1, offered by Representative Preston and McCracken."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Excuse me, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 was done by agreement of

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various parties to bring the veterans organizations into agreement on this Amendment with the Attorney General's office. I know of no objections, and I'd ask that it be adopted."

Speaker Satterthwaite: "Is there any discussion on the Gentleman's Amendment? Seeing no one seeking recognition, the question is, 'Shall Amendment #1 be adopted to this Bill?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Gentleman asks leave to hear the Bill on Third Reading. Is there leave? There is objection to that, Representative Preston. The Bill will remain on Third Reading. Representative Preston."

Preston: "Madam Speaker, I...I ask to move that, this Bill be heard on Third Reading."

Speaker Satterthwaite: "The Gentleman moves that we hear House Bill 1564 on Third Reading at this time. All in favor vote 'aye', opposed vote 'no'. Voting is open. It takes 71 votes for this Motion to carry. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there are...the vote is open. Mr. Clerk, take the record. On this question there are 102 voting 'yes', 5 voting 'no', 1 voting 'present', and the Gentleman's Motion carries. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1564, a Bill for an Act in relation to charity. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1564 amends the Charitable Trust Act to expend, to expand the definition of trustee. What this Bill does, and it's been well discussed already, is to get

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at the problem that has existed in some cases of people have been hired to do solicitations where there has not been effective information given as to what percentage of the moneys received goes to the solicitor rather than to the charity that the solicitation is made on behalf of. This gives...this requires a...a registration with the Attorney General's Office and information to be deposited with the Attorney General as to the percentage of profits or of income that will go to the charity, the percentage that goes to the solicitor, the purpose of the charity and information so somebody who wants to know whether this is a real charity can call up the Attorney General's Office and get all the information that is required to make that determination. I know of no opposition to this. As far as I know, all problems have been worked out with the veterans' organizations, the Attorney General's Office and every other organization, and I'd be glad to answer questions and ask for your 'aye' vote."

Speaker Satterthwaite: "Representative Hultgren."

Hultgren: "Thank, thank you, Mr. Speaker. Representative Preston, I really was not objecting to the immediate hearing of this vote. I've had my speak light on, but it's been ignored at the Chair. I had understood that you were going to amend this with respect to having the Attorney General enter...enter his appearance in probate cases. I think you and I discussed that, and as you described the Amendment that we just adopted, it didn't reach that issue. I think it only reached the issue of the veterans. I was hoping before you moved it from Second to Third that we could put that Amendment on it, and that was what I was trying to inject in the debate some time ago, but my light was ignored. I'm...I'm wondering, did...did we talk about that?"

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Preston: "We...we did, Representative. That Amendment that...that language was not part of this Amendment #1. I have no objection to doing that on the Senate side, but I really do want to get this out of here because we're in the waning days of being able to move legislation, but I will certainly work with you to try to get..."

Hultgren: "Do...do I have your commitment that we can put it on over there?"

Preston: "Certainly. As far as I'm concerned I have no objection to it."

Hultgren: "Thank you."

Speaker Satterthwaite: "Representative Black."

Black: "Yeah, thank you very much, Madam Speaker. If the Sponsor would simply express his intent. We've talked very briefly about this. There are some people on both sides of the aisle who want to be assured that it is not the Sponsor's intent that Kiwanis Clubs, Rotary Clubs, a variety of civic clubs, who do charitable good works through pancake days or candy sales or what have you, there's nothing in this Act that's being expanded that would require them to go through some costly registration procedures, et cetera, and I...I've talked to him. He doesn't think that's the intent, but perhaps we should get that on the record."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Madam Speaker. That is correct. The intent is not to affect those pancake sales, but rather Amendment #1 deals with the collection of personal property by organizations that do that for resale. It's not in any way designed to affect candy sales, or pancake sales, or fried chicken dinners. That's not at all the intent, and I don't think that's the language, either."

Speaker Satterthwaite: "Representative Black, have you completed?"

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Black: "Yeah. I appreciate his answer. Thank you, Madam Speaker."

Speaker Satterthwaite: "Representative Leitch."

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

Speaker Satterthwaite: "He indicates he will. Representative Preston."

Leitch: "Representative, have the United Way and the major health agencies in our state signed off on this?"

Preston: "I...I'm sorry, Representative. I couldn't hear your question."

Leitch: "Has the United Way and the major health agencies, Cancer Society, Lung Association and others..."

Preston: "Yes, they have."

Leitch: "They're in agreement with this?"

Preston: "Yes. They signed off on it even before this Amendment. They...they are okay on this."

Leitch: "Thank you."

Speaker Satterthwaite: "Representative Preston to close."

Preston: "Thank you, Madam Speaker. This issue has been sufficiently debated, and I ask for your 'aye' vote."

Speaker Satterthwaite: "The Gentleman asks for passage of House Bill 1564. All those in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes', none voting 'no', 1 voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared passed. Representative McAfee on House Bill 2110. Mr. Clerk, the Bill is on Third Reading. Representative McAfee asks leave of the Body to bring the Bill back to Second Reading for purposes of an Amendment. Is there any objection? Seeing none, the Attendance Roll Call will be used for that purpose, and the Bill is on Second Reading. Are there

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

Speaker Satterthwaite: "Representative McAfee."

McAfee: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 has been proposed by the Attorney General and the Illinois State Police to improve the Bill as it was previously prepared. Basically, it provides for the investigations to be done by the State Police. It also creates a separate fund for the costs incurred. It also provides for certain criminal penalties for violation of the Act."

Speaker Satterthwaite: "Is there discussion on the Gentleman's Amendment? Seeing none, the question is, 'Shall Amendment #1 on this Bill be adopted?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Gentleman now asks leave of the Body to hear the Bill immediately on Third Reading. Is there objection? Representative Wennlund, do you object? There is objection. The Bill will remain on Third Reading. Representative Keane on House Bill 2422. Out of the record. Representative Williams on House Bill 2523. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2523, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Williams."

Williams: "Yes. House Bill 2523 is one of the Attorney General Bills. What it does is it amends the Consumer Fraud and Deceptive Business Practice Act to provide for the payment of attorneys' fees to the Attorney General's Office for

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both assurance of voluntary compliance and litigation. The money would go into a trust fund of which the State Treasurer would be the custodian, and the money would be used for consumer fraud enforcement and consumer education. The general purpose is that in many of the cases that the Attorney General is involved with, they end up having to, they settle it prior to trial, and there's a question as to whether or not the way the statute presently reads which only states costs, whether it's vagueness or not, whether or not they can get attorneys' fees as part of the settlement. To the best of my knowledge there is no opposition to this Bill. The Amendments that were added were added on behalf of the Illinois Retail Merchants Association, and I would move for a favorable Roll Call."

Speaker Satterthwaite: "Is there anyone seeking recognition on the Gentleman's Bill? This Bill is on Short Debate. Is there anyone in opposition to the Bill? Representative Wennlund."

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

Williams: "Yes."

Speaker Satterthwaite: "He indicates he will."

Wennlund: "The level of noise is such, Representative Williams, that I didn't hear anything of what he said. Would you...could you again explain what the provisions of the Bill are?"

Williams: "Principally, the Bill just provides that the Attorney General in certain cases where there would be an assurance of voluntary compliance say if there was something short of litigation, it would allow the Attorney General to recover attorneys fees as well as costs from the other party, if in fact, so, 'cause right now the statute reads, 'He may recover costs.' There's a question whether or not costs includes attorneys' fees. It's a practice that's generally

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done. We've got...I know IRMA signed off. Most of the other businesses signed off. To the best of my knowledge, there's no opposition from any business group or otherwise. It's an Attorney General's Bill."

Wennlund: "Is this...in...in recovering fees, would this be...the...the amount of fees be determined by a court?"

Williams: "Yeah. Yeah, I would assume so. I would assume that they would have to be determined by the court, and it would be put into a special fund for consumer fraud enforcement."

Wennlund: "And...so...so these...these relate to court actions brought by the Attorney General or a state's attorney by the...under the Consumer Fraud and Deceptive Business Practices Act?"

Williams: "I don't read it...I'm trying...Wait a minute. Let me grab the exact Bill, because as I read it, it was principally for the, yeah, it would be, right. It would be the Attorney General or a state's attorney, in a given instances under the Consumer Fraud Act. Seeing that, say for instance, what happened to that, you can get attorneys fees if you go to trial and you try the case, but if, in fact, you come to voluntary compliance, i you agreeout of court, then the Attorney General does not necessarily owe a state's attorney. That is not clear whether or not they have the right to include the attorneys' fees in the settlement. This just clarifies the language and says that they can."

Wennlund: "There have been no Amendments to the Bill. Is that correct, Representative Williams?"

Williams: "There have been two Amendments to the Bill. Both were added in committee. What they did was one was IRMA's that dealt with the concept dealing with that there was a statement, there was a willful act to remove...that."

Wennlund: "Excuse me. I...I'm sorry, I can't hear you,

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Representative Williams."

Williams: "I'm trying."

Wennlund: "I don't have the Amendments in the file, and that's why I'm asking the question. I..."

Williams: "Okay, the Amend...The Amendments are on their way over, but the Amendment, basically what it did it removed lines 8 through 23 on behalf of...on the request of IRMA because it dealt with the stipulation. It dealt with some...I think there was a question by IRMA whether or not they would be dealing with the prima facie evidence or the violation."

Wennlund: "And...and...and will you explain what the expenses are? I see the language of one Amendment includes expenses together with attorneys' fees."

Williams: "The...the first Amendment just adds attorneys' fees and expenses, meaning that they wanted to clarify exactly what expenses or costs they could recover, and the second Amendment removes lines 8 through 23 on behalf of the Illinois Retail Merchants Association."

Wennlund: "Thank you. I'm glad you sent your staff over here. So that the Section 6.1 was deleted in its total at the request of the Illinois Retail Merchants?"

Williams: "Correct."

Wennlund: "And as of this point in time your understanding is that with that Amendment that the Illinois Retail Merchants are no longer in opposition to this?"

Williams: "Actually we added in committee. They did not oppose it at that time. I just talked to them two seconds ago. They do not oppose it now. They have no problems with this piece of legislation as it now stands."

Wennlund: "Thank you. I did not have the Amendments in the file so I appreciate that explanation. Thank you."

Speaker Satterthwaite: "Representative Williams to close."

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Williams: "I...I just move for a favorable Roll Call."

Speaker Satterthwaite: "The Gentleman moves for passage of House Bill 2523. On that question, all in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 69 voting 'yes', 37 voting 'no', 7 voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared passed. Representative Steczo on House Bill 2531. Out of the record. Out of the record. Out of the record. Page 20 of the Calendar, House Bill 2329. Representative John Dunn. Representative Dunn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2329, a Bill for an Act in relation to the regulation of nutritious service. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. Amendment 2 is the traditional Christian Science Amendment, and I ask for its adoption."

Speaker Satterthwaite: "The Gentleman asks that Amendment #2 be adopted on House Bill 2329. Is there any objection? Seeing none, all in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. Floor Amendment #3 would incorporate some technical language with regard to

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practical experience which is a current requirement which just needs to be incorporated in the Bill. This is a technical Amendment. I urge, urge its adoption."

Speaker Satterthwaite: "Is there any objection? Seeing no one seeking recognition, the Gentleman asks for the adoption of Amendment #3. All in favor say 'aye', excuse me, Representative Black."

Black: "Thank you very much, Madam Speaker. We would simply ask that you ask for some order in the chamber. We have not heard one word the Gentleman has said on Amendment 2 or Amendment 3. Now Amendment 2 we let go. Amendment 3, this looks to be a very substantive Amendment. We need to hear this Amendment. I mean, look at my waistline. I'm concerned about dieticians and what have you, but I want to know what's in this Amendment."

Speaker Satterthwaite: "The Gentleman asks for additional order on the House floor for discussion of the Amendment. Representative Dunn, will you again present Amendment #3, and will Members keep the noise level down?"

Dunn: "Let 'em talk. Amendment, Amendment #3 incorporates into the language of the Bill accrediting requirements by the national organization which requirements are exactly the same as the current requirements now. So this...this is a technical Amendment which incorporates into the Bill national accrediting language for practical experience."

Speaker Satterthwaite: "Is there discussion on the Gentleman's Amendment? The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Dunn."

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Dunn: "Amendment #4 sets up a special fund, a designated fund, in the State Treasury to receive licensing fees which would come into the Treasury from people licensed under this Act. I urge its adoption."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. We will continue now with the Special Order of Agriculture and Environment, Third Reading. The first Sponsor on that Bill is...on that list is Representative Giglio, on House Bill 957. Do you wish to have the Bill called on Third Reading? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 957, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What this Bill does, it amends the Environmental Protection Act to prohibit the disposal of untreated grease that comes out of the grease traps of restaurants in catch basins by land application. What we're trying to do is to treat this grease so it doesn't go into the landfills, and that's all it does. We're trying to also get EPA to come in with some rules and regs, and they promised me if I could get it out of the House, they'll work with the Senate or whoever picks it up in the Senate, and perhaps we can put what we want in it. So I would ask for your favorable support."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition? Seeing no one seeking recognition, the question is, 'Shall House Bill 957 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is

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open. Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question, there are
105 voting 'aye', none voting 'no', none voting 'present'.
The Bill, having received a Constitutional Majority, is
hereby declared passed. Representative Hicks on House Bill
1741. Out of the record. Here he is, 1741 on Third
Reading. Out of the record. Representative Kulas on House
Bill 2254. Out of the record. Representative Morrow on
House Bill 2451. Do you wish to have the Bill called,
Representative Morrow? Out of the record. Representative
Kulas on House Bill 2491. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2491, a Bill for an Act to amend the
Environmental Protection Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Kulas."

Kulas: "Thank you, Madam Speaker. I...I would like to move to
bring the Bill to Second Reading for purposes of an
Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to bring the
Bill back to Second Reading for purposes of an Amendment.
Is there any objection? Seeing none, leave is granted, and
the Bill is on Second Reading. Are there Amendments, Mr.
Clerk?"

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

Speaker Satterthwaite: "Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. Floor Amendment #1 would add the term, 'chemical
disinfection', to the definition of hazardous hospital
waste as a method of decontaminating an infectious agent.
The current law recognizes two methods: sterilization and
incineration as a method of decontaminating an infectious
agent. Amendment #1 would add a third method of
decontamination which we call 'chemical disinfection', and

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I would move for the adoption of the Amendment."

Speaker Satterthwaite: "You heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

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

Speaker Satterthwaite: "Representative Olson. Representative Olson."

Olson: "Withdraw Amendment #2."

Speaker Satterthwaite: "The Gentleman asks to have the Amendment withdrawn. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 changes the fee for hazardous hospital waste which is treated and disposed of off the site in which it was produced. This fee may be calculated at the rate of \$7.50 per ton for the waste received. I move for the adoption."

Speaker Satterthwaite: "Is there any discussion? Representative Kulas."

Kulas: "Thank you, Madam Speaker. I rise to support the Gentleman's Motion to adopt Amendment #3 as it addresses a problem when...when a state...when a state is looking at higher health costs and so on, I think this...this Amendment addresses that problem, and I think this is something we should pass out of the House and look at in the Senate, maybe address this problem of bringing down the costs of disposing of hospital hazardous waste, and I would move...I would support the Gentleman's Amendment."

Speaker Satterthwaite: "Mr. Clerk, I believe the board is incorrect. The Amendment #2 was withdrawn. This is

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Amendment #3. Representative Balanoff."

Balanoff: "For...for a question, Madam Speaker. Representative, is there currently a fee?"

Olson: "Yes."

Balanoff: "What is the current fee?"

Olson: "The current fee is based upon a cubic yard of material. This fee is assessed on the cubic yard basis of all hazardous waste fees."

Balanoff: "So...so do you suspect then that at \$7.50 a ton we're increasing or decreasing the fee?"

Olson: "We're decreasing for a reason. Let me explain. If you took a cubic yard of a dense material, let's say a cubic yard of contaminated soil, it's a very heavyweight material. If you...if you divide that weight into the fee, it comes out at a very low figure per pound, like 3¢ per pound. A cubic yard of hospital waste is gauze, bandages and such. The EPA has did some calculation for me, and they came up with this \$7.50 fee. If you divide that by 2,000 pounds, it comes out very equal and very fair in relation to a heavier material."

Balanoff: "But...but it still is decreasing the fee?"

Olson: "Pardon?"

Balanoff: "But it still is then decreasing the fee."

Olson: "It is a decrease in fee but it, in fact, is a fairness decrease. It makes it on an equal basis with heavier material."

Balanoff: "I...I guess then, I mean I want to be opposed to this Amendment for...because I think that whenever we decrease fees on the disposal of waste, we're making it less likely that we're going to go to what the real solutions to the problem are. Well, whatever."

Speaker Satterthwaite: "Representative Olson to close."

Olson: "I simply move for a favorable Roll...Roll...favorable

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vote on this Amendment."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #3 on House Bill 2491. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Going back on Agriculture and Environment to Second Reading. We have a request to hear House Bill 742, Representative Granberg. Out of the record. House Bill 1199, Representative Granberg."

Clerk O'Brien: "House Bill 1199, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Satterthwaite: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Satterthwaite: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Satterthwaite: "Third Reading. Continuing on the Special Orders for Third Reading we now are at the Order of Banking, Third Reading. Representative Santiago on House Bill 2135. Out of the record. On Consumer Protection, Third Reading. Representative McGann on House Bill 370. Out of the record. Representative Farley on House Bill 1858. Out of the record. Representative Granberg on House Bill 2026 on Third Reading on Consumer Protection. Out of the record. House Bill 2030, Representative DeLeo. Out of the record. House Bill 2051, Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2051, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. I believe I filed an

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Amendment, and with leave the Body, I would like to take the Bill back to Second for purposes of Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to bring the Bill back to Second Reading for purposes of an Amendment. Is leave granted? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. We don't have a copy of the Amendment. Has it been printed and distributed?"

Speaker Satterthwaite: "Has the Amendment been printed and distributed? Amendment #1."

Wennlund: "Maybe the Sponsor could explain the Amendment."

Hicks: "Yes, Madam Chairman, I'd be happy to explain the Amendment. The Amendment is a one-line change, excuse me, a one word change in which to take away objections to...that the breweries themselves had with it. It is totally an Agreed Bill now. The only people who are objectionable to it were the breweries themselves, and they are...are...this takes care of their objections and the beer distributors also. It is the beer distributors' Bill."

Wennlund: "Thank you. No objection."

Speaker Satterthwaite: "Leave is granted to bring the Bill back to Second Reading for purposes of an Amendment. Mr. Clerk."

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

Hicks: "As I just explained this simply takes care of objections that were had with the Bill. It's only a...a three-word change, and I'd ask for adoption of the Amendment."

Speaker Satterthwaite: "The Gentleman moves for adoption of Amendment #1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Satterthwaite: "Third Reading. The Gentleman now asks leave to hear the Bill on Third Reading at this time. Seeing no objection, leave is granted. Represen...or, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2051, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative..."

Hicks: "Madam Speaker, Ladies and Gentlemen of the House. House Bill 2051 as amended simply provides that the brewers shall not directly or indirectly fix, maintain or require the price of any wholesaler that sell beer. I'd be happy to try to answer any questions on the Bill."

Speaker Satterthwaite: "Is there any discussion on the Gentleman's Bill? Seeing no one seeking recognition, the question is, 'Shall House Bill 2051 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', none voting 'no', 1 voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared passed. The Special Order of Economic Development, Third Reading. The first Bill is Representative Giglio's, House Bill 570. Out of the record. Representative McNamara, House Bill 812. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 812, a Bill for an Act to insure equity in restroom facilities. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McNamara."

McNamara: "Thank you, Madam Speaker. This is the Equitable Restrooms Act. It has come and has passed before this House twice before. It passed last year and the year before. The change to the Bill this year is very simply that we more liberalize the demands of it based on the

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White Sox Park. That came in on...on Amendment #1, and I urge for its approval."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall House Bill 812 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue there are 108 voting 'yes', 1 voting 'no', none voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared passed. Representative Obrzut on House Bill 875. Representative Obrzut, do you wish to have this Bill called on Third Reading? Out of the record. Representative Tenhouse on House Bill 1134. Out of the record. Representative Steczko on House Bill 1867. Out of the record. Representative Giorgi on House Bill 1935. Out of the record momentarily. Representative Granberg on House Bill 2362. Out of the record. Representative Balanoff on House Bill 2373. Representative Balanoff, do you wish to have this Bill called on Third Reading? Mr. Clerk, read the Bill. Excuse me, 2378."

Clerk O'Brien: "House Bill 2378, a Bill for an Act to amend the Humane Care for Animals Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Balanoff."

Balanoff: "To, I'd like to ask leave for two things. One, to move the Bill back to Second for the purpose of Amendment. I need that first."

Speaker Satterthwaite: "The Gentleman asks leave to bring the Bill back to Second Reading for purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted, and the Bill is on Second Reading. Mr. Clerk, are there Amendments?"

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

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Speaker Satterthwaite: "Representative Balanoff."

Balanoff: "Okay. I would like to have leave of the House to amend on the face Amendment #3. It says on page 3, and it should be on page 2, not on page 3."

Speaker Satterthwaite: "The Gentleman asks leave to have Amendment #3 amended on its face. Would you repeat what the Amendment is to be?"

Balanoff: "It...it...what it is, the...the...the leave would be for...it should read on line...on line #2 it should read, 'On page 2,' not on page 3."

Speaker Satterthwaite: "On line #2 of the Amendment it should be changed to page 2 instead of page 3."

Balanoff: "Correct. There is no page 3 in the Bill."

Speaker Satterthwaite: "Is leave granted for that purpose? Representative Black has no objection. Representative Johnson, are you seeking recognition? No objection. Seeing no objection, the Gentleman's request is granted to amend the Amendment on its face. All in...Leave is granted."

Balanoff: "Okay, now, to the Amendment. This is a Department of Agriculture Amendment, and they just asked that...this language be put in so that we would not be...prohibiting things like rodeos, county fairs and the like."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the Motion is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Is there anyone else with a Bill on Economic Development, Third Reading, wishing to have their Bill called at this time? We will proceed then to the Order of Education Finance, Third Reading. The

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Sponsors on that Order are Giglio, McNamara and Steczo. Representative Giglio on House Bill 899. Out of the record. Representative McNamara on House Bill 1097. Out of the record. Representative Steczo on House Bill 2042. Out of the record. On the Order of Housing, Third Reading. The Sponsors are Anthony Young, Levin, Wyvetter Younge, Capparelli and Turner. Representative Anthony Young on House Bill 278. Out of the...Representative Young. Out of the record. On House Bill 785, Representative Levin. Is the Gentleman in the chamber? Out of the record. On House Bill 1091, Representative Capparelli. Out of the record. Representative Turner. Is the Gentleman in the chamber? Representative Turner. Out of the record. He is in the chamber but on a higher level. Representative Steczo, did you want to have your Bill 2042 called on Third Reading on Education Finance? Out of the record. On Government Operations, Third Reading. The Sponsors are Stern, LeFlore, Obrzut and many others. Representative Stern on House Bill 12. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 12, a Bill for an Act relating to appointments to boards, commissions and councils. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Stern."

Stern: "Madam Speaker and Members of the House. House Bill 12 is the gender balance Bill which started out as a Bill which would have mandated equal representation on all appointed boards, councils and commissions at the state level but which now asks for substantial representation on every board and commission. I think this is a very much more acceptable Bill to this Body, and I am offering it to you for your 'aye' vote this afternoon."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Madam Speaker. I just rise in support of

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this good Bill. This is one that I think everyone in this House can support in its present form, and I urge everyone to vote 'aye'.

Speaker Satterthwaite: "Representative Wennlund."

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

Speaker Satterthwaite: "She indicates she will."

Wennlund: "Representative Stern, in the...the Amendment #1 there's a sentence that provides that if gender balance is not possible then appointments shall provide for significant representation of both sexes to boards, commissions, committees, et cetera. It...that language appears to me to require the appointment by represent...It requires the appointment of both sexes by significant representation. I...it...it appears that the Amendment does not, in fact, reduce or eliminate the requirement that, in fact, the appointments be gender balanced."

Stern: "Well, Mr. Wennlund, I don't quite understand your problem. There's a difference between requiring equal representation of both sexes and requiring significant representation of both sexes. I would simply make the point that this applies as well to those boards and commissions which are generally a majority women as well as to those which are generally a majority of men."

Wennlund: "I...I guess my question is, that I don't understand the difference between requiring the appointment shall provide for significant representation of both sexes to boards, commissions, et cetera. If you...you're...you're still requiring whatever significant means, significant representation from both sexes, is that...I don't understand the word 'significant.'"

Stern: "S..Sig..Significant, the word significant, Representative, is kind of a weasel, really. I would have liked to have asked for equal representation. I felt this

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Body would not be sympathetic to such a request."

Wennlund: "It...it's...it...well, I think it is kind of a weasel word but it's kind of a weasel word that equates to...to equal representation is what it..."

Stern: "No, I don't believe it does. Significant representation could mean 40%, significant representation on certain kinds of boards and commissions I suppose could mean 35%. There are some professions, I discovered when I presented this Bill last year, which have very few women in them. For instance, surveyors was one of my problem areas, and I gather that on a board or commission of surveyors I would have a very difficult time getting 33% women. So what I am trying to suggest is that both sexes have something to contribute in the way of life experience to any board, council or commission."

Wennlund: "Well, I would certainly agree with that. It's just that I...I...I don't understand, and I don't think that the language of the Amendment really tells the Governor or the Senate exactly what the guidelines are for providing...I mean when will they be in violation of not providing significant representation for both sexes?"

Stern: "I think I would have to let those of you who are about to vote on this decide. I think that that's fairly clear what we would like to see. We would like to see real substantive representation of both sexes on all boards, councils and commissions. I think a simple 'aye' or a 'nay' is all that's required, Representative."

Wennlund: "Well, I, I agree, but nevertheless, the Governor has to have some guidelines to go by in determining, you know, whether he's in compliance with the provisions of this Act and when he is not in compliance with the provisions of this Act and that the word, 'significant', does not tell him or the Senate whether or not the State of Illinois is

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in compliance with the Act or not in compliance with the Act. I think that...that it needs further Amendment to...clarify exactly what the guidelines and standards would be in order so that the government, the Governor and the State of Illinois might be in compliance."

Stern: "Shall I amend it back to 'equal'?"

Wennlund: "No, I didn't say that. I didn't say that. To the Bill."

Stern: "I think, Representative, that you are jostling, joshing me."

Wennlund: "No, I'm not. I'm not a bit."

Stern: "I think you're temperizing, shuffling your feet."

Wennlund: "No, no. Not at all. To the Bill, Madam Speaker.

Ladies and Gentlemen of the House, I think that the language of the Amendment is flawed in that the State of Illinois nor the Governor or even the Senate who approves those appointments can determine whether or not, for instance, one member out of ten of a board or five or six or seven, in fact, provides, which is a requirement. It's still mandatory in the Bill. It says, 'Shall provide for significant representation of both sexes'. How is the Governor to determine whether he's in compliance; how's the Senate to determine whether they're in compliance; I think that, although I understand the Representative...Representative's concept in proposing this legislation, and certainly encourage more participation, but I think, I think that you're going to put the State of Illinois in a position of not knowing when, in fact, they're in compliance with the terms of this Act, and I think it needs an Amendment that would clarify what guidelines and standards the State of Illinois is to use in making its appointments to those boards, and I...I think that at this point in time, although the concept is

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laudable, the language of the Bill makes it impossible to comply with and that's why this Amendment should be defeated and the Bill should be defeated."

Speaker Satterthwaite: "Representative McNamara."

McNamara: "Yes, the Lady will yield for a question?"

Stern: "Certainly."

Speaker Satterthwaite: "She indicates she will."

McNamara: "Yes, Representative. This Amendment that you have put on, very simply, doesn't that say that the representation, it becomes a...a suggestion and now this Bill is really a suggestion that the...that the numbers should be greater representation of women on the board? Isn't that in effect what your Amendment does?"

Stern: "I...I'm sorry. I missed the last few words, that it has a greater representation than..."

McNamara: "Greater sex representation for women on the board, so..."

Stern: "Correct, correct. That's right."

McNamara: "In other words, the original Bill, if I understood it correctly, made it mandatory 50/50."

Stern: "Correct."

McNamara: "This Bill now is suggestive language in which there are no penalties for, but it defines a purpose and an intent that can go forward and let us reach that goal later. Is that correct?"

Stern: "That is correct, Representative."

McNamara: "Okay, to...to this Bill as it now stands. The original Bill I would object to because it required a 50/50 mandatory system. This Bill as it now stands carries no penalty. It gives a direction to the government. It allows for qualified people to get to those posts and making those qualified people also aware that women should be looked for, for those qualified posts. I think it's

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eminently fair. It's the right way of doing it. If it had teeth in the Bill, I would certainly be against it because I don't think a person should be, just because they are male or just because they happen to be female, they should be appointed, but this Bill doesn't do that. It makes it crystal clear. It's the correct way of doing it and gives the guidelines to government. I'm happy to support it."

Speaker Satterthwaite: "Representative Stern to close."

Stern: "May I have...Madam Speaker, I, I would simply suggest that this is a...a...a Bill that ought to be agreeable to every Member of this House and that to suggest that the Governor of the State of Illinois needs guidelines to differentiate between the sexes seems to me absurd. I urge your 'aye' vote."

Speaker Satterthwaite: "The Lady moves for passage of House Bill 12. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Harris."

Harris: "Thank you, Madam Speaker. To explain my vote. Obviously the Bill is going to pass out of here with a significant number of votes, and that's probably understandable because we all think that by casting a 'no' vote it's going to make all the women in the State of Illinois mad at us. Well, Ladies and Gentlemen, a 'no' vote is not a vote against women. There is a policy question here, and the policy question is, 'Do we set up things like quotas?' Do we set up things like it has...every board has to have a certain number of women, a certain number of men, a certain number of this, a certain number of that? That is indeed the trend that we are starting when we do things like this. That's significant policy. A 'no' vote is not a vote against women. A 'no' vote is the policy decisions that we are making with this

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Bill is a wrong policy decision, and a 'no' vote is indeed the right vote."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Representative Deuchler to explain her vote."

Deuchler: "To explain my vote. This Bill did receive a lot of discussion in state government, and it came out of the committee with a 7 to 3 to 2 vote. When the Amendment was presented on the floor, 66 voted in the affirmative. So, I think that it certainly does have support."

Speaker Satterthwaite: "Have all voted who wish? Mr. Clerk, take the record. On this issue there are 79 voting 'yes', 28 voting 'no', 3 voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 143, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 143, a Bill for an Act to amend the Steel Products Procurement Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative LeFlore."

LeFlore: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Steel and Steel Products Act currently required that every contract entered into this...by the State of Illinois, unit of local government, or school district for the construction, improvement, maintenance, or repair of public works contain a provision that steel products used in performing of contracts by, be manufactured or produced in the United States. The contract involved an ex...expenditure of less than \$500. The executive head of the agency certify in writing that the domestic manufacturer cannot meet the necessary qualif...quality of time required specifically in the contract. Purchase of domestic goods is not in the public's interest because the domestic goods exceed the cost of the foreign goods by at

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least 10%. House Bill 143 leaves unchanged all the Act currently requires concerning the purchase of domestic steel. I'll ask for your favorable vote."

Speaker Satterthwaite: "Representative Deuchler. Representative Giglio in the Chair."

Deuchler: "Madam Speaker...Madam Speaker, will the Sponsor yield for a question, please?"

Speaker Giglio: "Yes, he will."

LeFlore: "Yes, I will."

Deuchler: "Representative LeFlore, on the fiscal note could you comment on the very real possibility of the State of Illinois paying 10% more for any products that..."

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

Matijevich: "Mr. Speaker, there's some people that are going to leave for a reapportionment hearing. This is an important Bill that they ought to be able to get on record, and I wonder if they would have leave, those who are leaving, to be recorded either yes or no since they are here at the moment while the Bill is being heard."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, the three of us, McGuire, Walsh and myself have to leave, and we'd like to be recorded voting 'aye' on this House Bill 143, and Representative Novak. Leave to be put on what, Roll Call? Is there any objection? Objections? Objections."

Speaker Giglio: "Well, Representative Balanoff moved the previous question. We can do the debate right now, and you could vote and then ask leave to be verified. That'd be much simpler. Representative Black."

Black: "Mr. Speaker, that...that's probably the only time I've ever seen you abuse the power of the Chair. We have a Lady who was in the middle of asking a question. She hasn't

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even had an answer. There's nothing in our rules about allowing an open Roll Call for crying out loud. If the people are going to go to the reapportionment meeting and he doesn't have the votes to pass his Bill, take it out of the record. You can pass it tomorrow. But don't abuse the power of the Chair in that fashion. It's out of character for you."

Speaker Giglio: "Well, it's not out of character, but I think I'll follow your advice. Representative LeFlore."

LeFlore: "Question. Okay, we'll take it out of the record and call it tomorrow."

Speaker Giglio: "Take the Bill out of the record. Alright, on this...excuse me, on this Order of Business there is House Bill 242, Representative Obrzut. Representative Obrzut. Jeff Obrzut. Out of the record. Representative Deering. Representative Deering in the chamber? Out of the record. Representative Edley. Out of the record. Representative Edley. Steczo. Schakowsky, House Bill 933. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 933, a Bill for an Act to amend the Illinois Library System Act. Third Reading of the Bill."

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

Schakowsky: "Thank you, Mr. Speaker, Members of the House. House Bill 933 amends the Illinois Library System Act to include grants to public libraries and library systems for planning as well as for construction. This does not add any dollars or cost the state any money. It simply expands the category of grants allowed to include planning as well as construction to public libraries and library systems. This would enable libraries to utilize the avail...available state grant for planning proposed changes whereas before they were unable to utilize state assistance until construction had begun. Libraries would have more

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flexibility on how this type of grant would be spent depending on the needs of individual libraries. I would be happy to answer any questions, and I urge your support of House Bill 933."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I'm just pleased the...the Sponsor came over and talked to us about this Bill. We...we like...gosh, I'm just happy to get up and say we support the Bill. I think it's an interesting concept. I have a similar Bill on school construction, and I think it's a creative Bill. I don't know of any opposition to it, and I rise to support the Lady's Motion."

Speaker Giglio: "Representative Schakowsky to close."

Schakowsky: "Thank you. Seeing no opposition, I certainly urge everyone to support House Bill 933."

Speaker Giglio: "The question is, 'Shall House Bill 933 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Representative Kulas."

Kulas: "Yes, Mr. Speaker. Is this the Lady's first Bill to pass?"

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question 106 voting 'yes', none voting 'no', and House Bill 933, having received the Constitutional Majority, is hereby declared passed. Representative Barnes. Out of the record. Representative Ewing, 1186. Representative Ewing. Out of the record. Representative Granberg, 1198. 1198. Out of the record. Representative Hicks, 1297. Out. Currie, 1462. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1462, a Bill for an Act in relation to rights of married women. Third Reading of the Bill."

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

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

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is a simple and straightforward Bill. It was proposed by the Chicago Bar Association to make gender neutral the statute of the Rights of Married Women's Act, and I would be happy to answer your questions. The Bill changes the Act to the Rights of Married Persons Act and makes appropriate other changes in the language of the statute so as to achieve gender neutrality."

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

Black: "Yeah, thank you very much. Inquiry of the Chair."

Speaker Giglio: "Proceed."

Black: "Is the Floor Amendment #1, has this been adopted to this Bill?"

Currie: "No."

Speaker Giglio: "No, it has not."

Currie: "There's no Amendment to the Bill."

Speaker Giglio: "Representative Currie, did you hear the question?"

Currie: "There's no..."

Speaker Giglio: "The Gentleman asked if Amendment #1 was adopted."

Currie: "There is...there is no Amendment on the Bill."

Speaker Giglio: "No Amendment."

Black: "Our...our file shows Amendment #1 has been filed."

Currie: "I think...I think there was an Amendment filed after the Bill went to Third Reading. The Bill has not been returned to Second Reading, and no one even invited me to do so. So there is no Amendment on the Bill."

Black: "Well, it's been filed by a Member of your side of the aisle, not ours. I was just curious as to what happened to the Amendment."

Currie: "Nothing happened to the Amendment."

Black: "Well, if Representative Saltsman doesn't want his

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Amendment called, I guess that's his prerogative."

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

Johnson: "Representative Currie, I am looking at the Bill...What does this Bill do to change current law?"

Currie: "All it does is to make the statute gender neutral. So instead of being the Rights of Married Women's Act it becomes the Rights of Married Person's Act. This is a cleanup proposal from the Chicago Bar Association, and throughout the statute it changes the word, 'woman', to 'person'. It changes 'husband' to 'spouse'. So it's an effort to provide gender-neutral language in this particular statute. That's all it does."

Johnson: "So...so there's substantively no change in the law?"

Currie: "That's right."

Johnson: "Okay."

Speaker Giglio: "Further discussion? Representative Currie to close."

Currie: "Thank you, Mr. Speaker. I appreciate your support for passage of House Bill 1462."

Speaker Giglio: "The question is, 'Shall House Bill 1462 pass?' All those in favor vote 'aye', opposed 'no'. The voting's 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 93 voting...94 voting 'yes', 3 voting 'no', none voting 'present', and House Bill 1462, having received the Constitutional Majority, is hereby declared passed. Representative Hannig, 1892. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1892, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Hannig."

Hannig: "Mr. Speaker, can I have leave to bring this back for an

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Amendment?"

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill's on Second Reading. Read the Bill, Mr. Clerk."

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This really is to replace Amendment #1 which was...was drafted incorrectly, and it makes no changes to the Bill other than to put Amendment #1 in the proper order, so I would move for its adoption."

Speaker Giglio: "Any discussion of the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hensel. Out of the record. Representative Ronan. Out of the record. Representative Churchill, House Bill 2078. Out of the record. Steczo, 2309. House Bill 2309. Government Operations. Out of the record. Representative Deering, House Bill 2337. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2337, a Bill for an Act to amend the Public Water District Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2337 amends the Water District Act. It provides for the election rather than appointment of board of trustees of a public...public water district upon a petition of the voters in passing of a referendum. The Bill as it is drafted does have a flaw in it, and should the Bill pass, I will have it amended in the Senate side."

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Any questions?"

Speaker Giglio: "Any discussion? Representative Black."

Black: "Well, I...I appreciate the Sponsor's willingness to get this amended in the Senate, but you know sometimes we rely on the Senate to do some things that maybe they aren't going to do. This...this Bill is flawed as the Speaker knows in its drafting. Under the Consolidated Election Law of the State of Illinois it's a little tough to have five year terms. I...I think we've got a couple of weeks before Third Reading deadline. You may want to take this Bill out and get it amended and then bring it back to us in the form that he wants because as...as it stands it's...it's really flawed, and I don't think it'll work."

Deering: "Pull it out of the record."

Speaker Giglio: "Take it out of the record. Alright, on this Order of Business appears House Bill 1960, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1960, a Bill for an Act to amend the Vehicle Code. Third Reading of the Bill. The Gentleman from Cook, Representative Ronan."

Ronan: "Yes, Mr. Speaker. This is a vehicle Bill. Be glad to answer any questions."

Speaker Giglio: "Representative Black."

Black: "Did I understand the Gentleman correctly to say this is a vehicle?"

Speaker Giglio: "Yes, it is."

Black: "Well, it amends the Vehicle Code, and it should be a vehicle. We certainly have no objection to this fine Bill."

Speaker Giglio: "The question is, 'Shall House Bill 1960 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Final action. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this

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question there are 65 voting 'yes', 8 voting 'no', and House Bill 1960, having received the required Constitutional Majority, is hereby declared passed. Representative McGuire. Representative Edley. Out of the record. On Insurance, Third Reading, appears House Bill 125. Representative Keane. Out of the record. Representative Stern, 133. Out...out of the record. Representative Santiago, 1141. Out of the record. Mautino, 1603. Out. You...Representative Balanoff. Out of the record. Municipal, County and Conservation. Brunsvold. Out of the record. Marinaro, 1537. Out of the record. Municipal, County and Conservation, Third Reading. House Bill 705, Representative Steczo. Out of the record. Representative Turner, 872. Art Turner. Out of the record. Representative Steczo on 1479. Call the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1479, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1479 is a Bill that amends the Park District Code and makes two changes. First, it provides that a certified copy of any annexing ordinance or annexing ordinance and an accurate map of the territory to be annexed to a park district shall be filed in the offices of the county clerk or recorder of each county in which the annexed property lies. Now, in addition to that, Mr. Speaker, it provides that any territory containing less than 150 acres which is a change from current law which says 80 acres may be annexed if surrounded or bounded by a park district. This is a situation to correct the typical, what we...what we commonly call around here 'hole in the doughnut' type of situations. So in those cases they would allow the park

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district to annex those territories and in terms of the annexation ordinances it's...it's being introduced just to...just to treat in a more fair manner the areas where the...where the annexation going to take place. I would answer any questions, and if...if not, ask for your 'aye' votes."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. If the Sponsor would yield."

Speaker Giglio: "Proceed."

Black: "Representative, I...I'm having a hard time understanding why the park districts want...want this authority. What...are we making it just easier for them to annex territory by this Bill, or have they had problems annexing territory or..."

Steczo: "The problem arises, Representative Black, where you have a...a situation where...as we commonly call the holes in the doughnuts, Representative Black. Where you have a park district that completely surrounds a certain area. So these people in the...in the...in the surrounded area constantly utilize the park district services so this allows the park district to be able to annex those territories. There's...there's only a few such areas in the entire state, but it's something that the park districts have sought to do for a while."

Black: "Well, you know I could understand that but the people in the area to be annexed, what...what voice under this Bill, what voice would they have as to whether or not they wanted to be annexed?"

Steczo: "Well, there are...there are stipulations, Representative, I believe in the statutes, if I'm not mistaken, that allow people to object to annexations, et cetera, but this gives the...the park districts the

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authority to be able to seek that annexation."

Black: "And...and requires them to give constructive notice on the proposed annexation?"

Steczo: "Everything that applies to, to current annexations would be...would be appropriate in this...in this...in this case."

Black: "Alright. If...if you have constructive notice and under...under...you know, in the underlying statute reference they have...the people in the affected area have a right to say, 'No, we don't want to be annexed', why is the Farm Bureau opposed to the Bill?"

Steczo: "Representative Black, I...I can't answer for the Farm Bureau, but let me...let me just indicate to you that on page 2 of the Bill it talks about the...the territory being annexed, and it says that the corporate authorities shall cause notice stating that the annexation of the territory is contemplated to be published once in a newspaper, et cetera, et cetera, et cetera, and 45 days and not more than 45 days, nor less than 30 days. The ordinance describes the territory. It's filed with the recorder and does all the things that are necessary to affect the annexation. So there is...there is notice."

Black: "Okay. Thank you very much for your patience, Representative."

Speaker Giglio: "Further discussion? The Lady from Sangamon, Representative Hasara."

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

Speaker Giglio: "He indicates he will."

Hasara: "Representative, so the notice given to those who are going to be annexed is a classified ad in the newspaper?"

Steczo: "There's a...the requisite is for publication as is the case, Representative Hasara, in all other annexation

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matters. There has to be that publication."

Hasara: "Then is...then the people to be annexed may have a referendum if requested by a certain percentage of the people being annexed?"

Steczo: "There...there are certain stipulations in the statutes, Representative Hasara, that, be it...be it administrative review by the courts or others, and I'm not...I'm not clear or can't recall specifically on...on...on...on the matter of park districts, but people can object to the annexations taking place."

Hasara: "But, it's my understanding not through a referendum."

Steczo: "That I would have to clarify for you."

Hasara: "Okay. I reluctantly rise in opposition to this Bill. As most of you know I have always opposed 'hole in the doughnut' annexation, any involuntary annexation by...by one group of people on another group who has no say in the matter or even if they do have a say, it's not by referendum. I think it is totally unfair to be able to swallow small groups of people without their wanting to be annexed into a park district, into a city, into anything else, and so I hope we will defeat this piece of legislation."

Speaker Giglio: "Representative Steczo to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. This...this Bill is...is intended to be one that is fair to the people that...that live in these so-called holes in doughnuts. When, with this Legislature has dealt with similar issues as is related to townships and other matters, we generally dealt with much larger areas. This area in this Bill is limited to 150 acres, and I should mention to Members of the House that present law now, present law now allows this procedure to take place for areas of up to 80 acres. So all we're doing in this Bill

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is expanding the acreage allowable under the law from 80 acres to 150 acres. So if you have problems with...with holes in the doughnut or...or whatever it might be, the fact is, is that park districts have the authority presently, presently to annex those types of areas of 80 acres or less. So all this Bill seeks to do is increase the acreage allowed and make the one other minor change about the...the filing of the annexation papers in the appropriate county, but this is legislation that is fair, and I would ask for your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 1479 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? 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 56 voting 'yes', Representative Steczo. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting: Burzynski. Giorgi. Lou Jones. LeFlore. Leitch. Levin. McGuire. Novak. Myron Olson. Petka. Regan. Satterthwaite. Sieben. Stange. Tenhouse. Walsh and Wennlund. No further."

Speaker Giglio: "The Gentleman asks leave to put the Bill on Postponed Consideration. Does he have leave? Hearing none, leave is granted. The Bill will remain on the Order of Postponed Consideration. Representative McNamara, 1392. The Order of Second Reading, 1392. Out of the record. Public Utility, Third Reading. Anthony Young. Out of the record. Art Turner, 244. Out of the record. Out of the record. Matijeovich. Representative Deering. Representative Deering, 992. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 992, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Washington, Representative

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Deering."

Deering: "I'd like leave to move it back to Second Reading for an Amendment, please?"

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill's on Second Reading. Read the Bill, Mr. Clerk."

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

Speaker Giglio: "Representative Capparelli on Amendment #1 to House Bill 920...992."

Capparelli: "Yes, thank you, Mr. Speaker. Last, I think two weeks ago, Mr. Ryder put a...got 116 votes asking that most of the elected members of commissions would be put on per diem. This one would put the Commerce Commission on per diem, \$100 a day plus the necessary expenses while engaged, and I'd ask for a favorable Roll Call."

Speaker Giglio: "Any discussion on the Gentleman's Amendment? Hearing none...Representative Klemm."

Klemm: "Yes, Mr. Speaker. Just a couple of questions. How many meetings does the Commerce Commission have during the year?"

Capparelli: "I don't have that information right now, Mr. Klemm."

Klemm: "What do they make now?"

Capparelli: "Somewhere between \$50,000 and \$60,000."

Klemm: "So they make \$50,000 to \$60,000, and we're going to a per diem on this?"

Capparelli: "Yes. A hundred dollars per diem..."

Klemm: "Is...is this in addition to their salary?"

Capparelli: "The pay...the pay is from \$58,000 to \$60,000 a year."

Klemm: "And would this per diem be in addition to that \$50,000, \$60,000?"

Capparelli: "Absolutely not."

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Klemm: "Would this replace the \$50,000, \$60,000?"

Capparelli: "Yes."

Klemm: "So in other words, they'll...they'll make more I would assume out of..."

Capparelli: "They'll make a lot less."

Klemm: "They'll make a lot less. But we don't know how many meetings a year they do...they have."

Capparelli: "We're trying to find out right now."

Klemm: "Two hundred and thirty times a year. Okay. So what you're trying to do is cut their salary, is that...would that be the essence of this Bill?"

Capparelli: "Yeah. That's right."

Klemm: "Alright. Thank you."

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

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

Speaker Giglio: "He indicates he will."

Black: "Representative, I...I think you have this in what House Bill 2584? Was that the Bill that this was originally embodied in?"

Capparelli: "Right. Right."

Black: "Was it ever called for a hearing in Public Utilities?"

Capparelli: "I think it was, yes, but I was not there."

Black: "Did it...well, if it had a hearing then it must not have prevailed, is that right?"

Capparelli: "The Bill...the Bill was in committee. It didn't get a hearing. I didn't vote for it. I'm asking for the Amendment to be passed. I want a vote for approval."

Black: "Okay. So...but...but, the underlying Bill then did not...you did not call the Bill in Public Utilities?"

Capparelli: "No."

Black: "Okay. Thank you."

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Speaker Giglio: "Representative Matijeich."

Matijeich: "Would the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Matijeich: "Representative Capparelli, if the intent is to reduce the salary of the ICC members, why not an outright reduction from \$50,000 or \$60,000, whatever, to \$25,000? What I'm afraid of, you can answer that, but what I'm afraid of is this will give an excuse to the Commission to meet every day of the year to...to have rate cases go...rate cases last about 11 months anyway, but they'll...they'll probably meet every day of the year, and rather than a reduction it...it could be an increase. There's no guarantee that this is a reduction. Is that correct?"

Capparelli: "The figures I got now are that they meet 108 days a...three times a week...three times a month, which comes to, times 100 would be \$10,800."

Matijeich: "Oh, I see. In other words, even if they met every day of the year it would still be a reduction. I see. That...that sounds reasonable. I...I think I'll give you a vote."

Speaker Giglio: "Representative Levin. Representative Levin, do you seek recognition? Your light's on. Levin, are you seeking recognition?"

Levin: "Yes, I am."

Speaker Giglio: "Well, talk."

Levin: "Like to speak on this good Amendment. Okay. When we pay salaries to...to people we expect them to do a quality job, and the kind of quality we have gotten out of these commissioners leaves a lot to be desired. Their...their end products is their votes on rate increases, and every major rate increase that they have voted on, that they have researched, that they have deliberated on, has ended up in

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court and has been reversed. The courts have said that the work product of these commissioners is no good. They're not doing the job. Why should we pay them this kind of salary for a poor quality job? This is a good Amendment, and I would point out for the record that Representative Capparelli had asked me as the Chairman of the House Public Utilities Committee to present his Bill, and we ran out of...we barely had a quorum the last day in order to hear a couple of Bills, so we were not able to call this Bill. There was no vote. This Bill was never defeated in committee. In fact, you know, there was no opportunity to discuss it. This is an excellent Amendment, and I think it's a good Amendment...it's a good Amendment...our constituents, and it says we want to get a dollar's worth from our public officials, and in terms of these commissioners we're not getting it right now."

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

Balanoff: "Mr. Speaker, for a question?"

Speaker Giglio: "Proceed."

Balanoff: "The...currently, you said that these commissioners make, hey Ralph. Currently you said these commissioners make 50 or 60 thous..."

Speaker Giglio: "Representative Balanoff's talking, Ralph."

Balanoff: "That make \$50 or \$60 thousand a year each, is that correct?"

Capparelli: "Repeat that, please."

Balanoff: "You said currently these commissioners, they make about \$50 or \$60 thousand."

Capparelli: "\$58 thousand to \$60 thousand."

Balanoff: "How much?"

Capparelli: "\$70 thousand, I just..."

Balanoff: "Okay, about \$70 thousand. How many of them are

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there?"

Capparelli: "The chairman makes about \$70 thousand. Members make \$58 to \$60 thousand."

Balanoff: "And how many of these characters are there?"

Capparelli: "Nine."

Balanoff: "So, we're talking about..."

Capparelli: "\$800 thousand."

Balanoff: "\$800 thousand of taxpayers' money, and they meet about six times a year. Is that..."

Capparelli: "108 days a year."

Balanoff: "They meet 108 days a year. So, if we paid 'em a hundred dollars a day each..."

Capparelli: "\$10,800 dollars."

Balanoff: "That'd be \$10 thousand dollars each. So it'd be about \$100 thousand instead of \$800 thousand."

Capparelli: "We could save about \$700 thousand."

Balanoff: "Well, earlier today we had a Bill that would have saved taxpayers countless millions, the one to eliminate township government, now we have another good Bill to try to save the taxpayers about \$700 thousand. You know, I think this is a real, real good Amendment, because maybe, with this decrease, those that are charged with regulating outrageous utility rates will understand how the rest of us have to live who are paying these high utility rates. I think everybody on this floor who's fiscally conservative, should certainly support this tremendous Amendment."

Speaker Giglio: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. I also rise in support of this Amendment. I think it's a good Amendment. We're in a deficit crunch right now, the Administration's looking for tax dollars, and they're looking for revenue, I think that we should save the taxpayers about \$800 thousand. This is a good Amendment, and I urge everyone to vote 'yes'. Thank

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you."

Speaker Giglio: "Representative Capparelli to close. Excuse me, Representative Churchill."

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

Speaker Giglio: "Indicates he will."

Churchill: "Representative, under the previous Act, commissioners to the ICC were supposed to maintain that position as a full-time job. How do you treat that in this Bill?"

Caparelli: "Maybe they should be a part-time job."

Churchill: "Okay, and that's what this basically does, right? It says that the provision that you previously had that said you were supposed to devote your entire time to the duties of this office is deleted in your Amendment. So in other words, that this job now becomes a part-time job, so, a member of the ICC can have a full-time job, or 2 jobs or 3 jobs, and then be just a commissioner with the ICC part-time. Is that correct?"

Capparelli: "There are a lot of people working full-time jobs with that kind of money. This is a time where we're trying to save some money, we could save \$700 thousand. Last week, we voted to cut all the Democratic commissions and put 'em on per diem. I don't see nothing wrong with this, and I was asked for a favorable Roll Call."

Churchill: "Yeah, I'm not objecting, I guess, to the portion of the cost of it. What I'm looking at is the responsibilities of the job. In our Public Utility Committees, there have been many people who have testified that the commissioners sit for long hours of time hearing testimony on rate cases. Now, how is a commissioner going to sit there for all these hours and listen to the testimony on rate cases, if this is just a part-time job? How do they do that? Are they going to have the time to be able to do this job? This job requires a lot of time to do

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it."

Caparelli: "Anyway, the staff does most of the work like it does right here, so I don't think they have to be working a full-time basis."

Churchill: "Okay, so in other words, you are changing this from a full-time position to a part-time position, and my only question is, is then how do they find the time to go to all the hearings and listen to, you know, the Citizen's Utility Board and listen to all the people come in and complain about potential rate cases? How do they find the time to do that, if it's not, if this is only just a part-time job?"

Caparelli: "They're doing it now on a part-time basis. They have 108 meetings, they're doing all the work, and we can still do it, and continue to do it, on the same basis they're doing it for a lot less money."

Churchill: "Okay. To the Amendment, at this point, I think that this changes the complete complexion of what we have set into law as a duty for members of the Commerce Commission. Takes it to be a part-time job, gives 'em a per diem salary, and what it says is that this is not a significant body. Well, this is a significant body. This is the body that hears everything that we do with a regulated industry. It's the public's watchdog over that industry, and you can have questions as to whether or not you think it's doing the proper job, but nevertheless this is the watchdog that we've put in place for the consumers, and to come back and say that this is only a part-time job, that you can show up on Friday nights for a couple hours and listen to things, holds this as something that is not in keeping with the law and the watchdog capacity that we've put into place, and I think that we ought to object to this Amendment."

Speaker Giglio: "Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative, is this still going to be a Governor's appointed position?"

Capparelli: "Appointed position?"

Ropp: "It's still going to be a Governor's appointed position?"

Capparelli: "Yeah, it'd still be appointed position."

Ropp: "Okay, who in the world with this kind of knowledge is going to work for this? Who will be wanting even be appointed?"

Capparelli: "If we pass this, we'll soon find out."

Ropp: "I guess the question that I would raise on this issue is that Commerce Commission has been appointed by people who have some expertise in a number of areas. By doing this we are in essence saying that we want the staff to do more and more and more work, and I'm not sure that that's what the public wants, is the staff to do all of the work, when in fact these people are appointed bringing to that group a certain amount of expertise. I think what your intent is...is laudable in attempting to save dollars, but an attempt to do away with the integrity of the system, which I think you don't want to do."

Speaker Giglio: "Representative Capparelli to close."

Capparelli: "Thank you, Mr. Speaker. I would just ask the people here today if they want to save money and show fiscal responsibility, to vote 'aye' on this Amendment."

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

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

Speaker Giglio: "Out of the record. You want the Bill out of the

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record? Take the Bill out of the record, Mr. Clerk...the Clerk for an announcement."

Clerk O'Brien: "Pursuant to House rules, the following Members are at a Reapportionment meeting while the House is in Session. Representative Ewing, Giorgi, Lou Jones, LeFlore, Leitch, McGuire, Novak, Myron Olson, Regan, Satterthwaite, Sieben, Tenhouse, Walsh and Wennlund."

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

Matijevich: "Somebody just told me I'm supposed to make an announcement that at Play It Again, Sam's there's a commercial fisherman having a fish fry, and I can add that it's very good."

Speaker Giglio: "Representative Wennlund. Back on the beat. Representative Wennlund, 1405. Representative Steczko. 1813. 1813. Out of the record. Representative Lang, 2374. Out of the record. Representative Levin. Levin. Out of the record. How 'bout on Real Estate Law? Turner, Homer, Woolard. Would you like your Bills to be called? Representative Turner. Representative Homer. 1196, alright. Representative Levin. Out of the record. Representative Flowers, Mary Flowers. Out of the record. How 'bout Real Estate Law, Third Reading? Representative Hicks. Representative Hicks, 136. Would you like to have that Bill called? 136. Read the Bill, Mr. Clerk. You want it? Out. Representative Leitch, 859. Representative Leitch? Out. Representative Mautino. You seeking recognition, Sir? Representative Mautino."

Mautino: "Thank you, Mr. Speaker. If you are looking for things to do, I've got House Bill 298 on Third Reading, and I'd like to take it back to Second, so Representative Hartke can present his Amendment."

Speaker Giglio: "Representative Hartke in the chamber? Read the

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Bill, Mr. Clerk."

Clerk Leone: "House Bill 298, on the Order of Third Reading. Motion to recall back to Second."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted, the Bill is now on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Floor Amendment #3 is being offered by Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #3 makes a change in the Enterprise Zone Retailers' Occupational Tax Act. The effect of this Amendment, it allows local enterprise zones to designate which enterprises and which businesses are tax-exempt, sales tax exempt. I would appreciate your support on this Amendment and would be happy to answer any questions."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, you generally are known for sponsoring good, well-reasoned legislation, but I guess the problem I have with this Amendment is that you would be...wouldn't you be destroying the common-base provision that we worked so hard to incorporate into the sales tax reform legislation?"

Hartke: "Representative Black, when we did the Omnibus Sales Tax Act a couple of years ago and put all of the sales tax and so forth into one package, we eliminated a provision which allowed local units of government to designate who should be sales tax exempt in enterprise zones. It's created a problem, I feel, for many, many retailers in the State of Illinois because if all those individuals who expand their business, or homes, in an enterprise zone, the building

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materials used would be sales tax exempt. For example, if you had a home in an enterprise zone and you were putting wall paper on your wall or painting your house, those are to be considered building material, and you would go to a local hardware store and you could say I am sales tax exempt for that gallon of paint. They would have no idea or concept, the hardware store, whether they should be charging sales tax or not because you would not know whether that individual lived in an enterprise zone. What this does, Act or my Amendment says that the local government would designate who in that enterprise zone would be sales tax exempt. My Amendment actually makes money for the State of Illinois because we would now be able to allow those local units of government to determine, or give a permit number to those individuals who would be sales tax exempt in an enterprise zone. Now if the enterprise zone says that residential, commercial and industrial property are all sales tax exempt, that's the way it would be, but some enterprise zones do not want to encourage residential homes to be built in an enterprise zone, so therefore they could only give or designate sales tax exemption to commercial or industrial users."

Black: "Mr. Speaker..."

Speaker Giglio: "Representative Black."

Black: "Yeah, I tell you, this is a tough one, and I think I know where he's headed, but..."

Hartke: "I hope you do."

Black: "You know, I hope he does, but anyway, you act like an individual can do this, I mean, is that what you're telling me? If I go to the True Value and I'm fixin' up my house, and I want a gallon of paint, I thought it was only for businesses that were making a substantial investment."

Hartke: "You're incorrect, Representative Black. If you were a

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homeowner in an enterprise zone under the present law, you may go to a hardware store and say 'Look, I'm putting in new wallpaper, and I'm painting my garage.' If you're residing in that enterprise zone, you are entitled to the sales tax exemption on that building material, and I say that's wrong. It should only be for those individuals or corporations that that local unit of government designates to be sales tax exempt. Revenue standing aside, you ask them that question. That is the problem...and then how does the local hardware store report on their revenue statement and sales tax statement saying well I collected sales tax on all this paint and so forth, but the individual who lives in that enterprise zone, residential property, is also sales tax exempt. There's no record, no permit, no anything. How would the hardware store know whether that individual lives in an enterprise zone designated area? This Amendment would allow those units of local government, who have enterprise zones to designate, by number, this manufacturer, that industrial plant, or whatever, to be sales tax exempt. Individual homes would not, unless that enterprise zone decided that the enterprise zone was for residential, commercial and industrial expansion. Maybe some enterprise zones just weren't residential expansion in that area, but maybe not. Granted, this may cause you a problem, but we're actually losing money in the State of Illinois because of this broad stroke which allows everyone sales tax exemption."

Black: "But, from the discussion, the Gentleman's answers and the discussion we've had, he may have touched upon something that there seems to be a little confusion on, and given his answer, then I think he's probably on the right track, Mr. Speaker, as he usually is."

Speaker Giglio: "Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Under the current enterprise zones that we have in the State of Illinois, how many residences are actually constructed in an enterprise zone now? Do you know?"

Hartke: "I cannot answer that. I do know that when we passed the omnibus sales tax legislation, there was a paragraph left out of the statute that allowed local governments to designate who would get sales tax exemption in their enterprise zone, and the broad brush now says that everyone that's established his property and so forth in their building material would be sales tax exempt. It does not say that residential property would have to pay...so pay that sales tax, so they are exempt as well. Whether they do or do not build homes in an enterprise zone, that article in the sales tax was taken out, so what this Amendment does is put that back in. It says local governments can designate whether it should be industrial or commercial property."

Ropp: "Can or may? May designate or can designate?"

Hartke: "What's the difference?"

Ropp: "One is permissive and one is mandatory. Well, anyway, I guess I was under the assumption as a number of us were here, that enterprise zone was predominant, if not entirely for encouraging businesses to come into a particular area, and to be real honest, if this is in error, then clearly this Amendment, I would suppose is a good one because I would not think we would want to allow individual homeowners to take advantage of this because it was an attempt to create jobs in the State of Illinois, bring in businesses within those areas that needed additional businesses, and I think you've got a good Amendment if you can explain whether or not it's may or

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can."

Speaker Giglio: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the Amendment and let me use another example rather than the paint or the wallpaper. The intention of the Enterprise Zone Act was to provide for assistance as it pertains to job retention, job creation and investment in an area. Under the provision that was passed two years ago, the paragraph that was left out allowed, for example, in many cities where the enterprise zone goes from an enterprise zone into a city and maybe into another commercial area, many homes. What was brought to our attention is a person could, who lived in that area that tied in the two areas to an enterprise zone, could go to a carpet store and have their whole home recarpeted and submit their address within the enterprise zone and ask for a sales tax exemption. That clearly was not the intention of the statute. I stand in support of the Amendment, and it will help the State of Illinois and the enterprise zone program director get out of a few problems which they've gotten into when homeowners have asked for this exemption. I accept the Amendment on my Bill, and I join with Representative Hartke in support."

Speaker Giglio: "Representative Hartke to close."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. This may seem complicated to many, but actually what it does, it enhances the Department of Revenue's ability to collect taxes in an enterprise zone from residential builders and developers and so forth of private homes, and that was not the intention under the Act. I think that any retail merchant in the State of Illinois who has a...an enterprise zone in the area would also welcome this legislation to...give them the ability to clarify

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their books and to make their records more clear when they report their sales tax to the Department of Revenue. I would appreciate your support on this Amendment."

Speaker Giglio: "All those in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Third Reading. On the Order of Third Reading appears House Bill 910, Representative Williams. Out of the record. Representative Weaver, 1379. Read the Bill, Mr. Clerk. 1379."

Clerk Leone: "House Bill 1379, a Bill for an Act to amend the Rental Purchase Agreement Act. Third Reading of the Bill."

Weaver: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. 1379 simply makes some technical language changes in the consumer lease agreement, does not deal with real estate deals with rent-to-own property. I'll be more than happy to answer any questions and ask for your affirmative vote on the Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1379 pass?' 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? Take the record, Mr. Clerk. Hultgren, 'aye'. On this question, there are 97 voting 'yes', none voting 'no', and House Bill 1379, having received the required Constitution (sic) is hereby declared passed. Representative White. Out of the record. Representative Ronan. House Bill 718, Second Reading, Transportation. You have two Bills. 718, 719. Did you move those? Representative Hicks, 1484. Second Reading, Transportation. Representative Hicks. You want to call it? It's on Second Reading. 1184. It's on Third. Okay. Transportation, Third Reading. Representative Trotter.

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House Bill 5. Out of the record. Representative Currie, 121. Out of the record. Representative Matijevich, 153. Out. Steczo, 519. Out of the record. Kulas, 597. Representative Santiago, 685. House Bill 685. Fingerprint bus drivers. You want to call that Bill? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 685, a Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

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

Santiago: "Yes, Mr. Speaker. I would like to have leave to bring the Bill back to Second Reading for an Amendment."

Speaker Giglio: "Gentleman have leave? Hearing none, leave is granted. Bill is on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Floor Amendment #2 is being offered by Representative Black."

Speaker Giglio: "Representative Black on Amendment #2. Withdraw Amendment #2. Further Amendments."

Clerk Leone: "Floor Amendment #3, being offered by Representative Santiago."

Speaker Giglio: "Representative Santiago."

Santiago: "Yes, what this Amendment does is, I'm trying to find the Amendment here, but basically what it does, it requires that the school bus drivers split the difference when they apply for a permit to drive a bus. At the same time they will use that money to have a fingerprint check done by the state police."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman have leave by the unanimous Roll Call to hear this Bill? Immediate

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consideration. Representative Black. There's an objection, Representative Santiago. Bill will remain on the Order of Third Reading. Alright, on the Order of Second Reading in Revenue, Representative Currie, 1830. Representative Ronan, 1852. Representative Bugielski, 1982. Representative Kubik, 1985. Representative Turner, 2152. Out of the record. Currie-Phelps, 2342. Out. On Revenue, Third Reading. Representative Mautino, House Bill 298. We moved it from Second, put the Amendment on, back to Third. The Bill's now on Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 298, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Giglio: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The legislation that you're looking at was basically amended by Representative Hartke to resolve the problem as it pertains to who was authorized to have the sales tax exemption. That was Amendment #1 to the Bill. The underlying Bill has to do with contiguous zones. For example, I happen to live in a city where there are no suppliers of building materials. The majority of the purchases are made outside of the enterprise zone, but in the exact next city of Peru. This allows for that sales tax exemption to be used in a contiguous zone as well as the provision for the designation by local government for the exemption, the people who receive the exemption, and I move for its passage; happy to answer any questions."

Speaker Giglio: "Representative McGann."

McGann: "Thank you, Mr. Speaker. Members of the Assembly, it is with regret that I must stand in opposition to this House Bill 298. I know the Representative who's initiating this piece of legislation has the welfare of his constituents in

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mind, but I must share with you that in these this year difficult times as far as the dollar spreading it around, will have, this Bill will have a negative impact on state revenues. There is a tremendous problem in going into a continuous (sic contiguous) area, that's not an enterprise zone, and in one audit alone the Department of Revenue assessed sales tax liabilities of almost a million dollars, and that is in just one region of the state. I don't think that we can afford a million here, a million there because we'll be talking about real dollars. As the late Senator Everett Dirksen mentioned, I think now is the time that we must put a stop to these giveaways, and this is a good example of a giveaway. I would ask you to vote 'no'."

Speaker Giglio: "Further discussion? The Representative from Cook, Representative Anthony Young."

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

Speaker Giglio: "He indicates he will."

Young, A.: "Are there any limitations in terms of the Bill about being able to go to a contiguous district like, in your situation there isn't a facility? Are there any limitations? If there is a facility that you have to use the one in the enterprise zone?"

Mautino: "The limitation is that the enterprise zone must be contiguous to another enterprise zone with no separation in between. The only area that I know of in the State of Illinois that falls under this provision happens to be the one I live in. I know of no other where contiguous enterprise zones in two different counties occur."

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

Black: "Yeah, thank you very much, Mr. Speaker. I, too, rise reluctantly in opposition. I think I can see the underlying points of this Bill. I come from a similar

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district, and I think some of it makes good sense, but you know, if we're not careful, I think what we'll do here is to work at odds with the very purpose of an enterprise zone. If you don't have the means and wherewithall to purchase the materials, then maybe the enterprise zone shouldn't have been certified in the first place. I think it also raises another question that's very interesting. Why would a contiguous county give up sales tax revenue to benefit another county? I mean, I...or another municipality do the same? It would be great if we could all work that closely together in the State of Illinois, but reality, generally, is not that way, and I really think that it opens up some real problems in the common base of the sales tax reform which we're going to be chipping away here, no matter how well thought out or how well the cause might be. It's a Bill that I think opens the door to some things we...I thought we had closed when we went to sales tax reform. I understand the Gentleman's problems, I think I probably have some of the same things going on in my district, but in all honesty I simply can't support it."

Speaker Giglio: "Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. We had a big automobile manufacturer open up in Bloomington, and he never had any suppliers in an enterprise zone that was within that area, so they set up a false storefront, and used it to run bills through. In the village of Bartonville in my district of 6,000 people, we had a small contractor with 12 people and just 'cause they never had a batch plant, to mix concrete, he's gettin' charged with \$17,000 worth of taxes because the sales tax...because he had to go two miles up the road into Peoria and buy his concrete, 'cause there was no batch plant in the village of Bartonville. Now, the government's coming after him 'cause he didn't set up a false store

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front like Mitsubishi did. Now why can we leave the millionaires out of paying this tax and take this money away from a man who hires twelve cement finishers, buys his concrete from the same county just 'cause he had to stagger lines, and he didn't go up the street and take a hardware store and say, 'Send your bills there,' 'cause he wasn't notified. He was a small contractor. We can go over here with all these millions of dollars that we gave the Japanese and Chrysler, and we gave those people and let them off tax-free and take a contractor from my district with 12 employees and say you owe us \$17,000. If there's any justice in this, I don't know how you could vote against this legislation. This corrects it. This takes a little guy, who didn't get to sit down with DCCA, who just went and bid a contract to keep a steel company, to keep a steel mill in Illinois. Built a new one, they're all closing down. We built a new one in our district based on this type of financing, so if you want to take a small contractor in my area and charge him \$17,000 and let the Japanese and Chrysler get off of millions and millions and millions, you go ahead and do it to us. It's very unfair, just because he didn't have a batch plant for this type of product to come into his area, and he had to go up the road 2 miles to buy it. This is a good piece of legislation that protect our little people that are trying to build in that district."

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

Hartke: "Thank you very much, Mr. Speaker and Members of the House. I stand in support of this piece of legislation, not only because it has the Amendment that we just put on, my Amendment, but I think it enhances the enterprise zone concept. It allows for this contiguous county enterprise

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zone purchase. As the previous speaker mentioned, you know, false four storefronts, just to enhance the sales tax exemption was done in many areas, and this allows for those legitimate businessmen in neighboring and contiguous enterprise zones to still service and to develop a concept under the enterprise zone which we had hoped for and that was the enhancement of industrial and commercial production in enterprise zones, and I stand in support of this legislation."

Speaker Giglio: "Representative Mautino to close."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to respond to a couple comments made here, first by the distinguished Chairman of the Appropriations Committee, whereby he based his opposition on the sales tax lost. Let me explain to everybody here there's no sales tax lost because what occurs is the individual who wants to expand a business in one enterprise zone has to go out of the county and purchase those products, building equipment, and building materials et cetera because where the enterprise zone is in the last 5 years, the lumberyard closed out and moved down to the larger city a half mile away. Everything moved from Bureau County to Peru. So, we have a...an industrial park that is ongoing, the city purchased 50 acres to expand it and yet all the purchases for the supplies, for the expansion within the industrial park cannot be applied under the enterprise zone concept 'cause they're all purchased in Peru, Illinois. LaSalle County. That's totally unfair to the people who live in more rural counties and do not have the large development, or the industrial sites that a much larger county does. The Amendment that Mr. Hartke put on was an excellent Amendment to correct a situation that has occurred, but the

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enterprise zone comments made by Mr. Saltsman were right on the money. If this was General Electric or Caterpillar coming to the General Assembly asking for a handout, like the large corporations do, this Body would pass 'em in a heartbeat, but because the small business people want to be treated fairly, then we have opposition. I don't understand it. It's \$86,000 per job at Mitsubishi over in Bloomington-Normal, and everybody accepts that. Then we have local business people who want to invest their own money, not come down looking for a handout from Springfield, and I hear opposition from both sides. I don't understand it. I thought the idea of an enterprise zone was to have private entrepreneurs invest for the betterment of a given area, no matter what the geographics were. I recommend most highly that you pass this, and allow these smaller counties to fend for themselves. You don't happen to see those small individual entrepreneurs coming down here looking for things from Springfield. It's only the large companies. Now it's time to give the small people a break and do it now, please. I ask for an 'aye' vote."

Speaker Giglio: "Question is, 'Shall House Bill 298 pass?' All those in favor vote 'aye', opposed 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted? Mr. Clerk, take the record. On this question, there are 47 voting 'yes'...Representative Hartke. Gentleman asks leave for Postponed Consideration. Gentleman have leave? Put the Bill on postponed consideration. Representative Turner. Representative Turner."

Turner: "2072? You looking for some work?"

Speaker Giglio: "Well, Representative, hold on a second.

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Representative Schakowsky on 931. We'll go right down the line, Representative Turner. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 931, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that passed both Houses unanimously last Session. It simply requires the Department of Revenue to make a list of people who qualify for the Circuit Breaker Tax Relief Program and to make that list available to local governments. Those of you who have municipalities or other units of government that provide special services that are triggered by the circuit breaker, this lets the Department of Revenue tell that local government who those individuals are. As I say, it passed unanimously. It's just to ease the paperwork and to make it easier for senior citizens to get the benefits that they deserve without having to, themselves, write to the Department of Revenue or bring all kinds of documentation that they're on circuit breaker, so I would urge your support of this non-controversial piece of legislation."

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

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

Schakowsky: "Yes."

Speaker Giglio: "Indicates he will."

Black: "Representative, this Bill, I believe, passed last year, but I think was amended on the floor, was it not? I don't think it passed in this form."

Sckakowsky: "My understanding is that this is exactly the way it was...I'm told it's exactly this way."

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Black: "Our staff thinks it was amended on the floor, but, you know, that's...just a...point of contention here. What...what basically is...is the purpose of your Bill is exactly as you have it written, or is this a vehicle?"

Schakowsky: "No, it is not a vehicle. Here's the purpose. The City of Evanston offers a reduced rate for vehicle stickers to people who are on the circuit breaker, so lots of seniors come in to get their reduced vehicle sticker, and they don't have proof with them that they're on the Circuit Breaker, so they have to go home and get more information, or they have to write to the Department of Revenue. This allows the Department of Revenue to tell the City of Evanston, or your municipality, that these people do qualify for the circuit breaker program. There's no other intention at all, just to make it easier for seniors to get the benefits that they deserve. It just cuts through the red tape a little bit, and I would think that everyone would appreciate that."

Black: "Well, thank you very much, Representative. I...if you are assuring us that this is not a vehicle, and that you are going to use it for the purpose that the Bill is drafted, you know, I think there are going to be some other questions, but at least that answers some that we have. The department did tell us that the underlying Bill last year was amended into something else, and I know you don't want to misspeak or say that it's the same Bill. They assure us that it was amended on the floor and became something else, but I appreciate your patience in answering the questions."

Schakowsky: "Well, if I can, I would prefer to take it out of the record if you still have some concerns with it, Representative, because I have no intention of using it in any other way."

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Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Before the Representative takes it out of the record, I have a couple of questions that maybe you want to consider. Two concerns I have: One, is that it's to any local government can get this list. Any local government. In Illinois, we have so many because my second reason is that I have a number of constituents who come to my office who really don't want to be advertised that they're on the circuit breaker. I mean, to them it's kind of...oh, maybe being on the public relief somehow. They just really would rather it be a private matter because of their income they just don't feel that they should have this broadcast all over the state, and so when I see a Bill that says let's list everybody who reaches a certain income and they're on the circuit breaker, let's distribute it to any unit of local government in Illinois who requests it. It goes too far in my mind of trying to give some protection to some of those people who really genuinely aren't so proud that they don't make \$12, \$14, \$15 thousand, whatever it is. So for those reasons I have concern. I understand what you're trying to address, and I have no problem, but I wonder if someplace you could amend that to do something to take it away from people getting the wrong impression of how that list could be used and distributed to somebody else."

Schakowsky: "Okay. Mr. Speaker, I'd like take the Bill out of the record."

Speaker Giglio: "Take it out of the record. Representative Currie on 1102. Out of the record. Representative Klemm, 1996. Representative Klemm. Klemm. 1996. Want to proceed with the Bill, Sir?"

Klemm: "Yeah, let's proceed with the Bill. I understand it's going to be on Agreed Bill lists, but let's go ahead with

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it, it's a simple Bill."

Speaker Giglio: "Read the Bill, Mr. Clerk. 1996. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1996, a Bill for an Act to amend the Illinois Library Systems Act. Third Reading of the Bill."

Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. House Bill 1996 is a really a technical Bill because of the census in the State of Illinois. We needed to change the per capita grant in our Library Systems Act so that we could change it per the person and per the square mile because we've had a slight loss in our population that if we did not change this formula, we would end up lapsing some dollars into that fund we would not be able to distribute it. The moneys are meant to be distributed, they are always distributed; this codifies the change because of the census and it was no opposition. It's supported by the Library Association, the State Librarian and I ask for your favorable vote."

Speaker Giglio: "Any discussion? Question is, 'Shall House Bill 1996 pass?' 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 94 voting 'yes', none voting 'no', and House Bill 1996, having received the required Constitutional Majority is hereby declared passed. House Bill 2072, Representative Turner. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2072, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Giglio: "Representative Turner."

Turner" "Thank you, Mr. Speaker for hearing this last Bill of the night. This Bill amends the Revenue Act to allow a tax buyer to petition the courts for a one-year extension of

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the three-year redemption period. The courts will grant the request upon showing of good cause."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2072 pass?' All those in favor vote 'aye', opposed '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 question, 96 voting 'yes', none voting 'no', and House Bill 2072, having received the required Constitutional Majority is hereby declared passed. Representative Currie on House Bill 2190. Out of the record. Veterans, Second Reading. Representative Hoffman, Jay Hoffman. Out of the record. Representative Burke, 847. Representative Burke. Representative Burke. 847. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 847 has been read a second time previously, a Bill for an Act in relationship to the Persian Gulf Veterans. Second Reading of the Bill." Amendments #1 and 2 have been adopted previously."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments? Okay...so is an objection, take the record...take the Bill out of the record. Alright, the Chair would like to inform the Body...the House is prepared to adjourn, however, the Democrats upon Adjournment will have a Caucus immediately following Adjournment in room 114 and will be back tomorrow at 10:30...the Chair always been fair with the Body, have always been fair, and we've always been up front. Now, if you want the Chair to continue being up front, please let's have order and have respect for the Chair on the announcements. Alright, Representative Matijevich moves that the House now stand Adjourned until 10:30 tomorrow morning. All those in favor signify by saying 'aye',

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opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The House stands Adjourned. Democrats in Room 114 immediately for a Caucus. First Special Session. First Special Session will now come to order. The Roll Call from the Regular Session will be used for the First Special Session. Representative Matijevich now moves that the First Special Session of the Illinois General Assembly stand Adjourned until 10:35 tomorrow. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The First Special Session is Adjourned."

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