

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

94th Legislative Day

July 17, 1991

Speaker Giorgi: "The House will be in order; the Members will be in their seats, and we will be led in opening prayer by Representative Hartke. Everyone will please stand, and the people in the gallery might want to join us in the invocation."

Hartke: "Lord, bless this House. Give us the wisdom of Solomon to conclude our business for the people of the State of Illinois; we ask in Jesus' name. Amen."

Speaker Giorgi: "Thank you, Representative Hartke. Will you lead us in the Pledge of Allegiance, please?"

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 Giorgi: "Roll Call for Attendance. I'm sorry. Representative Matijevich, do you have any excused absences?"

Matijevich: "...I think we're all here. Representative Martinez had a death in the family, but I understand he may be here later, but he's not here, yet; otherwise, we're all here."

Speaker Giorgi: "Representative Kubik, on the excused absences."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Klemm is excused today, due to illness."

Speaker Giorgi: "There being 116 Members answering the Roll Call, the House has a quorum. Take the record, Mr. Clerk. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. Just an announcement and, perhaps, to keep things in proper perspective as we go about the very difficult business we face, many of you...know Hank Huffman, one of the doorman in the back, who always has a smile and a good word for everybody. Hank's in St. John's Hospital in Room 504-A, and I'm sure

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would appreciate a card...or a call, and we all hope and pray that Hank's back with us soon."

Speaker Giorgi: "Thank you, Mr. Black. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 86, offered by Representative Kubik; House Resolution 932, by Manny Hoffman; and 933, by Representative Keane."

Speaker Giorgi: "Representative Matijevich moves the adoption of the Agreed Resolutions. All in favor signify by saying 'aye', those opposed, 'nay', the 'ayes' have it, and the Agreed Resolutions are passed. Indulgence of the Members, we'd like to go to Conference Committee Reports. If anyone's prepared for their Conference Committee Report, Santiago on House Bill 56; Currie on House Bill 121. Out of the record. McPike's not here. Homer on House Bill 1415. Out of the record. Curran on House Bill 1499. Out of the record. Granberg on House Bill 2010. Out of the record. House Bill 2148, Representative Keane. Out of the record. Senate Bill 10, Levin. Out of the record. Senate Bill 11, Levin. Out of the record. Senate Bill 872, Keane. Out of the record. Senate Bill 908, Capparelli. Out of the record. Senate Bill 930, Lang. Out of the record. Senate Bill 972, Steczo. Out of the record. On the Supplemental Calendar #1, under July 17th, House Bill 180, Farley. Out of the record. Twelve twenty-eight, Ropp. Out of the record. House Bill 1254, Virginia Frederick. Out of the record. On the Supplemental Calendar indicates Virginia Frederick, Bill 1254. Hartke, do you wanna...here she is."

Hartke: "I...I think the...that may be incorrect. I am the Sponsor of 1254. Correct?"

Speaker Giorgi: "Representative Frederick, House Bill 1254 is yours? Out of the record. Representative Hicks, on Senate Bill 445. Out of the record. Representative Stern, ...on

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your announcement."

Stern: "Mr. Speaker and Members of the House. ...When I came in this morning, there was a note on my desk signed Cole Porter, and I thought I would share it with the rest of you. 'Speaker, show me the way to go home, I wanna sleep in my own bed. We had a little vote about an hour ago, and I feel so overfed. I am down to my brush and comb, I wanna leave this Capital dome. Our per diem's caused the citizens to froth and foam, show me the way to go home.'"

Speaker Giorgi: "It'll be a part of the record."

Speaker McPike: "Come to order. The Chair recognizes Speaker Madigan."

Speaker Madigan: "Mr. Speaker, I rise for the purpose of requesting a Democratic Conference. Last night, Representative Daniels and I had some very lengthy discussions. These discussions occurred because of the initiative of Mr. Daniels. I want to thank him and compliment him for taking that initiative. The results of those discussions are that I think we are now prepared to go to party caucuses and make a recommendation to our caucuses that would end this particular Session of the General Assembly; so there will be an immediate Caucus of the Democrats."

Speaker McPike: "Representative Daniels."

Daniels: "Thank you, Mr. Speaker. As the Speaker represented, we had, throughout the Session, a number of conversations as to the impasse that we are facing as to the difficulty of the budget. I join with the Speaker in calling for a caucus, and in my case a Republican Caucus, at which time we will outline for you our recommendations to resolve this impasse. And let me say as we move towards Member approval and involvement and discussion on the recommendations, that I appreciate the Speaker's attent (sic) and intentions to

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work very carefully for the benefit of all the people of Illinois and for his willingness to address...the most important and critical issues that we are facing. I believe that...we have an exciting package that addresses the concerns of Legislators here. And...one that...addresses the concerns of Legislators here and...one that, hopefully, all of you will share in that belief, and I would like to thank Speaker Madigan and you as well, Mr. Speaker in the Chair, Sir, for your efforts, too."

Speaker McPike: "Alright, the Republicans will have a conference...a caucus immediately in Room 118, and the Democrats will have a Caucus immediately in Room 114. The House will stand at ease till the hour of 4:00 p.m."

Speaker Matijevich: "The House will come to order. On House Calendar Supplemental #1, appears House Bill 180, the Minority Leader Jim McPike. Out of the record. House Bill 1228, Gordon Ropp. You ready, Gordon? Sure. Representative Ropp on House Bill 1228, First Conference Committee Report."

Ropp: "One moment, please. Thank you, Mr. Speaker and Members of the House. ...House Bill 1228 originally dealt with...bicycling. That's all been changed; there's nothing in that now. There is a provision...many...there's about four provisions in here, all of which have been, as I understand, pretty much approved. One creates an airport authority in Representative Wojcik's area that she had concern with. Another area dealt with a provision that has been agreed to by the Truckers' Association, which says when a trucker is stopped he...must comply with the...safety inspections that might be requested by a state policeman. Another one deals with an exemption for portable (sic potable) water for human livestock consumption, and...two other provisions are dealing with

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township government, which establishes, by...a referendum, whether or not their salaries shall be increased and...there's a certain procedure for establishing that. I think all these provisions have, in one way or another, been accepted by both parties and everyone involved, and I welcome your support in its passage."

Speaker Matijevich: "The Gentleman from McLean, Representative Ropp, has moved for the adoption of the First Conference Committee Report on House Bill 1228. Is there any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Will the Gentleman yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Homer: "Representative Ropp, the...I'm only interested in the portion of your Bill that...that exempts from Commerce Commission regulation the transportation of potable water in containers of 1,000 gallons or less. What is...what is the current law?"

Ropp: "To be real honest, this is a portion of the Bill that I was not aware of. Hold on a second. Currently, there is no provision in the statute that will allow individual farmers to haul water from one farm to another or...to feed livestock, and this is a provision that was put in to give them that..."

Homer: "Representative Ropp, then, what...do I understand then that, currently to transport potable water requires licensing by the Illinois Commerce Commission, regardless of the quantity?"

Ropp: "Right now, they have to pay a sizeable fee just to haul water from, let's say, a municipality. This would exempt them."

Homer: "Who's...I understand, Mr. Speaker and with the consent of Representative Ropp, I understand that Representative

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Hartke is the author of this portion of the Bill. Can we yield to Representative Hartke for an explanation?"

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

Hartke: "Would you ask the question again? I was..."

Homer: "The portion of the Bill that caught our attention had to do with this exemption for those who...were creating an exemption from the regulation of the Illinois Commerce Commission for those who would transport potable...potable water in containers of 1,000 gallons or less. My question is, 'What is the current law in terms of regulating those who transport water, and how does this change it and why?'"

Ropp: "Okay, under current law...water is...is considered a...a commodity and so then they're required to have an Illinois Commerce Commission permit in southern Illinois and in many areas where we do not have a water delivery system. Many rural residents use...water delivered to them by small trucks, and so forth, by individuals who do this on a part-time basis when it's dry. If it's raining, their cisterns fill and their wells are adequate, and...so there are a number of individuals who have been stopped recently by...with a 1,000 gallon tank or so in the back of their truck, and they were fined quite heavily because they don't have the ICC permits. This will allow those individuals, who do this on a part-time basis, to haul this water without having the ICC permits. We thought if we limit it to 1,000 gallon...I'd really like to have 1,500, but limiting it to 1,000 gallon...would...would assist many of those rural areas with this problem. This is not meant for the commercial water haulers...who sell bottled water and things like that. This is...meant for those individuals who are...who are selling...or delivering bulk water from municipalities...to rural or individual residents. This

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water would not be used...commercially for resale or anything like that but for use in private residence."

Homer: "This...this Bill pertains to both livestock and human consumption?"

Ropp: "Yes, it does."

Homer: "Alright, now...now Hinkley and Schmidt or one of those..."

Ropp: "Those individuals use this water and may be transporting it, but... but they're rebottling it or selling that water commercially to individuals and not for individual private use."

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

Black: "Thank you very much, Mr. Speaker. I just...rise to support this Conference Committee Report, and I think Mr. Hartke can...back me up. We met with the Illinois Commerce Commission and the Midwest Truckers' Association and a number of other groups regarding this problem, particularly in southern Illinois where we just simply don't have the water systems...that we'd like, and, as far as I know, the Commerce Commission and the Midwest Truckers and most parties agreed to this provision...and it isn't designed to circumvent those in this business for profit or hire. We think it's a very reasonable compromise, and I would hope that everybody could support it."

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

Deering: "Mr. Speaker, will the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Deering: "Representative, on the...tax referendum for the salaries of road district employees...is that a front-door referendum?"

Ropp: "Yes."

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Deering: "And, if it's voted down, there's no way that they can push a back-door referendum through?"

Ropp: "You are correct."

Deering: "Thank you."

Speaker Matijevich: "Representative Harkte, the Gentleman from Effingham."

Hartke: "I just want to make a comment on the...on the water thing. There was some concern about individuals who were...using trucks to...to transport 1,000 gallons of water from one bottling plant to another and so forth, your commercial bottlers, but the intent of this legislation was for rural water delivery for livestock and human consumption, ...as we stated, Tom, and I...I think that...legislative intent would show that and there would be a violation if this is used to rebottle and to sell such as the...the firm that you mentioned."

Speaker Matijevich: "There being no further discussion, Representative Ropp has moved that the House do adopt the First Conference Committee Report on House Bill 1228. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', 0 'nays', and the House does adopt the First Conference Committee Report on House Bill 1228; and this Bill, having received the Constitutional Majority, is hereby declared...extraordinary Majority, is hereby declared passed. House Bill 1254, Representative Frederick. Out of the record. Senate Bill 445, Representative Hicks. Out of the record. Representative DeLeo, are you seeking recognition?"

DeLeo: "No, thank you."

Speaker Matijevich: "You...you have before you the two Gentlemen who got 0 votes on two Bills, myself and Ted Leverenz. See



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if you can beat that one! Would all unauthorized persons be off the floor. We understand there's (sic there're) lobbyists on the floor, and...and...and this...this time we mean it, so the doormen please have all unauthorized personnel off the floor. We're going to go to Conference Committee Reports on the Regular Calendar. All unauthorized persons off the floor. House Bill 56, Santiago; 56, Santiago. Out of the record. House Bill 121, Currie. Out of the record. House Bill 175, McPike. Out of the record. House Bill 1415, Homer. Out of the record. House Bill 1499, Representative Curran. Out of the record. House Bill 2010. Out of the record. House Bill 2148, Keane. Out of the record. Senate Bill 10. Out of the record. Senate Bill 11. Out of the record. Senate Bill 872, Keane. Out of the record. Senate Bill 908, Capparelli. Out of...out of the record. Senate Bill 908, Capparelli. Out of the record. Senate Bill 930, Lang. The Gentleman from Cook, Representative Lang, on Senate Bill 930, Conference Committee Report."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 930, the Conference Committee Report...deals with a situation created when we passed Senate Bill 548. This covers ascertaining of value that should be placed on non-marital estate in a...in a...divorce proceeding. The Amendment is an attempt to clarify how the court should reflect value when personal effort of a spouse is deemed a contribution to the marital estate. The...the Bill we passed, Senate Bill 548, creates a vague and ambiguous method of ascertaining the value of personal effort. I want to remind you that in this we're talking about a non-marital estate, not property gain during the marriage. Case law currently provides that personal effort of a spouse is reflected as salary, and this Bill simply says

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that salary should be used as that determining device. If the...if there is no salary, then the court is to determine what the salary level should be on a reasonable basis. This is a balanced Bill; it's a balanced Conference Committee Report; it's fair to both sides. It says to the...it says to one party if the other party is not getting a salary, but burying their salary in the company, that a court can impose that salary as a figure as a reasonable value, and it, also, says that the non-marital estate of the party that's working, the party who's making the payments...will will be protected, over and above that salary. This is simply a compilation of case law. There's a case that holds exactly what this Conference Committee Report says. We're trying to make sure that the statutory law complies with the case law, and I move the adoption of Senate Bill 930."

Speaker Matijevich: "The Gentleman from Cook, Representative Lang, has moved for the adoption of the Conference Committee Report on Senate Bill 930...the Second Conference Committee Report. On that, the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What the law is currently, and I think you all ought to know this, because this year there's been more attempts to increase the amount of maintenance and child support throughout this General Assembly. The law right now is is that where you...let's take a person who had a business before his marriage, which is non-marital property, and that non-marital property was acquired by gift or inheritance or just acquired prior to the time of the marriage. Now, if the spouse worked in that business, the courts have said that, if the husband had a substantial salary that...that business does not have to contribute to

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the marital estate because the husband had a substantial salary and that contribution that he made by bringing his paycheck home was satisfied the need for a contribution coming from the spouse. I think this is a further invasion of the concept of non-marital property. Property acquired prior to the marriage, that is attempted to be invaded by this type of legislation. I don't...we've had a similar proposal to this come up once; it was defeated; this one ought to be defeated. If you go home with another type of legislation like this, you're further invading the concept of non-marital property, and it's bad business, and I don't think that that's a good vote...good vote for the people in your district."

Speaker Matijevich: "The Gentleman from Macon, Representative Dunn. Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in support of this Conference Committee Report. The...there is a Bill on the Governor's desk, which you have to take into account when looking at...at this Conference Committee Report, and when you do that, you will see that this is good legislation, and...I would ask the...I'd like to ask the Sponsor...a question about the language in this Conference Committee Report..."

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

Dunn: "...and what I'd like to know is... Does he indicate he'll yield?"

Speaker Matijevich: "Yes."

Dunn: "Does the amendatory language in the Conference Committee Report mean that in determining a reimbursement to the marital estate the courts should consider whether the salary paid is reasonable compensation for those personal efforts by comparing that compensation to compensation received by individuals in comparable positions and

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comparable businesses?"

Lang: "The answer to that question is 'yes'."

Dunn: "Is it the purpose of this amendatory language to codify the rationale employed by the Appellate Court in the case of in re: Marriage of Morris, 143 Illinois Appellate 3rd, 849 and 1986 case?"

Lang: "That's correct. All this section of the Conference Committee Report does, Representative, is codify into the statutes the ruling in that Appellate Court case. I might, also indicate, before you go on, that I missed a portion of this Conference Committee Report. It deals with the redemption machines. We've seen this before. It makes sure that no one considers the ski-ball machines at Great American or at Showbiz Pizza to be gambling devices, and that's what that section of the Conference Committee Report does."

Dunn: "Thank you. I recommend an 'aye' vote, Mr. Speaker."

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

Johnson: "Thank you, Mr. Speaker and Members of the House. With...due respect to Representative Wennlund, with whom I almost always agree on these issues, I think that...one has to look at this Bill in light of what's already on the Governor's desk, and, if what's already on the Governor's desk were signed, then we would dramatically change the law of marital and non-marital property in the State of Illinois, particularly as it applies to a business and that sort of thing. This Bill limits the application or the breadth of that Bill and really brings common sense...to the law, so I don't want to broaden it anymore than Representative Wennlund does, but I think this Bill addresses that issue and really is a reasonable attempt to try to put something ultimately on the Governor's desk that

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reaches all the issues and does it in a fair way, and so for that reason, and without really disagreeing necessarily with Representative Wennlund's comments, I think it's a Bill that deserves our support."

Speaker Matijevich: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the comments of Representative Johnson. He's exactly on point. This does not broaden the concept of non-marital property; in fact, it limits it. It clears up what we did in Senate Bill 548, which left vagueness and ambiguity and, further, it is exactly on point with the Appellate Court case. What we're going to do is put into the statutes what the Appellate Court case says is the law. And I strongly recommend an 'aye' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Lang, has moved for the adoption of the Second Conference Committee Report on Senate Bill 930. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 37 'ayes', 50 'nays', 20 answering 'present', and the House does not adopt the Second Conference Committee Report on Senate Bill 930, and this Motion is declared lost. Senate Bill 972, Steczko. Out of the record. On page 5 of the Calendar, under the Order of Motions, appears House Resolution 778, Representative Steczko. The Gentleman from Cook, Representative Steczko."

Steczko: "Thank you, Mr. Speaker. I would move, pursuant to Rule 43 (a) to bypass committee and place House Resolution 778 on the Speaker's table for immediate consideration."

Speaker Matijevich: "Would you, briefly, describe what the Resolution is, so we know..."

Steczko: "Mr. Speaker, I was making the Motion to move for

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immediate consideration."

Speaker Matijevich: "Alright, the Gentleman has moved to, pursuant to Rule 43 (a) to move to bypass committee and place House Resolution 778 for immediate consideration. On that, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. We're sending someone over to talk to the Sponsor, 'cause I don't think we've seen this, but I think we can get it straightened out..."

Steczo: "Representative Black, I hope so, 'cause it's Representative Daniel's and my Resolutions."

Speaker Matijevich: "That oughta be enough for Bill. Alright, proceed, Representative Steczo."

Black: "Alright, that's...that's all we wanted was to send somebody over there and make sure we had our signals straight. We're fine."

Steczo: "Thank you, Mr. Speaker, Members of the House. House Resolution 778 is an effort by myself and Representative Daniels to establish a task force on school-based health insurance..."

Speaker Matijevich: "Alright...that's all we need. We...the Motion is to bypass...committee, place the matter on the Speaker's table for immediate consider...consideration. Do we have leave for the use of the Attendance Roll Call? Leave, and the matter is before the...on the Speaker's table for immediate consideration. Now, Representative Steczo, on the Resolution."

Steczo: "Thank you, Mr. Speaker, Members of the House. As I...indicated, this Resolution would establish a task force on school-based health insurance to study the establishment of enroll-based family health insurance in Illinois schools. Presently, in Illinois, over 1.5 million children live in families that have no health insurance or that are underinsured. Two-thirds of those children who come from

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uninsured or underinsured families are school-age children. The Florida Legislature recently enacted legislation to...permit school systems to adopt school-based group health insurance plans for students and families, and this approach, we think, should be studied here in Illinois. This task force would be created and its findings would be reported to the General Assembly...by March 1, 1992. Mr. Speaker, I ask...answer any questions; if not, would ask for a favorable vote...favorable vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Steczo, has moved for the adoption of House Resolution 778. Is there any discussion? Hearing none, all in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. This question, there are 108 'ayes', 0 'nays'...Tim Johnson, 'aye'...Johnson, 'aye'...109 'ayes', 0 'nays', and the House does adopt House Resolution 778. 'Aye', Wait; 'aye', Frederick; 'aye', Ackerman; 'aye', Ropp. There were 112 'ayes' on that, and the matter is adopted, and Clem Balanoff is a late 'aye'. The Gentleman from Cook, Representative Keane. Do you have a Conference Committee Report you want..."

Keane: "Yes, Mr. Speaker. I have Senate Bill 872."

Speaker Matijevich: "On the...page 5 of the Calendar, on the Order of the Conference Committee Reports, appears Senate Bill 872. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I discussed this Bill the other night and...it was then taken out of the record; but, basically, it allows for unexpended bond money for Cook County to be used on other projects. The second provision clarifies the current policy of non-proration of property tax penalties. Due to a recent court interpretation of existing language, in terms of the Revenue Act, there was a

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Section initiated by the Chicago Bar Association that repeals existing law with regard to the right of redemption and places new text into the law in outline form, as well as other revisions. It expands the category of property owners eligible for the two-and-a-half-year redemption period; it creates a fifth and sixth penalty period to correspond with the period of time between 24 and 36 months from the date of sale; it creates a financial incentive, the accrual of interest to tax buyers to pay subsequent delinquent...occurring delinquent taxes; and it eliminates the right to redeem partial interest in tax delinquent properties in order to stop what is seen as current abuses. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Matijeich: "The Gentleman from Cook, Representative Keane, has moved for the adoption of the Second Conference Committee Report on Senate Bill 872; and, on that, the Gentleman from Vermilion, Representative Black. Representative Black."

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

Speaker Matijeich: "He indicates he will. Proceed."

Black: "Representative, I...I can't help but notice that the Republican conferees didn't sign the Conference Committee Report. I...and I listened carefully to your explanation. ...The redemption requirements on tax sales, this Conference Committee Report, evidently, only applies to the County of Cook?"

Keane: "...What section are you talking about?"

Black: "On the...amending the Revenue Act to change redemption requirements."

Keane: "Right. On...there's two sets of laws on redemption of tax delinquent property: there's a Cook and a downstate, so



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this only applies to the Cook."

Black: "So, that would only apply to Cook County?"

Keane: "Yeah. To my understanding."

Black: "Is there any language in this report that would apply to...the other 101 counties?"

Keane: "Not that I know of."

Black: "Alright, thank you."

Speaker Matijevich: "The Lady from Cook, Representative Pullen."

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

Speaker Matijevich: "He indicates he'll yield. Proceed."

Pullen: "Would you please describe...more fully the details of the sections...section or sections relating to Cook County bonding?"

Keane: "Oh yeah, on the bonding, what has happened in the past, the County of Cook sold bonds 30 years ago for...super-highway purposes, and they were retired. Those bonds are retired, and there's \$11 million surplus in that fund, and what they need is this in order to free up that \$11 million, and I think almost all of that \$11 million is...committed, presently, to county roads...roads outside of...outside of the City of Chicago."

Pullen: "I notice that there are two sections of the law that pertains (sic pertain) to this. Do they both address the same bond issue that you just talked about?"

Keane: "Yeah. Well, the only bonding that I'm aware of is that bond where they have...they've got this \$11 million of a surplus...of a bond issue that was in excess of 30 years old, and the funds were going to be...they wanna use the funds for highway construction, reconstruction and maintenance of roads in Cook County."

Pullen: "Is there...is there any other effect on Cook County bonding at all in this Conference Report?"

Keane: "Mr. Clerk, would you take...Mr. Speaker, would you take

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the Bill out of the record?"

Speaker Matijevich: "Out of the record. Page 4 of the Calendar, under a Conference Committee Reports, appears House Bill 1499. The Gentleman from Sangamon, Representative Curran, on House Bill 1499. Representative Curran."

Curran: "Thank you, Mr. Speaker. I move the adoption of the Conference Committee Report on House Bill 1499. The essence of it is fairly simple. It adds to the class of those persons under age 18, whose testimony can be taken outside of the courtroom, are...can, also, can be the witnesses to aggravated criminal sexual abuse, aggravated criminal sexual assault and others. It, also, says that for the purposes of the Currency Reporting Act, that they're required to keep and submit to the state police certain reports and records of transactions involving United States currency, that is transactions above...\$10,000 and report them to the Department of State Police. Compliance with federal law shall be deemed compliance with these provisions. Regarding a pre-trial bond probation conditional discharge, is that if a county board determines that they want to establish a...a home detention electronic monitoring program, they can charge a fee for that. The fee can be put into substance abuse services funds. Each county may use this money for the establishment and maintenance of programs to treat persons suffering from substance abuse, for example, women who are substance abusers, pregnant women. Also, is the concept of joinder of offenses and defendants is expanded, and the factors in aggravation will be expanded to allow courts to consider criminal acts outside Illinois jurisdictions in sentencing. I've talked to the other side of the aisle; I know of no opposition; be glad to answer any questions, if I may."

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Speaker Matijevich: "The Gentleman from Sangamon, Representative Curran, has moved for the adoption of the First Conference Committee Report on House Bill 1499. On that, the Gentleman from Will, Representative Wennlund."

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

Speaker Matijevich: "He indicates he will. Proceed."

Wennlund: "Representative Curran, can you tell me why it is that...that this Bill is mandating that the county treasurer not disburse fund money, except at the direction of the county board? Why are we getting that direction over the county board, with respect to electronic monitoring and in detention...funds?"

Curran: "It turned out to be a compromise, Representative. It's a county board action which establishes this...pre-trial, home-detention, electronic monitoring program, and, therefore, it was felt as if they took that action, they should be able to determine that this...this money can go to the establishing and maintenance of programs to treat persons suffering from substance abuse."

Wennlund: "But isn't it the sheriff of the county that actually...institutes the monitors, the program of home-monitoring?"

Curran: "I suppose...to be honest with you, Representative, I don't know if it's the sheriff in every county. Could it be the court in certain counties, could it be the state's attorney in certain counties. I just don't know the answer to your question."

Wennlund: "My understanding is that the...home-monitoring and detention, under county form of government, is...is monitored by the sheriff, so we're going to take this money out of the control of the sheriff and put it into the hands of the county board?"

Curran: "Well, all I can tell you is what I have read and what

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you have read...your interpretation. I don't dispute your interpretation. Let me tell you this: This Bill got 53 votes in the Senate; I know of no one who is opposing. If you know of a sheriff or a sheriff's organization that's opposing, I'd be glad to...to talk to you about it, but I don't think that is the case."

Wennlund: "Okay, well, I...actually, I think it's a good Conference Committee Report on the total. It puts the effort and it puts the onus on persons who are on electronic detention to pay...in effect the cost of it, and I think that if anyone oughta pay for it, it shouldn't be the taxpayers of Illinois; it oughta be those who are on electronic detention. We intend to support your Bill and vote for it. We think it's a good Bill."

Curran: "Thank you."

Speaker Matijevich: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1499?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 109 'ayes', 0 'nays'...110 'ayes'...and Charlie Morrow, and the House does adopt the First Conference Committee Report on House Bill 1499; and this Bill, having received the Constitutional extraordinary Majority, is hereby declared passed. The Gentleman from Cook, Representative Martinez, are you seeking recognition? Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I wish to be recorded as 'aye'...voting 'aye' on that last Bill, 1499."

Speaker Matijevich: "Let the record show that Representative Martinez intended to vote 'aye' in the last Bill. We're going to go through the Conference Committee Reports one more time to see if anybody is ready. On Supplemental Calendar #1, Conference Committee Report on House Bill 180,

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McPike. Out of the record. House Bill 1254, Frederick. Out of the record. Senate Bill 445, Hicks, is out of the record. Senate Bill 56, Santiago. Out of the record. House Bill 121, Currie, is out of the record. Thank you. House Bill 175, McPike, is out of the record. House Bill 1415, Homer, is out of the record. House Bill 2010, Granberg. Out of the record. House Bill 2148, Keane. Out of the record. Senate Bill 10, Madigan. Out of the record. Senate Bill 11, Madigan. Out of the record. Senate Bill 872, Keane. One try is enough! Out of the record. Senate Bill 908, Capparelli. Out of the record. Senate Bill 972, Steczo. Out of the record. We still have a lot of work to do. The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen. I rise for the purpose of an announcement which would be that the...the Senate Bill 1378 is being drafted and then copied right now, and we're estimating that we'll be ready to vote in about 45 minutes to an hour. We plan to bring in some food for everybody, and so everybody should plan on being here and voting on that Bill tonight. So, if you'll just please bear with us, and we thank you very much."

Speaker Matijevich: "Thank you. The Clerk for a Supplemental Calendar announcement."

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

Speaker Matijevich: "Will the doormen please cooperate? There are lobbyists on the floor. The lobbyists shall remove themselves immediately, and all unauthorized personnel be removed, and the doormen continue to be vigilant because there are lobbyists on the floor, and, if they remain, I will pinpoint who they are, and not Phil Rock. He's always welcome. He's always welcome. He should come here more often, in fact. Side door. And everybody else is reminded

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we are still in Session and will remain in Session, so keep unauthorized personnel off the floor. All unauthorized personnel off the floor. All unauthorized personnel off the floor, and, as I said earlier, any lobbyists who come on the floor from now on I'm gonna name them; I've had orders to name them, from now on. Some of them are my friends, too, but I have to name them. The...the Gentleman from Cook, Speaker Madigan, for what purpose do you rise?"

Madigan: "Mr. Speaker, are we prepared to call Senate Bill 1378?"

Speaker Matijevich: "Yes, on page 3 of the Calendar, appears Senate Bill 1378. Representative Currie asks leave to bring the Bill back to the Order of Second Reading for the purposes of an Amendment. Is there objection? Seeing none, we've used the Attendance Roll Call to bring the Bill...Senate Bill 1378 back to the Order of Second Reading. Representative McPike, in the Chair."

Speaker McPike: "Representative McPike, in the Chair. Are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Speaker Madigan and Representative Daniels."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment would provide that the surcharge on the Illinois Income Tax would be extended permanently for the purpose of education. It would provide that it would be extended for two years for the purpose of state and local government use. In addition, the Amendment would authorize municipalities to implement an interstate message tax through the adoption of an ordinance by their local city council for a period of two years. Concerning the distribution of the surcharge money which would be allocated for the use of local governments and the state government, in the first year of the two years of the

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surcharge, 50% of the money which had been allotted to local government would be used for state purposes. In the second year of the surcharge, only 25% of the money which had been allotted for local governments would be used for state purposes. In addition, the Bill would provide for the imposition of a cap on real estate taxes in the collar counties only. That would be effective October 1, 1991. In Cook County, the Bill would provide for the adoption of a one-year property tax freeze through the adoption of what is referred to as the prior year equalized access evaluation. This would be effective January 1, 1992. In addition, it would authorize the Cook County Board to provide for the payment of real estate taxes on a four installment basis in Cook County only; and, lastly, it would provide statewide for the adoption of what would be referred to as a uniform levy date, which means that the filing of levies will all occur in the same week; I believe it's the first week in December. I move for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1378, and, on that, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I would suggest that we adopt the Amendment, move the Bill to Third, and then debate the Bill at that time, if that meets with your approval."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed, 'no', the 'ayes' have it, and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1378, a Bill for an Act in relation

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to taxation. Third Reading of the Bill."

Speaker McPike: "And, on the Bill."

Madigan: "Mr. Speaker, my explanation of the Amendment is my explanation of the Bill. I request a favorable vote."

Speaker McPike: "And, on that, Representative Johnson."

Johnson: "Mr...Mr. Speaker and Members of the House. Suppose all us kinda have a collective sense of...of regret to state employees, not only in our area but around the state, who are going to receive their checks late. They have to pay bills of various kinds: rents, utilities and so forth, and I'm not happy, and I don't think anybody else is, that we're here. We're not happy that those checks are going to be late, and I think in introduction we owe a sense of thanks to the loyal state employees...who have realized their duty and done it...and are going to breathe with them a collective sigh of relief when we finish our job here and get on with the business of the state. There are some items that I and other Members of this Assembly would have liked to have seen in the package that, perhaps, aren't here, and there's (sic there're) items in this package that, perhaps, we didn't want to see in the package that are, but in the words of some famous rock band's titled song, 'You Don't Always Get What You Want'. What I got, what the people of Illinois got, people of east-central Illinois got was, and is, very, very positive. We have restored to the State of Illinois a sense of fiscal integrity and sanity when it most needed it. We have gotten that. We have gotten a prioritization of education at all levels, to set it as our first priority, and a revenue stream that's gonna be reliable and upon which schools can rely for the indefinite future. We've saved jobs; we saved the various benefits that are built into our system now that affect the whole state. When we leave here



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today, we're all going, at least over the course of the next week, perhaps, to differ in our characterization of this whole issue. That's over the course of the next year or several years what democracy and what elections are all about, but what we really can't differ on is the realization that sincere men and women, Republican, Democrat, liberal and conservative, leaders and rank-and-file Legislators, spent an incredible amount of human resources to reach a solution to a terribly difficult, almost impossible, dilemma, an issue that some thought never would reach resolution, and we reached it, and we compromised it, and we've come up with a product that's workable for all the people of the State of Illinois; and, from that standpoint, and notwithstanding criticism of...from various quarters, Representative Daniels, Representative Madigan, Senator Philip...Senator Rock, and all the Members of this chamber who have participated along with staff and others in putting this product together, really deserve a collective thanks from the people of the State of Illinois and from me as one Legislator. So, in summation, I'm supporting this product; I think it's a very good product. I think it does what a vast majority of the people of the State of Illinois want to do; it does it in a very sensible way, and I join with others, on that side and this, in supporting this excellent Bill and would urge your favorable support on Senate Bill 1378."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Black, to explain his vote."

Black: "Yeah, thank you very much Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote: You know, Webster...Webster defines a...compromise as 'A settlement

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of differences in which each side makes concessions'. If you look at this very carefully, there are things in here that neither side, the original issue at hand will be happy with, but that is the art of compromise. That is why we're here 17 days past adjournment. We've all known for a long time that we had a one point nine billion dollar shortfall in this budget. We have hundreds of millions of dollars in unpaid bills. We have employees that haven't been paid. I think the message from back home is clear: 'Pay your bills, tighten your belt, balance the budget, maintain education funding, (S4) for that is our future, and come home.' I submit to you, it is time we do that; it is time we vote 'yes', it is time we have the courage to do what the people of our districts have sent us here to do. This is not an easy vote. It isn't a perfect Bill, but it is a compromise reached by good people through hours and hours of effort. For the future of our state, I urge a 'yes' vote."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Martinez votes 'aye'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take...no...that was a mistake, Mr. Clerk. I said Representative Martinez, 'aye', not Representative Mautino, 'aye'. Please remove Representative Mautino's 'aye' vote. Thank you. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 72 'ayes' and 42 'nos', Senate Bill 1378, having receiving a Three-Fifths Constitutional Majority, is hereby declared passed. Speaker Madigan."

Speaker Madigan: "I move that the House do adjourn till 10:00 a.m. tomorrow morning."

Speaker McPike: "The Speaker moves the House stand Adjourned

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until tomorrow at the hour of 10:00 a.m. All in favor say 'aye', opposed, 'no', the 'ayes' have it. The House stands Adjourned. The First Special Session of the General Assembly will come to order. The Attendance Roll Call for the Regular Session will be used as the Attendance Roll Call for the First Special Session. Representative Giorgi moves that the First Special Session stand Adjourned until tomorrow at the hour of 10:05 a.m. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, the House stands Adjourned."

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