

STATE OF ILLINOIS
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Speaker Turner: "The hour of 3:30 having arrived, the House will come to order. The Chaplain for today is Reverend Gary McCants of the Bethel-African Methical...Methodist Episcopal Church in Kewanee, Illinois. All guests... All guests in the gallery may wish to rise for the invocation. Reverend McCants."

Reverend McCants: "May we bow our hearts. I will extoll the Lord at all times. His praise will always be on my lips. When I sought the Lord, He answered me and delivered me from all my fears. Oh, Lord, bless the leaders of this House and all the Members who serve in it. May all those who know You, call on You for guidance in addressing the affairs of the people of this great State. It is my prayer that You grant them knowledge, wisdom, and the understanding appropriate for the meaningful resolution of the matters within the jurisdiction of this Body. It remains my prayer and belief that Your angel encamps around those who respect and seek Your face, and that He will deliver them from all their fears. This is my prayer. In Thou dear Son's name, we pray. Amen."

Speaker Turner: "We will be led in the Pledge of Allegiance by Representative Kaszak."

Kaszak - 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 Turner: "Roll Call for Attendance. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Bernard Pedersen is excused today."

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

Currie: "Thank you, Speaker. Representative Monroe Flinn is

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excused today because of illness."

Speaker Turner: "Mr. Clerk, there are a 115 Members present. A quorum being present, you shall take the record. Mr. Clerk, Introduction of House Bills."

Clerk Rossi: "House Bill 2450, offered by Representative Younge, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2451, offered by Representative Younge, a Bill for an Act to amend the Illinois Housing Development Act. House Bill 2452, offered by Representative Younge, a Bill for an Act to amend the East St. Louis Area Development Act. House Bill 2453, offered by Representative Younge, a Bill for an Act to amend the Public Community College Act. House Bill 2454, offered by Representative Younge, a Bill for an Act to amend certain Acts in relation to foreign trade zones. House Bill 2455, offered by Representative Younge, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 2456, offered by Representative Younge, a Bill for an Act to amend the Public Community College Act. House Bill 2457, offered by Representative Younge, a Bill for an Act concerning families, amending named Acts. House Bill 2458, offered by Representative Younge, a Bill for an Act making an appropriation to the Board of Trustees of State Community College. House Bill 2459, offered by Representative Younge, a Bill for an Act to amend the Illinois Enterprise Zone Act. House Bill 2460, offered by Representative Younge, a Bill for an Act in relation to a demonstration enterprise zone in the East St. Louis First Reading of these House Bills."

Speaker Turner: "Committee Reports."

Clerk Rossi: "The Committee on Rules has met, and pursuant to Rule 14(a)6, recommends consideration and the following

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Bill be placed on the Order of Second Reading: Senate Bill 128. The Rules Committee has met, also, pursuant to Rule 14(a)5, and recommends consideration and the Bill be placed on the Order of Concurrence: House Bill 436, 611, and House Bill 1587. The Committee on Rules has met pursuant to Rule 14(a)4, and recommends consideration and the Bills be placed on the Order of Conference: House Bills 293, 596, 1331, 1526, 2053 and Senate Bills 586 and 951. Signed by Frank Giglio, Chairman."

Speaker Turner: "Supplemental Calendar 1 is being distributed. House Bill 1854, on the Order of Concurrence, Representative Saltsman."

Saltsman: "...Yes, Mr. Speaker, could I take this out of the record for just a few minutes? I'm waiting for a staff person."

Speaker Turner: "Out of the record, Mr. Clerk. Senate Bill 406, Representative Deering. Read the Bill, Mr. Clerk. Out of the record. The House would like to welcome to the chamber former Representative Jerry Washington down front. Representative Jerry Washington. The Special Order Concurrence, House Bill 611. Read the Bill, Mr. Clerk. Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendment 1 to House Bill 611."

Speaker Turner: "Are there any questions? Seeing none, the Gentleman moves... The Gentleman from Will, Representative Wennlund."

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

Speaker Turner: "He indicates he will."

Wennlund: "Can you explain to the Members of the House what the genesis of Senate Amendment #1 is? Three model homes in a

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three mile radius?"

Balanoff: "My understanding is it's from the...the Amendment submitted by the Home Builders."

Wennlund: "I'm sorry."

Balanoff: "It was... It was an Amendment that was suggested by the Home Builders."

Wennlund: "This is a result of current law that...that provides that a model home does not go on the tax rolls at its fair market value?"

Balanoff: "Yes. It was a compromise between the Home Builders and the Township Assessors. Yes, but that is correct."

Wennlund: "Thank you very much."

Speaker Turner: "Any further questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 611?'. All those in favor should say 'aye'. All those opposed say 'no'...should vote 'aye'. All those opposed should vote 'no'. The voting is now open. Have all voted who wish? Representative Meyer votes 'aye'. Have all voted who wish? ...Have all voted who wish? The Clerk shall take the record. On this question there are 114 voting 'yes', 1 voting 'no', no voting 'present', and the House does concur in Senate Amendment 1 to House Bill 611, and this Motion is hereby declared passed. Under the Order of Concurrences, you have House Bill 436, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we concur in Senate Amendment #1 and nonconcur in Senate Amendment #2 to House Bill 436."

Speaker Turner: "Do you want to concur in Amendment #1?"

Novak: "Yes. Yes, Mr. Speaker, I move that we concur in Senate Amendment 1."

Speaker Turner: "Okay. The Gentleman moves that we concur in Senate Amendment 1 to House Bill 436. Are there any

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questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 436?'. All those in favor should vote 'aye'. Those opposed should vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 'ayes'... Add Representative McGuire. On this question there are 112 'ayes', no 'noes', 1 voting 'present', and the House concurs in Senate Amendment 1 to House Bill 436, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Novak on Senate Amendment 2 to House Bill 436."

Novak: "Mr. Speaker, Ladies and Gentlemen of the House, thank you. I now move that we nonconcur on Senate Amendment 2 to House Bill 436."

Speaker Turner: "The Gentleman moves that we...that we nonconcur on Senate Amendment #2 to House Bill 436. All those in favor should vote 'aye'. Those opposed vote 'no'. The voting is now op... No. All those in favor should vote 'aye'...should say 'aye'. Those opposed say 'no'. The 'ayes' have it, and the House does not concur on Senate Amendment 2 to House Bill 436. House Bill 1587, Representative Pankau."

Pankau: "Mr. Speaker and Members of the Assembly, I move to nonconcur with Senate Amendment 1 to House Bill 1587."

Speaker Turner: "Are there any questions on this issue? The Lady moves that we nonconcur on Senate Amendment 1 to House Bill 1587. All those in favor should say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the House does nonconcur on Senate Amendment 1 to House Bill 1587. Under the Order of Conference Committee Reports, Supplemental Calendar 1, we have House Bill 293,

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Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm a Co-sponsor hand...handling this for Representative Flinn. On House Bill 293 is a Conference Committee Report which will allow counties to file one annual aggregated petition on delinquent tax properties on which they wish to bid in the absence of other bidders. It finally allows counties to recover their costs from the proceeds of tax sales as an offset prior to distribution to the taxing districts. It also limits a sale in error due to municipal liens for those liens of less than \$5,000. The application of limitation is restricted to downstate counties only. And also, it...Representative Brady has a portion of this Bill relating to the Diamond Star Manufacturing Corporation. It provides such agreements of...and it sets out a settlement reached between the parties in...before the Property Tax Appeal Board decision in favor of Diamond Star. Representative Brady can...give you the information about, if there are any questions. I ask for a favorable roll call on House Bill 293."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Moffitt: "Just a question on the Bill. I had some municipalities express concern that this Bill would really...where they had filed mechanics' liens for mowing and different things on bare lots, that this would wipe those out and they would lose their money. Is that correct?"

Hoffman: "If it... If it's downstate and it's under \$5,000, there could be no sale in error. That is correct. So, in other words, what is happening now is, in those situations, a tax

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buyer may buy the taxes. May buy the back taxes. A year from now, they'll come back and they'll say 'Oh, we didn't know about this municipal lien.' They'll say it's a sale in error. So what then they're entitled to, is they're entitled to the money that they have paid, plus one percent interest. What is happening, this money is coming directly out of the taxpayers' pockets, paying the interest to these tax buyers, when in fact, they knew all along that there was a possibility of a sale in error. So, if it's under \$5,000, yes, that is true. If the lien is under 5,000."

Moffitt: "Then, if my understanding is correct, I...I think a lot of Representatives would be concerned that...that they're really giving away something that belongs to the municipalities, and...based on that, I would urge a 'no' vote."

Hoffman: "Well, Representative, I guess my answer to you is...is that what is happening is when we declare a sale in error, that property is totally taken off the books, and it's totally taken off the tax rolls. So, the municipalities are losing by not having that...that...not having anybody paying taxes on that land. And when you declare a sale in error, they're losing out that way, which in the long run, is a greater loss than they are through the lien process."

Moffitt: "Thank you."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise to speak in favor of the Motion here to adopt. A very important piece of legislation that will help us settle a long tax...property tax dispute in my county, and I ask for your favorable vote."

Speaker Turner: "The Gentleman from McHenry, Representative

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Skinner."

Skinner: "Well, as I read this thing, it sounds to me like we're sticking it to municipalities here. And if that's what we want to do, I guess a 'yes' vote would be appropriate. I am told that the Municipal League is opposed to this. I'm trying to figure out who wins. It sounds to me like the tax buyer wins. Is that correct, Mr. Sponsor?"

Hoffman: "I didn't hear... I didn't know you were asking a question. Could you repeat it, please?"

Skinner: "Well, obviously it's an unimportant Bill, or else we wouldn't all be talking. My question is, who is the winner and who is the loser in Section 271.1? The municipal lien part."

Hoffman: "The winner... The winner is the taxpayer. And the reason the winner is the taxpayer is because if a sale in error is declared, number one, it's taken off the tax rolls, and we're not receiving any taxes for that; and number two, if...if it's a sale in error, the municipal lien isn't paid anyway. So, I don't see how the Municipal League could be against it. What we're talking about is...is not allowing individuals to make one percent interest per month by simply having a small municipal lien on there. If there's a substantial...a substantial municipal lien, sure, then I understand the argument. But to take it off the tax rolls where municipalities aren't getting any taxes because a sale in error has been declared, is in the long term, is a loss to the taxpayers and a loss for the municipalities."

Skinner: "Is it discretionary on the part of the county treasurer to issue a sale in error certificate?"

Hoffman: "No, it isn't. I believe sale in errors are applied for and...and then possibly have to be litigated before a judge

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in that court...a judge in that circuit in that county."

Skinner: "Well, Representative, you may be right in your argument, but I sure wish you would convince the Illinois Municipal League of the correctness of your argument."

Speaker Turner: "The Gentleman from Cook... The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, will the Sponsor yield?"

Hoffman: "Yes. Yes."

Novak: "Okay. Representative Hoffman, I know I spoke to Representative Flinn concerning some communications I received from the University Park a village in my district in the northern end. All I want to do is for the record and for intent, does this corrected language correct the situation for the Village of University Park?"

Hoffman: "Yes."

Novak: "Okay, thank you."

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

Currie: "Thank you, Speaker and Members of the House. I rise in support of the Conference Committee Report. I think the question that this Bill raises may look very different depending on which part of the State you live in, depending on what's happening in the property values and development in your individual area. Representative Flinn, from St. Clair County, was responding when he introduced this Bill to the problem of...of properties that stay off the tax rolls, that do not get developed, and with tax buyers who are able to win their one percent in interest because they've bought a piece of property against which a municipal lien is outstanding. On the other hand, there are in the northeastern part of the State, communities that are able to use those liens to leverage sensible responsible development. The new language in this Conference Committee

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Report, the \$5,000 limit, I think responds to the problems of people in areas like University Park, who were able to use the lien to their advantage. At the same time, it permits the possibility of worthwhile development and it stops the holding up of tax buyers that we were seeing in places like St. Clair. I think this is a good compromise. I think it's one that is responsive to different needs in different parts of the State, and I urge your 'aye' vote."

Speaker Turner: "The Gentleman from Peoria, Representative Leitch."

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

Speaker Turner: "He indicates he will."

Leitch: "I would be very interested to know what is a 'sale in error?' Can you describe what that is and what that does?"

Hoffman: "Yes. What a sale in error is, if a tax buyer...a tax buyer buys back taxes, he has a certain amount of time, I don't...I can't tell you if it's a year or 18 months, but he has a certain amount of time; and there's eight reasons in the statute why that individual could have a sale in error declared. For instance, the people declared bankruptcy, therefore, he can't...he can't get the property on back taxes. I believe, maybe internal revenue service type liens. If the property has been substantially destroyed. For instance, he's bought something, he didn't know at the time that he bought it that there was...that...that it existed after due diligence and finds it out later. Therefore, he can have a sale in error declared. It goes... He gets his money back, the tax buyer, plus one percent interest per month. And then it goes back off the tax rolls. And nobody essentially owns it."

Leitch: "I see. And what does your Bill do in regard to this?"

Hoffman: "Just regard to that limited...that limited portion, it

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says if there's a municipal lien, and those liens are for less than \$5,000, and only in downstate, that that is not reason for a sale in error. So, in other words, if the lien is for less than \$5,000, the tax buyer can't come back and say I want my money back and I want one percent per month interest, if it's for less than \$5,000."

Leitch: "Thank you."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield? Representative, is there a... Does this affect a pending Tax Appeal Board decision?"

Hoffman: "Yes. This... Representative Brady and Representative Maitland's provision, which is also the Taxpayers Federation provision, having to do with Diamond Star, yes. That is the Taxpayers Federation provision."

Granberg: "Thank you. To the Conference Committee Report. Ladies and Gentlemen, the parties have agreed, for the most part, on this language. This brings to culmination negotiations. They've tried to assist all the parties. This has received good bipartisan support, and I would rise in support of the Conference Committee, and urge all Members to support this Report."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Hoffman: "Yes. Yes. Yes."

Biggins: "Sponsor, ...if...would this encourage people not to pay their taxes if their tax bill is less than \$5,000?"

Hoffman: "No. This...has nothing to do with the tax bill being less than \$5,000. We're talking about a municipal lien of less than \$5,000."

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Biggins: "Okay."

Hoffman: "No. This has nothing to do... No. No."

Speaker Turner: "The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Meyer: "Sponsor, down here."

Hoffman: "Oh, there you are."

Meyer: "My understanding of your answer to a previous question was that the Municipal League portion only affects downstate counties. Am I misled by my understanding?"

Hoffman: "No, that's correct."

Meyer: "Well, I refer to line 26 of page 4...25 and 26 of page 4. They're talking about counties with a population of less than three million. Where do you define downstate as starting?"

Hoffman: "Well...I guess everybody's definition of downstate is different, but I guess that I define downstate south of I-80. But I guess maybe some of the...some of the mis...some of the counties north of I-80 are also involved in this."

Meyer: "Okay. Well..."

Hoffman: "I read from... I read from Representative Flinn's analysis. I didn't mean to mislead you."

Meyer: "Okay. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that Representative Skinner hit the nail on the head, when he suggested that the Municipal League read this Bill backwards. This Bill helps municipalities by insuring that a tax buyer cannot use, as an excuse, a small municipal lien to get out of a tax sale; that

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municipalities will still get their money because of the sale will go through and there will not be a need to pay interest to that tax buyer. Representative Flinn has worked hard on this Bill. It was one of the first Bills he introduced, as you can tell by the low number that it has. It went through the House Revenue Committee and I urge your support for this Conference Committee Report #1."

Speaker Turner: "The Gentleman from St. Clair, Representative Hoffman, to close."

Hoffman: "I would like to thank all the Representatives on behalf of Representative Flinn, who spoke in favor of this Bill; and particularly I'd like to point out a couple of things. The first thing, is we're talking about taxpayer savings here. We're talking about savings...savings to taxpayers and getting property taxes back on the rolls, so that we can spread the burden of taxes out, and ensure the people have reasonable taxes throughout the counties. Secondly, this is an agreement and a bipartisan Bill that contains provisions of Representative Brady and Senator Maitland's Bill, and it's supported by the Taxpayers Federation. I ask for a favorable vote."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee 1 to House Bill 293?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there 89 voting 'yes', 25 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report 1 to House Bill 293. The Bill having received the Constitutional required Majority is hereby declared passed. Under the Order of Conference Committees, we have House Bill 596, Representative Black."

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Black: "Thank you very much, Mr. Speaker. Conference Committee Report #1 to House Bill 596 keeps intact the language that this House passed...I believe it was 578, and it was...or 596. Whatever it was. It was my House Bill that creates a license plate for the Korean War veterans. They have been working for this for about three years, and the 40th anniversary of the armistice of the Korean War is this July, and they would very much like to have this plate. Also, I would move that the House concur in Senate Amendment #1. And everything we do down here is a compromise, and this is a compromise that brings Elvis Presley back and puts the Elvis plate on this Conference Committee Report. And, of course, that plate will be available for sale. Nobody has to buy it if they don't want to, but the proceeds of the plate, as Representative Balanoff can tell you, is earmarked for many a good cause. And so with that compromise in effect, I would move that we concur or accept Conference Committee Report #1 to House Bill 596."

Speaker Turner: "The Gentleman from Cook, Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this great Conference Committee Report. As Representative Black suggested, it also includes what was in House Bill 318, a very popular idea, and that is the Elvis license plate, which will help raise very badly needed revenue for drug and alcohol treatment and prevention programs in the State of Illinois. In Florida, it's raised a \$160 million in new revenue in six years. In California, they've sold over one million preorders for specialty license plates. It really is a win-win for everybody. People get something they love and enjoy, and at

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the same time, we can raise badly needed revenue for the State of Illinois without raising taxes."

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

Weaver: "Thank you, Mr. Speaker. Will the Sponsor yield? Just a... Just a brief question, Representative. Are these plates restricted to people that are dead?"

Black: "Well, I certainly hope not."

Weaver: "Well..."

Black: "We don't even know if Elvis is for sure."

Weaver: "Well, the question is, if he's spotted in a shopping center in Kalamazoo, are we gonna have to rescind all these plates?"

Black: "Well, I'll tell you what. If he's spotted in Kalamazoo, I'll just explode right here on the floor."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, to close."

Black: "Thank you very much, Mr. Speaker. I think both of these Bills incorporated in the Conference Committee Report have been debated at some length, and I'm willing to accept this compromise. I think, if you'll talk to any of the Korean War veterans, and there are 200,000 of them that served in that conflict, who live in Illinois, their time has come. This July will be the 40th anniversary of the end of that conflict that cost over 53,000 American lives. Their time has come. They deserve this plate. And the time is now. How better to honor them than on the 40th anniversary of the armistice. I ask for your 'aye' vote."

Speaker Turner: "Mr. Black, I know you've closed. There was one more light flashing. Would you want to yield before we proceed to the roll call? The Gentleman from Cook, Representative Giglio."

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Giglio: "Representative Black, I have no problem with the Bill. I...just a couple of questions. With this plate now of Korean vets, is there any consideration for any other plates, like the Viet Nam or...there's some people that asked me about World War II?"

Black: "Not in this Bill. I'm certainly not adverse to working with you on those people as well, but as I indicated, Representative McAfee and I have been working on this for particular plate for three years. And with the 40th anniversary of the armistice, we just couldn't get together on the other plates. I'm hoping we can keep the Korean War Veteran plate intact."

Giglio: "Thank you."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee 1 to House Bill 596?' All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'yes', no 'noes', no 'present'... Add Representative Saviano. Representative... The Lady from Champaign, Representative Prussing."

Prussing: "Would you please record me as voting 'yes' on this? Thank you."

Speaker Turner: "Okay. There are 115 voting 'yes', no 'noes', no 'presents', and the House does adopt House Committee Report #1 to House Bill 596, and the Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1331, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move that the House do adopt the First Conference Committee Report on House Bill 1331. This Bill went to Conference and just a few technical changes were made in the Bill,

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which...relates to violations for unauthorized selling of cable t.v. decoders. Mr. Speaker, I would move now for the adoption of the first Conference Committee Report."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, I've seen that in some reports this is being called the 'Cable T.V. Piracy Act.' Who are we making pirates out of?"

Steczo: "Mr. Black, you're making... You're making pilo...pirates... You're increasing the violation, I should say, for those individuals that...that manufacture and sell the devices, the decoder devices, that are used to intercept cable television...television signals, and to use those without providing the compensation to the cable system."

Black: "And what do... We're making this a Class 4 felony for unauthorized use of a cable hookup or a descrambler?"

Steczo: "That... That Class 4 felony, I believe, was reduced in the Senate."

Black: "Is it now going to be a Class A misdemeanor?"

Steczo: "Mr. Black, I can check that for you."

Black: "Okay. Well, yeah, I...I'd appreciate that because you know, I'd hate somebody to go in my overcrowded prison back in Danville and be put in a cell, we double bunk now, and some hardened criminal say, 'what are you in here for?', and he says, 'I'm in here for using an unauthorized cable descrambler.' I...I'd be fearful of his safety."

Steczo: "Well, Mr. Black, to answer your question. The Senate Amendment deleted language which related to unauthorized

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use of a decoding device. The problem you have is not so much, and this Bill is not intended to...address the question of the individual who uses a decoding device. It's the individual that manufactures and makes available for sale those decoding devices. One of the difficulties that we have now in this situation which costs the cable industry millions, tens of millions of dollars per year, is the situation, where the penalty now is so low, that the law enforcement agencies and the prosecutors simply say, well, it's not worth our while to try this individual. So, as a deterrent to the manufacture and sale of these devices, this Bill has been introduced increasing that penalty. But it is not intended to affect those people that actually buy or use those devices."

Black: "All right. I thank you very much, Representative. I appreciate your patience. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. When I first saw this Bill, I thought it was going to put the cable companies in jail. And I was all for that, because it's the cable companies that have raised rates so far in excess of the cost of living, that that's the people who ought to be included in this Bill. Not some poor soul who goes out and maybe hooks up an unauthorized cable; not because he's inherently a crook, but because the rates for cable t.v. have simply priced him out of the market. I don't intend to vote for this Bill. I'm sure it'll pass, but I'll tell you something. When we want to... When we want to make criminals out of people who try to hook up their cable t.v. system, and I know we shouldn't excuse that, there's no way we should overlook somebody not wanting to pay their cable bill, but the reason is, the cable operators have made obscene profits and have raised their prices to the point

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where they're now reregulated by the federal government. And what did they do when the federal government said they were gonna be reregulated? I'll tell you what they did. They raised their rates as fast as they could, before the...law would take effect on April the first. I think we're after the wrong people here. Rather than lock up the consumer, we ought to lock up the cable operator. They're the ones that have ripped us off, and I'm not gonna vote for it. They get enough of my money. No more from me. Vote 'no'."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker. Inquiry of the Chair. This is, I think, the second Conference Committee Report that I have not received. Is there a reason? Have we all not received this, or is it just my desk that was bypassed?"

Speaker Turner: "According to the Clerk, it has been distributed. I don't know. You better check with your pages on the other side of the aisle. They do know who you are, right?"

Brady: "Pardon?"

Speaker Turner: "They do know who you are on that side of the aisle?"

Brady: "I don't think anyone has... We'll see if the pages have been but... Although I'm not as vindictive of the cable operators as Representative Black, I do respect his opinion and his 'no' vote on this Bill. It's a little hard to interpret without seeing a copy of it, and I suggest that everyone would want to read this Conference Committee Report before they vote 'yes', and therefore, I intend to vote 'no'."

Speaker Turner: "The Gentleman from Logan, Representative Olson."

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

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Speaker Turner: "He indicates he will."

Olson: "Representative Steczo, in rural areas we do not have cable, but many, many people have their own dish. Those dishes are arranged so you...certain channels can be blocked out and descramblers are available, some legal, some illegal. Would your legislation affect those particular scramblers?"

Steczko: "Representative Olson, let me indicate that the Bill affects cable television services only; and in fact, does not affect those people that are in their homes and may have one of these decoding devices. It strictly is intended to address those people that manufacture and offer for sale those devices, not the constituent of yours that's sitting in their home. It's strictly the manufacture and sale of devices."

Olson: "Let me see if I understand, then. If Representative Black has cable in his home, has a descrambler, he is not to be affected by this legislation?"

Steczko: "That is correct."

Olson: "Only the company that produced that scrambler?"

Steczko: "That is correct."

Olson: "Even if it's... And if that may be the neighbor's whiz at electronics that did this, his young kid, would he be considered a manufacturer?"

Steczko: "Well, I'm sure, Representative Olson, that one individual that's trying to figure out a way to circumvent the cable system is...is not as heinous as a situation where a manufacturer is...is manufacturing hundreds of thousands of boxes throughout the cable industry for hundred...hundreds of millions of dollars per year. That's the people that you're going after."

Olson: "Okay. Well, Representative, I appreciate and understand

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what you're saying. I will probably still have some qualms about this Bill, but thank you."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Turner: "He indicates he will."

Granberg: "Representative Steczo, I had occasion, Monday I think it was, to read an article about the distinguished floor leader on the Republican side of the aisle. So my question to you is this: I heard Representative Black's comments on the Conference Committee Report. Was that a real tirade? A quasi-real tirade? Or not a real tirade? I could not tell."

Steczko: "Well, Mr. Granberg, I was gonna ask Representative Black the same thing. I saw the article in the Springfield paper yesterday, and I was gonna, if I could ask him the question about real tirades or unreal tirades or just sorta let-the-old-folks-have-some fun. So, I don't know, Representative Granberg, I don't think it was a real tirade..."

Granberg: "Well, I'm not sure."

Steczko: "...Mr. Black puffs out when he has a real tirade. He didn't puff that time."

Granberg: "I couldn't tell, and I wasn't sure, so I wanted to ask you for your opinion, and thank you."

Speaker Turner: "The Gentleman from Tazewell, Representative Ackerman."

Ackerman: "Representative Steczo, does the FCC regulate these devices at the present time?"

Steczko: "Representative Ackerman, I'm not aware that they are...regulated by the FCC. If they are, I presume that it is in conjunction with their use by a cable company in a bona fide, a bona fide manner. I don't know if the FCC

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would ever sanction anything that would be used illegally. They may have to conform to FCC specs because, in fact, some boxes maybe used lawfully. But I don't think the FCC would sanction illegal usage of any device."

Ackerman: "But wouldn't they have sanctions against them if they were illegal? And if so, why would we need to regulate them?"

Steczo: "The problem, Representative Ackerman, is I tried to allude to before, is that right now, the Class A misdemeanor penalty simply means that the law enforcement agencies will not seek to prosecute these...these offenses. So the thought here is to raise the penalty which makes it a more serious offense to manufacture and sell these boxes, and then have prosecutors say, 'yes, now it's worth our while to...to take these matters into court and to threaten suit.'"

Ackerman: "Thank you."

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

Black: "Yes. Thank you very much, Mr. Speaker. My name was used in debate. And since it was used in debate, I could just explode. But let me say this, in all due respect to the Sponsor of this fine piece of legislation, and Representative Granberg, my friend and colleague, I like cable t.v. I like what it brings into my house. What I don't like is when I sit down and write that check every month to that cable t.v. company; because I can remember when it was \$4.00 a month. Now it's \$27.00 a month. Now, I'm not sure I'd wanna be without cable, because I live out in the boondocks and we can't get anything without cable. And I think the cable company knows that, and that's one reason it used to be \$4.00 and now it's \$27.00. I'm not

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gonna stand on this floor and defend cable pirates. But in all due respect to the Sponsor of this Bill, and I'm sure this Bill will pass, I think pirates are on both sides of this issue. And that's why I don't intend to vote for it. And yes, my anger is real on this issue, once every month when I write that check."

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

Hartke: "Well, thank you very much, Mr. Speaker and Members of the House. As I listen to my colleagues who live in the boondocks across on the other side of the aisle, I want to inform them that I, too, live in the country, and I can get cable on my farm. I get it out there via a small satellite by a company that provides this service. And it's not \$29 a month and \$30 a month, if you shop around for those programs, you can get them cheaper than that. To the Bill here, I agree with the concept. If you're pirating programs by the cable company, then you should be held accountable. And if you're manufacturing parts and pieces to pirate that, you should be held accountable. And I think that's the gist behind this Bill. I sit...stand in support of Representative Steczo's House Bill 1331 and Conference Committee Report 1."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. The question that was used in debate on this Bill by a Gentleman from the other side of the aisle was, that cable television prices have been raised dramatically over the last couple of years. Well, just ask yourself why those prices have increased. And in large part, it's because people are stealing the signal without paying for it, and

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everybody knows that in cases where there's theft of service, that causes the rise in price of those goods and services that we seek to buy or utilize. The problem that we have here is, is that there are manufacturers that are manufacturing devices designed to help people steal cable television signals that everybody else pays for, and because the penalty right now is so low, that prosecutors simply walk away from that situation. A way to correct that situation is simply to raise the penalty for those people who are manufacturing the boxes that allow other people to break the law. That's what this Bill does. It does nothing to affect the individual sitting in their homes. It does nothing to affect anybody but those people who are manufacturing those boxes and those decoders for illegal purposes. If those situations are taken care of, then granted, your cable t.v. bill could be decreased because the hundreds of millions of dollars that it's costing consumers today who rightfully pay for their cable t.v. services, will not have to be subsidize by subsidizing these thefts of services. So, Mr. Speaker, this Bill makes all the sense in the world. You are trying to... You are trying to subject to punishment those people responsible for all those thefts of services throughout the State of Illinois, and those people responsible for selling those boxes and decoders to other individuals. So I would ask for a 'yes' vote, and would ask that the House do adopt the first Conference Committee Report on House Bill 1331."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee 1 to House Bill 1331?' All those in favor should vote 'aye'. All those opposed should vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Record Representative Weller as voting

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'aye'. The Lady from Cook, Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker. Usually, when a person has one of those boxes and they don't return them, in reference to cable, they're sent a bill for like \$2,500 or some exorbitant fee. And I imagine that it's just, and they should be sent that bill. However, I don't think the taxpayer should be sent a bill based upon the box belonging to cable. This Bill is giving the taxpayer a bill to build and fill prisons based upon someone being charged with using cable t.v. and not paying for those services. I'm sure there are other methods that we can use besides the penal system that is already costing the State of Illinois close to \$1 billion. Because of the legislation we have passed to criminal..."

Speaker Turner: "Bring your remarks to a close."

Davis: "I just want to say that as you vote 'yes' on this legislation, you also vote 'yes' for a tax increase to pay to put these people in prison at \$17,000 per person."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 77 voting 'yes', 33...30 voting 'no' and 8 voting 'present'. The House does adopt Conference Committee Report 1 to House Bill 1331, and this Bill having received the required Constitutional Majority is hereby declared passed. The next Bill is House Bill 1526, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Conference Committee Report #1 to House Bill 1526. What it was...technical...a technicality that we corrected with regard to the Metropolitan Sanitary District, that they not be exempt from keeping the records of those that are disposing of

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grease. And I would ask for your favorable support."

Speaker Turner: "The Lady from Cook, Representative Jones. The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, if memory serves me correct, this is the Bill that's gonna make every local restaurant mad as hell at you if you vote in favor of it. Is... Is that an accurate description of the effects this Bill will have, Representative Sponsor?"

Giglio: "No, what... What... What this is going to do, Representative, is that those that dispose of the grease, the people...that pick up the grease, this is where it's...what it's gonna do. It's gonna make those people who've been dumping the grease in sewers and on farms and in alleys and waterways, we're gonna make them record where they're picking up and where they're dumping it."

Skinner: "Well, you've described what I think will make local restaurant owners mad as hell. There's gonna be another layer of paperwork that's gonna be laid on small business throughout the State, and if you want to have your local restaurant owner lay it on you as soon as he get's a little regulation from the local sanitary district or the Environmental Protection Agency, you sure ought to vote 'yes'. But I can't imagine any small business organization being in favor of this Bill."

Speaker Turner: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Would the...maker of the Motion yield, please?"

Speaker Turner: "He indicates he will."

Tenhouse: "Okay. Representative, as we question this, what... How will this impact in small town restaurants? Will there be any effect? What about a small town restaurant if there's

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sludge that's created from a grease trap?"

Giglio: "It's...If there's any restaurant or any facility that accumulates a tremendous amount of grease that they have to have somebody pick it up. That person who picks it up has to keep a record of who he picked it up from and where he disposed it. That's it. Well, the small restaurants...in my judge, it won't be affected by this because they don't have...a company coming in with a big truck and takin' their grease out. If they have a huge grease pit where they have to have somebody come in and pick it up, then yes, that person who picks it up has to tell and keep a record where it's coming from and where it's going. That's all."

Tenhouse: "But let's...let's say in a small town like Paloma or Liberty, or wherever, and they...and they generate... You know, it's just a small restaurant, they do a business. How will this impact on them? You're saying then from a paperwork standpoint, won't have any impact, Representative?"

Giglio: "No, because usually restaurants like that have what they call a grease trap or a catch basin that's separate from the other sewers in the restaurant. Just the grease goes into a separate place, and nine times out of ten I've seen people, they clean it out themselves with a bucket and dispose of it, and that's it."

Tenhouse: "Where would they be currently disposing of it, and I guess... Well, is there... Do you see us coming along then following up as far as restaurants, finding out from the standpoint of whoever has the license following through then to find out whether in effect they're going to be affected by this regulation? You understand what I'm saying, Representative?"

Giglio: "I...I didn't catch... I really didn't catch all of it."

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The noise level is just tremendous here."

Tenhouse: "I...I guess what I'm saying is, do you see that there maybe a follow-up for small restaurants in small towns where they would have to be able to justify...follow through...for...for their sludge, their grease trap wastes, which may be rather miniscule by standards that we're talking about from your large restaurant chains."

Giglio: "Well, see, that's...that's where I think the catch comes in. I...I would say that these restaurants now are not having anybody pick up their grease. They're doing it themselves. Because if they are, then they are accumulating a tremendous amount that they're not responsible for, and they're having somebody come in that...that's a hauler, and he's the one that we're going after here because these...these are the ones that are...that are dumping them all over the place but the right place to have it processed."

Tenhouse: "Thank you for answering the questions. I guess I still have a concern from the standpoint of the record keeping aspect. No one's arguing the fact that we need to be more careful. We don't want people out dumping this out in ditches and streams and creeks. But, I guess from the standpoint of my small town rural areas, especially where they're dealing with a very small amount of waste by standards with the ones generated in the cities or the more urban areas, this could create a real problem in terms of more record keeping, and that's my concern. Thank you very much."

Giglio: "...I understand what...what you're trying to address and where you're coming from. And the record keeping with this Bill, is not...is not on the restaurant...it's on the hauler."

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Tenhouse: "Okay. Thank you very much, Representative."

Speaker Turner: "No further questions. Representative Giglio, to close."

Giglio: "...I think... I think it's been explained enough, Mr. Speaker. The onus is going to be put on those that are picking up this grease, and those are the people we want to identify where they're picking it up and where they're bringing it, so they don't put it in our sewers, they don't put it in our rivers, and they don't put it where it's suppose to go. And I would ask for your favorable support."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1526?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 84 voting 'yes', 27 voting 'no', 1 voting 'present'. Please add Representative Moffitt as voting 'no'. Moffitt. There are 84 voting 'yes', 28 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 1526, and the Bill having received the required Constitutional Majority is hereby declared passed. The next Bill is House Bill 2053, Representative McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to adopt the Conference Committee Report #1, which recommends that the House concur in Senate Amendment #2. These are three technical changes which are recommended by the Illinois Cemetery Association. The first one is a technical change. The second Conference Committee Report change requires that the Comptroller review all pre-need contract forms and shall submit...and shall prohibit the use of contract forms which do not meet the

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requirements of the Act. And the...third change requires that a disclosure booklet be prepared by rule, and that after the adoption of these rules, that no pre-need contract shall be sold unless that booklet has been distributed. I might say that these changes and all the changes represented in this Conference Committee Report represent hours of negotiation, and now has all the support of the groups affected, including the cemetery owners, who had some questions, previously. And I would urge your support."

Speaker Turner: "The Lady from Sangamon, Representative Moseley."

Moseley: "A point of personal privilege, Mr. Chairman. I'd like to be recorded as voting 'no' on House Bill 1526. I hit the wrong button."

Speaker Turner: "The record will so reflect. The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? I...I didn't hear clearly. Did you say the Funeral Directors were signed off on this?"

McAfee: "Mike, both the Funeral Directors and the Cemetery Association, both have come together, they both have signed off on it, yes."

Weaver: "Okay. Thank you."

Speaker Turner: "Representative McAfee to close."

McAfee: "I would just urge your favorable support."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 2053?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 voting 'yes', 2 voting 'no', 1 voting 'present', and the

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House... Please add Representative Moore...to the roll call, vote 'aye'. Moore. Eugene Moore and Lou Jones. Lou. On this question there are 113 voting 'aye', no 'noes', 1 voting 'present', and the House does adopt Conference Committee Report 1 to House Bill 2053, and the Bill having received the required Constitutional Majority is hereby declared passed. The Lady from Whiteside, Representative von Bergen Wessels, for what reason do you rise?"

von Bergen Wessels: "Thank you, Speaker. I wish the Journal to reflect I'd like to be a 'no' vote on 1526."

Speaker Turner: "The record will so reflect. I'd like to make an announcement. The Health and Human Services Committee will meet tomorrow morning at 11:30 in Room 118, 11:30 in Room 118, the Health and Human Services Committee. The next Bill is Senate Bill 586, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Black has bestowed me with the honor of being called Farmer Schoenberg, and it's in that tradition that I ask for you to adopt the first Conference Committee Report. Essentially, what this does is delete all the provisions that had to do with the State Fair. It amends the Administrative Code to deal with the sale and distribution of veterinarian biologics. It has to do with... It amends the Bovius (sic-Bovine) Brucellosis Eradication Act to remove testing for intrastate movement of cattle from the lob (law?), and it also amends the Livestock Dealer Licensing Act, the... The Slaughter Livestock Buyers Act, and the Illinois Feeder Swine Dealer Licensing Act, to record...to...to requite...to require a record of hearings. As I said before...a constituent of mine, Mr. Arnold Zifle, requested that I sponsor this Bill. It contains no provisions. There's no opposition, and I

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urge the adoption of the first Conference Committee Report."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you very much, Mr. Speaker. I just want to ask a real bona fide farmer what a veterinary biologic is."

Schoenberg: "It's a... Pardon me, Sir, it's a vaccine."

Wennlund: "No. Oh, I see. So...to approve... So the Department of Agriculture would approve field trials for veterinary vaccines. Now that...that's not field trialing like in sending the dogs out after the pheasants? This is not that kind of field trial?"

Schoenberg: "Pardon me."

Wennlund: "It's not that kind of a field trial?"

Schoenberg: "No."

Wennlund: "Is this the Babe Woodyard Amendment, do you know? Senator Woodyard?"

Schoenberg: "Pardon me. I can't hear you."

Wennlund: "Is this Senator Woodyard's Amendment? Is that the origin of that?"

Schoenberg: "The... This is. The origin of this is from the...he was the Senate Sponsor. The origin is from the Department of Agriculture. As you know, I've been the lead person, for some strange reason, on their initiatives."

Wennlund: "Yes, I'm very proud of you, too."

Schoenberg: "Well, thank you. I get a lot of support for that at home, as well."

Wennlund: "Very good. Thank you very much."

Speaker Turner: "The Gentleman from McHenry, Representative Skinner."

Skinner: "I rise with an inquiry of the Chair. On May 11th, Senate Amendment 1 came to us...to House Bill 1587. We

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voted upon this Bill to nonconcur a half an hour ago, and I've finally gotten the Amendment. Could the Chair tell us if the Speaker's Office intends to hold all the Senate Amendments hostage? Will we get to see them before we vote to reject them in the future? Or will past procedures be followed?"

Speaker Turner: "Yes."

Skinner: "Yes, what? I'm asking why an Amendment was held in the bowels of the Clerk's Office from May 11th to June 2nd."

Speaker Turner: "Representative, you do have the Amendment now?"

Skinner: "Yes, a half an hour after we rejected it without looking at it. Without being able to look at it."

Speaker Turner: "Mr. Clerk, was that Amendment distributed? It had been distributed."

Skinner: "It was distributed at 4:55. We voted upon it approximately 4:30. I mean, even the Speaker ought to be able to figure out there's a discontinuity there."

Speaker Turner: "We'll have to check into it, Representative. And you are right, the Amendment did not..."

Skinner: "You'll get back to it about July 11th, probably?"

Speaker Turner: "No, I think before then. I don't think anybody will be around here July 11th. At least, I hope...I don't plan on being around here at that time. But you're within your rights. The Amendment should be on a desk for a... Representative Schoenberg."

Schoenberg: "I have an inquiry of the Chair as whether the previous Gentleman's rem...remarks are out of order or not."

Speaker Turner: "We've laid that to rest. We're gonna get an answer for him at another time. We are discussing Conference Committee #1 to Senate Bill 586. The Gentleman from Coles, Representative Weaver."

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Weaver: "Thank you, Mr. Speaker. A question of Farmer Schoenberg."

Speaker Turner: "The Farmer says he will yield."

Weaver: "Farmer Schoenberg, you could...maybe clarify something. The previous Bill, 586, had provisions dealing with the appointment of the manager of the State Fair and the DuQuoin State Fair. Are those no longer in this Conference Committee?"

Schoenberg: "We have previously receded from Amendments 1 and 3. By error, when we did this previously, we did not omit. So this does omit everything pertaining to the State Fair. All the matters pertaining to the privatization of the State Fair have been dealt with...with House Bill 581, which is sitting on the Governor's desk."

Weaver: "Okay. Thank you."

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

Hartke: "Well, thank you very much, Mr. Speaker and Members of the House. I want to ensure the House hear that Farmer Schoenberg has my support on this piece of legislation. He may not know everything about agriculture, but I trust Senator Woodyard does, and this is a good piece of legislation rewriting the Brucellosis Act and many of the Animal Acts and the...for the Department of Agriculture, and we're using it as a vehicle to accomplish this goal. And I appreciate your support for this Conference Committee Report."

Speaker Turner: "The Gentleman from Cook, Representative Schoenberg, to close."

Schoenberg: "Thank you. I would just like to urge you all to adopt the first Conference Committee Report. I've been called a lot of things around here, but if Farmer

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Schoenberg is the worst, I guess I'm pretty happy about that."

Speaker Turner: "Okay. The question is, 'Shall the House adopt Conference Committee Report #1 to House...to Senate Bill 586?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye', no 'noes', no 'presents', and the House does adopt Conference Committee Report #1 to Senate Bill 586, and the Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 951, Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 951 was originally a shell Bill to be used for changes in the Horse Racing Act, but due to several concerns by several people, that didn't happen. So we used this Bill to make the technical changes for the Racing Board. They're all technical changes. It makes changes and clarifications in the current Act. I know of no opposition to it, and ask for an 'aye' vote."

Speaker Turner: "Are there any questions? Seeing none, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 951?'. The question... All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'yes', no 'noes', 1 voting 'present', and the House does adopt Conference Committee Report #1 to Senate Bill 951, and the Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1854. On the special order of business under the Order of Concurrences, we have House Bill 1854,

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Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. I move to concur with Senate Amendment to House Bill 1854. This is to maintain jobs in the southern Cook County area. It's to keep the outdoor concerts that draw many people from my area that really enjoy the programs there, and the performances of the name stars that have been there. It's a real good program, and we would like to stop the harassment from the PCB and their standards, and this is just to alleviate the problem. I ask for its passage."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you very much, Ladies and Gentlemen of the House. Ladies and Gentlemen of the House, I beg for your attention on this issue. Let me tell you what this Bill does. It's not the first time you've seen it. Now, as long as I've been in the General Assembly, it's been a tradition that we don't sponsor Bills that will negatively impact a particular district. In fact, this Bill does negatively impact two districts, Representative Jack Sheehy's district and myself, where the World Music Theater is located. What this Bill does is, it tries to exempt the World Music Theater from the noise pollution control regulations of the Environmental Protection Agency, so that the Grateful Dead and the U-2 and the Butthole Surfers can play as loud as they want without regulation. Let me tell you what happened a year...in February of this year. The Pollution Control Board fined the World Music Theater \$13,000, and told them, 'Look, you're disturbing the neighbors. You're far exceeding the decibel limits. We want to bring about some peace and tranquility to the...to Frankfort, to the Village of Matteson, to Country Club Hills, and the Village of

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Tinley Park, because these rock groups are playing music as loud as they want to.' So the Pollution Control Board required them to install some noise suppression devices. Now, what they want to do by this Bill, they filed an administrative appeal from the order of the Pollution Control Board. They want to render that moot, and they want to render a lawsuit by the Village of Country Club Hills on the basis of a nuisance, moot, and get out from underneath of all those noise pollution control regulations. That's what they are trying to do. This music theater, and I have been there, I have been at a village trustee's house in Matteson, a mile and a quarter, when the U-2 played and taunted the village residents and told them how loud with obscene language that they were going to keep their kids up...how late they were going to keep their kids up that night, by the loudest of the music coming from these huge amplifiers. Now this Bill is directed at one district...two districts, mine and Representative Jack Sheehy's, Ladies and Gentlemen of the House. That's what this is all about. We've seen this. This is the fifth time I've seen it since I've been in this House. It's the work by Sam Vinson on the basis...on behalf of the World Music Theater to let them play rock music as loud as they want to do it without any regulation whatsoever. That's what this Bill's about. And I'll tell you what, and I ask for your attention, Ladies and Gentlemen of the House, this is serious. All the years I've been in this General Assembly, anytime something would benefit a particular district, whether it was a school that had mine subsidence problems that needed some money, or a school that got hit by a tornado in somebody's district, I'd always support that. Or noise pollution control for O'Hare. For all the communities surrounding O'Hare. It

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would affect only their district, but I'd support it. This is one Roll Call I'll keep at my desk for as long as I'm here in the General Assembly, and I'll laminate it. This Bill affects Representative Sheehy's district and my district, and it affects them negatively. We're not asking for any money here. This is a negative impact on my district, and the people of the Village of Matteson, the Village of Frankfort and Frankfort Square, and Tinley Park, and Country Club Hills, beg for your 'no' vote on this Bill. This will negatively impact the peace and quiet and tranquility of those villages. When the kids can't sleep every time they play a rock concert, I will keep this Roll Call on my desk for as long as I'm here in the House. I'm serious. This is one issue that we've never traditionally done to another Member's district. Negatively impact it. But I'll guarantee you if Bill passes, Representative Saltsman will hear the U-2 in Peoria because there won't be noise pollution control regulations on it. I urge you to vote 'no' on this Bill, and tell the World Music Theater to live within the law like everybody else. And...Mr. Speaker, if this Bill receives the requisite votes, I request a verification."

Speaker Turner: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, at this point, I could conclude that we've been here long enough to justify our existence today, and we could adjourn for the night. But...if we're not gonna adjourn for the night, I'd like to point out that there are two music theaters in Chicago. One is in Popular Creek, which is in my district. I think also, the Democratic targets ought to listen up here a little bit. I don't think any of them ought to be voting for it, because there's a

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lot of money in South Barrington. And I guarantee you I'll send a mailing out to them, with the Roll Call, that'll point out which districts they ought to contribute money to candidates against. I do find it somewhat ironic that a Gentleman from Peoria should be sponsoring this Bill, when one of his predecessors, a Representative Schraeder, if I remember correctly, came to this House to scream legitimately about the excessive noise from a automobile racing track, I believe it was. Now, I'm not sure which way the vote went, but I know the Gentleman is from the Peoria area, and I know that he has seen similar problems in the past, perhaps before he was here. They could come back again. The U-2 could be playing at that auto track for all we know. I would remind the General Assembly that before I got here, a Gentleman passed a Bill that would make it illegal to run a radio louder...loud enough so that it could be heard 75 feet from the car. If this Bill... Yes, Representative Balanoff, it was a good Bill. From what Representative Wennlund has said, we are gonna be able to hear these music theaters...the musicians at these theaters a mile-and-a-quarter away. Well, I guess that means all of us on the northwest tollway will get a free concert every once in a while, but it's not a free concert that the folks that are living in South Barrington and those half million to a million and a half dollar homes look forward to hearing. This does not just...affect Representative Wennlund's district and Representative Sheehy's district. It represents... It also affects the northwest suburbs. I would ask for a 'no' vote on this...on this Bill. It should be buried. It should be put behind acoustical walls and not be heard of again."

Speaker Turner: "The Gentleman from Cook, Representative

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Balanoff."

Balanoff: "Oh, yeah. Yes. Mr. Speaker, Ladies and Gentlemen of the House. As Representative Wennlund said, it's interesting that bad Bills keep coming back, and this really is the case with Amendment #1. It is wrong to exempt the World Music Center (sic-Theater) from Pollution Control Board noise limits. As the Sponsor of the Bill that outlawed boombox cars in the State of Illinois, I urge everyone to vote 'no' on the Concurrence to Senate Amendment #1. People should have a right to be able...an ability to enjoy their property without excessive noise."

Speaker Turner: "The Gentleman from Cook, Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill, and in doing so, I want to point out that while my district is not directly affected by the activity at the World Music Theater, I'm very well acquainted...in contact with the mayors of the some of the municipalities that are impacted. And those mayors have told me that they have been on the verge of reaching an agreement with the World Music Theater in terms of controlling the noise levels. What this Bill does all of the sudden, is destroy all the negotiations that have gone on to date between the municipal leaders and the owners and operators of the World Musical Theater. And I think that that's a reprehensible act for us to undertake at this point. We have to protect the integrity and the sovereignty of the municipalities that are involved and the ordinances that they have passed. Plus, to supersede the action of the Illinois Pollution Control Board is just outrageous. There's no need for this. Activity can be undertaken that will reach an amicable solution between the parties that

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are involved. We should not pass this Bill. Thank you."

Speaker Turner: "The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. I rise in opposition to this Bill, also. Ladies and Gentlemen of the House, I believe that every business that's in every community should be a good neighbor. And this Bill certainly doesn't allow, nor does it require that that business that we're speaking of here, be a good neighbor to those surrounding communities and those people that live...live in close proximity to this theater. I've always supported legislation that will bring more jobs to this state. I'll continue to do that. But Ladies and Gentlemen of the House, this Bill does nothing to prevent this theater from operating. It just says that it has to operate at a reasonable level of sound. And I would urge a 'no' vote on it, also."

Speaker Turner: "The Gentleman from Cook, Representative Sheehy."

Sheehy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. As Representative Wennlund said, and the other Representatives, this is a bad Amendment. When this music theater came to our area, we opened them with welcome arms. They've done nothing but hurt the people in that district...in my district and Larry Wennlund's district. Right now, they're being fined \$6,000 from the EPA. There's a \$16,000 lawsuit against them, also. If we exempt them, they'll be...they'll have no rules whatsoever. We have people, constituents out there, who pay good money for their homes, who pay taxes. They cannot even sit in their backyards and enjoy the summer nights because of this. This is a bad Amendment, and the only way we can do anything for these people is to vote 'no' for this Amendment. And I thank you."

Speaker Turner: "The Gentleman from Cook, Representative

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Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise with a little bit of trepidation and reluctance because I have a great deal of respect for Representative Saltsman, but this is a bipartisan issue, and it cuts not only with regard to party lines, but also with regard to fairness. How is it that a private interest ought to be exempt from a law that affects the rest of us? It seems to me fundamentally easy to vote against this Bill for all of the right reasons and none of the long...wrong reasons. I think we ought...we oughta all shout in opposition to this Bill. It seems appropriate, and I encourage all of us to join together and vote 'no' for fundamental fairness, equal opportunity, and equal protection under the laws, 'cause that's what this is. Thank you."

Speaker Turner: "The Gentleman from Peoria, Representative Saltsman, to close."

Saltsman: "Yes..."

Speaker Turner: "...Before you... I didn't see Representative Murphy. The Gentleman from Cook, Representative Murphy."

Murphy, Harold: "Yes. Thank you, Mr. Speaker. I just rise here to urge the House to vote against this Bill. It's a very bad Bill. It's part of my district and we would like the local people to handle their situations whenever they can. Seems to me that we have enough to do here. So I just urge a 'no' vote on the House Bill 1854. Thank you."

Speaker Turner: "The Gentleman from Peoria, Representative Saltsman, to close."

Saltsman: "Yes. Thank you, Mr. Speaker. Two of the previous speakers was talking about things that happened in my district. Well, the stock car track he's talking about is

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about a mile from my home, and I hear 'em two nights a week, every time they run. And it's just like pumpkin pie at Thanksgiving. You've got to have that noise. It really sounds good to know you've got 7,000 people there every night enjoying themselves for the recreation of this area. A previous Representative from my district lived approximately ten miles from there. He never has to listen to it. The baseball stadium's, another mile the opposite way from my home. And we got people lookin' at a program like this for our area. If this legislation don't pass, then we won't be able to obtain this type of event to create this many jobs. Nevertheless, the PC...the PCB has harassed this music theater for over two years. In 1991, the PCB required monitoring of a noise level. It could not demonstrate the violation of its noise standards. In 1992, monitoring was done again. The PCB, in order to create a violation, changes the regulations in the middle of the stream. PCB regulations state that you have to average the sound for a one hour period to find a violation. For this case, and this case alone, with PCB changes to five minutes monitoring. What they've been changing is regulations. So, in order to terminate this harassment, why, I support this Bill exempting the World Music Theater, and hope that we can continue to keep the six to seven hundred jobs to provide the recreation that is needed in that area. And I was a little disappointed in...in one of our speakers who just sponsored a license plate for Elvis Presley. How many miles did they hear him away in Tennessee? And the guy ended up being a millionaire playing around these types of places. If he was alive today...if he came up out there, they'd let him turn the music up louder, if Elvis came. So with that, why, I think this is a good piece of

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legislation. And the legislation for stock car tracks was sponsored by a man on that side of the aisle. His name was Junie Bartulis. He... He was a State Representative on your side of the aisle, and he was also a race car driver, and he was the one that passed that legislation my first term down here. And I'm glad he did, because those 7,000 fans that go to our track twice a week, sometimes on holidays, three times a week, they want to continue to do this. And if we stop this, then we'll continue to... We'll probably even put them out of business, so I ask for its passage."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1854?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Representative Logan...the Gentleman from Logan, Representative Olson."

Olson: "Thank you. To explain my vote, and it may take longer than a minute, and I'd appreciate the consideration. Back in January, the first order of business for this new General Assembly was to consider low level nuclear waste siting. I've been threatened here today on how I should vote on this issue by at least two people in the chamber. Low level nuclear waste siting will be an unwelcome neighbor just as this music thing is in the area up there, because low level nuclear waste siting is gonna come downstate. People on this floor that day got up and said if you live north of Interstate 80, vote for this Bill because it's not gonna be in your neighborhood. I've been hurt ever since that day because fellow Members on both sides of the aisle living north of Interstate...80 made provisions in January for low level nuclear wastes to be sited downstate. I understand this about...the unwritten rule we have here to help someone in their neighborhood, in their district by

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voting with them on local issues. I have no problem today voting with the people in that neighborhood that have spoke on this floor because I believe in honor and fair play. And I am now pushing the 'red' button to help you people. But I want you to remember what you did back in January to people across central Illinois. It narrowed down back in 1988 on...low level nuclear waste siting to eight counties in central Illinois. At that time, I represented four of those counties and now, I'm being asked to help your neighborhood, and I do so graciously and happily, not really happily, but because it's the right thing to do. But don't forget what you did to central Illinois back in January the first order of business, when you sent low level nuclear waste siting to central Illinois and took out all rights of local control and local input in that. Thank you, Mr. Speaker, for letting me speak."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 15 voting 'yes', 90 voting 'no', 9 voting 'present', and the House refused to concur in Senate Amendment 1 to House Bill 1854, and this Bill having not received is hereby declared failed. The Gentleman from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. It's been pointed out to me that I owe an apology to about 40 percent or so of this General Assembly. That was the last issue we took up last session that I spoke to, and not the first issue of this session. And I beg your forgiveness for being wrong to all the freshmen down here and the new members."

Speaker Turner: "Right. Your apology is accepted. On House Bill 1854, the Motion failed to concur in that Amendment, and it will go back to Conference. No? Just out of the record."

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Agreed Resolutions."

Clerk Rossi: "House Resolution 980, offered by Representative Weller. House Resolution 981, offered by Representative Weller. House Resolution 983, offered by Representative Maureen Murphy. House Resolution 984, offered by Representative Cowlshaw. House Resolution 985, offered by Representative Erwin. House Resolution 986, offered by Representative Erwin. House Resolution 987, offered by Representative Walsh. House Resolution 988, offered by Representative Walsh. House Resolution 990, offered by Representative Currie."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. Death Resolutions."

Clerk Rossi: "House Resolution 982, offered by Representative von Bergen Wessels, with respect to the memory of Harry 'Bud' Hurd. House Resolution 989, offered by Representative Stephens, with respect to the memory of Oscar Gindler."

Speaker Turner: "Currie moves for the adoption of the Death Resolutions. All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and those Resolutions are adopted. ...from Cook, Representative Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, my purpose is to announce our scheduling plans. So there was a meeting of the Governor and the four legislative leaders this afternoon. The meeting went well in the sense that no one threw old vegetables at anybody else. Everybody was friendly. There were a few jokes passed. We made a little progress in terms of the major issues which must be resolved before we can end the session, but we're still a long way away from final resolution, and therefore, the scheduling plan is to leave tomorrow and to return here on

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June 23rd and 24th. June 23 and 24th. That's a Wednesday and a Thursday. In the meantime, the Governor and the leaders will meet again on Wednesday, June 9, in Chicago, and hopefully there will be some resolution of those issues at that meeting on June 9. But the general Membership will return on June the 23rd and 24th. And...June the 23rd at 12:00 noon, okay. Mr. Speaker, if we have nothing further, I would like to...to announce that Representative Daniels' father is undergoing major surgery today, and all of us would like to wish him the best of luck in that surgery. I have not heard the results of the surgery yet, but we all send our good luck and our prayers and best wishes. So, Mr. Speaker, are we prepared to adjourn for today? And so, the Motion is that the House stand adjourned until tomorrow at 10:00 a.m...."

Speaker Turner: "Twelve."

Madigan: "Twelve noon."

Speaker Turner: "All those in favor of the Motion... All those in favor of the Motion say 'aye'. All those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. We are clear. It is 12:00 tomorrow, 12:00 noon."

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