

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

150th Legislative Day

June 28, 1994

Speaker McPike: "The House will come to Order. The Chaplain for today... The Chaplain for today is Reverend Marilyn Brewer of the United Methodist Church of Illiopolis, Illinois. Reverend Brewer is the guest of Representative Moseley. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Brewer: "I want to thank Vickie for the opportunity to be here. Today is the start of my vacation and I was happy to be here and I'm looking forward to my vacation and as I thought about being here, I knew you probably are, too. But time is probably lying heavy on your hands and it reminded me about a farmer that farmed hogs in a drought stricken area and his hogs always looked so much better than everybody else's. And they ask him why that was and he said, I always pole my hogs in this kind of weather. And they said, what do you mean. And he says, I fasten them up to a pole and hang them up in the oak tree so that they can eat the acorns and they do real well. And the other farmer says, well doesn't that take a lot of time. And he says, oh shucks, time doesn't mean anything to hogs. But I know time is precious to you and so I do... My prayer is that you will be able to use your time productively. Let us pray. God of the beginning, God of the end, Lord of the living and refuge of the dying, source of every human hope whose love and care has touched us all. We gather together today mindfull of the gift of time You have given to each of us. Each moment is precious in Your sight, Lord. Each moment an opportunity to glorify You with the work of our lives. For some, the span of time remaining may be but a brief moment. For some, it still may span decades more. None of us know what length of time You have appointed to our lives. Let us be mindful of the

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preciousness of each passing moment as a treasure and a promise. You have committed these men and women to the regulation of our State Government. Walk with them, we pray, that their minds may be inspired so that they may move forward with purpose with confidence in the future that You have planned for this state. Give them the vision of truth and justice that by their counsel and consent, decisions may be made here today that will benefit all citizens and not just a few. Forgive our shortcomings as leaders, take away their anxiety and confusion of purpose. Strengthen their talents and skills, purify their hearts to see and to love the truth and encourage them always to dwell among those who savor beauty, practice truth, advanced community, respond and compassion and are animated by wisdom not their own and empowered by a spirit they do not possess, that we may truly do the work You would have us to do this day and glorify You in the process. Lord, we ask that You take the time and the energies of this evening, that they may be gathered up and used for the good of all people. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. (Representative Currie."

Currie: "Thank you, Speaker. Let the record show that Representative Phil Novak is excused because of the death of his father."

Speaker McPike: "Representative Kubik."

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

Speaker McPike: "Mr. Clerk, take the record. One hundred and sixteen Members answering a roll call, a quorum is present. Committee Reports."

Clerk Rossi: "The Committee on Rules has met in pursuant to Rule 14(a)5 and 14(a)6, recommends consideration and the following Bills be placed on the Order of Second Reading. Senate Bill 447 and the following Bills be placed on the Order of Concurrence. House Bill 232 and House Bill 1635."

Speaker McPike: "(Agreed) Resolutions."

Clerk Rossi: "House Resolution 3027, offered by Representative Hoffman; House Resolution 3028, offered by Representative Hoffman; House Resolution 3029, offered by Representative Hoffman; House Resolution 3030, offered by Representative Brunsvold; House Resolution 3032, offered by Representative Kubik; House Resolution 3033, offered by Representative Kubik; House Resolution 3034, offered by Representative Moffitt; House Resolution 3036, offered by Representative Dart; House Resolution 3037, offered by Representative Morrow; House Resolution 3038, offered by Representative Giglio; House Resolution 3039, offered by Representative Hanrahan. Senate Joint Resolution 179, offered by Representative Biggert and House Resolution 3047, offered by Representative Hartke and House Resolution 3048, offered by Representative Deering."

Speaker McPike: "Representative Granberg moves for the adoption of Agreed Resolutions. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 3031, offered by Representative Younge with respect to the memory of Alvis F. Johnson;

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House Resolution 3035, offered by Representative Dart with respect to the memory of Cornelia Sportster; House Resolution 3040, offered by Representative Ryder with respect to the memory of James Mundy; House Resolution 3041, offered by Representative Ryder with respect to the memory of Dr. Roger Wells; House Resolution 3042, offered by Representative Ryder with respect to the memory of Edward Phipps; House Resolution 3043, offered by Representative Ryder with respect to the memory of George Lorten; House Resolution 3044, offered by Representative Ryder with respect to the memory of Harold Downy."

Speaker McPike: "Representative Granberg moves for the adoption of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Death Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Resolution 3046, offered by Speaker Madigan and Senate Joint Resolution 143, offered by Representative Balthis."

Speaker McPike: "Committee on Assignment. Supplemental Calendar Announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "Supplemental Calendar #1 appears Senate Bill 447. Representative Schoenberg. Schoenberg. Representative... All right, on the Order of Concurrence appears House Bill 232. Representative Balthis."

Balthis: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 and 2 to House Bill 232."

Speaker McPike: "Mr. Balthis, I think you will have a request to explain those so you might as well explain them. This is final action."

Balthis: "Okay. Amendment #1 replaces everything in the Bill and becomes the Bill. It grants to all municipalities, with

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the population of 10,000 under, the ability to build, modernize and upgrade senior citizen housing. Amendment #2 amends the Municiple Code for providing that a municipality with more than 2 million inhabitants must send a notice by certified mail before taking control of property under the demolition process. And I would move for it's adoption."

Speaker McPike: "And on that Motion to concur, Mr. Black."

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

Speaker McPike: "Yes, he indicates he will."

Black: "Representative, it's hard to hear and I want to make sure of one thing. This only affects municipalities in counties in excess of 2 million population."

Balthis: "Yes."

Black: "It does not effect...in other words, this does not affect every county in the state."

Balthis: "This effects Cook County."

Black: "Okay, thank you."

Speaker McPike: "Representative Dart. Mr. Dart."

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

Speaker McPike: "Yes."

Dart: "In regards to the second Amendment here, it talks about requiring a permanent index number to be included... What is that?"

Balthis: "Representative, I could not hear the question."

Dart: "As to Amendment #2, what's the permanent number you're talking about, requiring to be contained in this?"

Balthis: "The requirement is language where they can take over property in the City of Chicago primarily. They must notify by certified mail prior to that take over."

Dart: "What was the impetus for this language? Do you know?"

Balthis: "The mortgage bankers and others who were concerned

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about the fact that the City of Chicago had the right to come in and take over abandoned property. And there were cases where they had mortgages on it and they felt that there was at least notice by certified mail necessary so that they could protect any interests they might have in it."

Dart: "Now, has the City of Chicago been talked to in regards to this?"

Balthis: "It's my understanding, in a letter that I have from a Representative, that the City of Chicago is supportive of this, yes."

Dart: "There is support of this Bill?"

Balthis: "Yes."

Dart: "Thank you."

Speaker McPike: "Anything further? The question is, 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 232?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Representative Prussing, 'aye'. Turn your switch on and see if it works. Have all voted who wish? The Clerk will take the record. On this Motion there are 113 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 232, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1635, Representative Schoenberg. Schoenberg. Mr. Schoenberg, do you want this Bill called? Take this out of the record. State Operations, Second Reading. Senate Bills... Senate Bill 1437, Mr. Granberg. Mr. Granberg."

Granberg: "Take it out of the record."

Speaker McPike: "Senate Bill 1710, Representative Krause. Out of the record. We're returning to Supplemental Calendar #1, House Bill 1635. Mr. Schoenberg."

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Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wish to concur with Senate Amendment #1 and to nonconcur with Senate Amendments 2 and 3 to House Bill 1635."

Speaker McPike: "Perhaps you could explain Amendment #1."

Schoenberg: "Amendment #1 pertains to Watershut Counsels and is in a initiative of the Northwest Munciple Conference, it's been agreed upon by all the parties. There are some questions however, pertaining to Amendments 2 and 3 and that's the reason I wish to nonconcur with them."

Speaker McPike: "Representative Black."

Black: "An inquiry of the Chair. It says concur in Senate Amendments so, we're nonconcurring..."

Speaker McPike: "No, the Motion is to concur in Senate Amendment #1 and we'll take that Motion first."

Black: "Oh, okay."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 16... What happened to the board, Mr. Clerk? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1635?' All in favor vote 'aye'; opposed vote 'no'. Mr. Clerk, take the record. On this Motion there are 116 'ayes' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 1635. The Gentleman now moves...the Gentleman now moves to nonconcur in Senate Amendments #2 and 3 to House Bill 1635. On that Motion all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The House nonconcur in Senate Amendments #2 and 3 to House Bill 1635. Representative Krause. For what reason do you rise?"

Krause: "If I may speak on Senate Amendment #3 in opposition to the nonconcurrence is what I asked to do and asked that, in fact, this Amendment perceived to be on it. It is an

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Amendment that provides for the quick take authority for the City of Prospect Heights and the Village of Wheeling as far as it relates to the Palwaukee Municipal Airport to allow for the acquisition of a parcel for drainage and safety purposes and it is important for both of these communities that they would be able to proceed with this quick take because it aids Palwaukee Airport and I therefore, would speak in support of the Amendment and against a nonconurrence."

Speaker McPike: "Thank you. State Operations, Third Reading. Representative Schoenberg. Senate Bill 382. Mr. Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 382, a Bill for an Act relating to bonds for school construction. Third Reading of this Senate Bill."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Could the Clerk please advise me which Amendments are on Senate Bill 382 and which have been filed in addition."

Speaker McPike: "Mr. Clerk, what Amendments have been adopted?"

Clerk Rossi: "Committee Amendment #1 and Floor Amendments 5 and 6 have been adopted to the Bill. Floor Amendment #7 is pending."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Where this was subject to considerable discussion last year, I'm sorry, last week. It relates to the creation of the Illinois Research Park Authority. I am pleased to report that the meeting which transpired last week was a very positive one and that we would like to be able to move this ahead within the process. Representative

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Cowlishaw had asked whether or not there could be the subject matter of the underlying Bill initially and upon further review, it's unseemly that this measure could proceed based on the agreement that exists between the parties currently if there is anything further on this Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 382 pass?'
And on that, Representative Cowlishaw."

Cowlishaw: "Thank you very much, Mr. Speaker. It's very difficult to hear in here."

Speaker McPike: "Yes, it is."

Cowlishaw: "Would the Sponsor yield for a couple of quick questions, please?"

Speaker McPike: "I wonder if the Lady can have a little attention, please. Please. It is very difficult to hear in here tonight. Thank you. Yes, the Gentleman will yield."

Cowlishaw: "Thank you very much. Just a couple of quick questions of the Sponsor. When this Bill came here from the Senate it contained what is now described on the board, some general obligation bonds for school construction. My question to you is, does this Bill still contain the material that was in it when it came here from the Senate?"

Schoenberg: "No, it does not."

Cowlishaw: "All right. Have you consulted with the Senate Sponsor of this Bill? And has he told you as he has told me that he wants that material adopted back into this Bill by means of Amendment before it is sent back to the Senate?"

Schoenberg: "I've indicated to the Senate Sponsor that the dynamics are...that as sympathetic as I am and as supportive I am of the underlying portion of the Bill, that

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the sensitivities currently to the state's bond situation have really preclude the inclusion of these...this portion of the Bill."

Cowlishaw: "If you want it put into a Conference Committee why don't you just say so? I've never heard so much gobbledygook."

Schoenberg: "I'm...Representative, last week when you asked me about the meetings that were taking place, I filled you in on the chronology. I indicated to you, I believe, for the record that the parties involved in this, in the creation of the Illinois Research Park Authority Act were very anxious to have the measure proceed at that time unincumbered by any further measures. Based on the meeting which took place the very day that we discussed as it was on Second Reading...based on those discussions, the parties involved have indicated that they wish to maintain that position currently and keep the...keep the language as it currently stands on the Bill. Now, I told you in good faith that I would make an inquiry with several of the parties involved as to what their sentiments were on this. They shared those sentiments with me and right now we're not going to be able to proceed with the content that has been sitting dormant on the Bill for the past year."

Cowlishaw: "One question, please. I have just had the opportunity to talk briefly with the Senate Sponsor who has been right here beside me. It is his intention, I believe, that if this Bill has to go back to the Senate which, in fact it does, that while it is there the Senate Sponsor would like to try to add to it, not take out what you have there but to add to it what was in it to begin with which has to do with school construction. Now, if that happens in the Senate and it comes back here for concurrence, would

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you vote to concur in the Amendment that added back into this legislation what was in it to begin with?"

Schoenberg: "As I've indicated in my remarks earlier, I have been supportive of the underlying concept of the Bill and I think you're also aware that I've been sensitive to the progress of the negotiations between several parties involved and I will continue to negotiate with the parties involved including the Senate Sponsor in good faith. I don't anticipate that my support for the underlying concept of the Bill, once it does return on concurrence, will change."

Cowlshaw: "The question was, if the material originally contained in this Bill were added back into it by a Senate Amendment and then it had to come back here for concurrence, would you make a Motion to concur? There ought to be a simple answer. It's either yes or no."

Schoenberg: "As I indicated, I have consistently supported this. I would intend to continue supporting it and what I would want to do, it's presumptuous of me to speak on behalf of all the parties involved in this but if I would receive no opposition from any of the parties involved with the Amendment and those parts of the Bill relating to the Illinois Research Park Authority Act, I'd certainly intend to be most supportive of Senator DeAngelis' efforts."

Cowlshaw: "That was no answer at all but I certainly appreciate the fidelity with which it was delivered. Thank you very much."

Speaker McPike: "Representative Pedersen, on a 'do pass' Motion."

Pedersen: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Pedersen: "Who are the parties that are involved in all this? You keep talking about the parties. Who are they?"

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Schoenberg: "The parties involved in the Bill are currently certain institutions of higher education, particularly Northwestern University. As I think I indicated last week, this pertains exclusively to University affiliated Research Parks. There are only three such research parks in the state and the people involved primarily in the discussions on the Bill have been the people from the Evanston...from the Northwestern Evanston Research Park Incorporated. They're affiliated parties with Northwestern University. They're representing counsel and there have been discussions which have been termed as favorable by the people who have been involved in this. It's my under...my...I want to add that my intention is to keep this moving and I pledge to those individuals affiliated with the Evanston Northwestern Research Park that this would be currently moved along unincumbered by any additional language. However, it is my intention to prevail upon them that the underlying Bill which was successfully advanced by Senator DeAngelis, indeed be part of the final package. The Governor's Office has expressed great interest in this and they have worked with several people in the private sector on this as well. And it's my intention to keep the discussions moving, to move this in it's current version along to the Senate and to work with Senator DeAngelis if there is a way possible to include those provisions of the underlying Bill. It's very much my intention to do so."

Pedersen: "Basically, what is it you're trying to do? You're trying to, through the universities, create new businesses?"

Schoenberg: "I'm trying...university affiliated research parks which are actively involved in the development of high-tech

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and bio-tech would like very much the ability, should the circumstances require them to expand their facilities or to enable public and private partnerships in other parts of the state where you have universities and faculty who are interested in doing economic development and high-tech and bio-tech to enable them to start-up successfully. This is...this Bill has been drawn up off the paradigm of the very successful Northwestern Evanston Research Park which has, I'm pleased to say is operating at 97% capacity and has created well over 600 jobs."

Pedersen: "But the basic idea is that the universities want to create business, new businesses from this research."

Schoenberg: "The underlying...the premises that the authority will be able to do more bonds, to be able to provide a credit enhancement in terms of the state's moral authority. We have...I'm sorry, in terms of the state's moral obligation in the creation of this authority. The Bill does create the provisions for an authority which are very much familiar based on other authorities which we have created and..."

Pedersen: "Well, that's okay. You don't have to go through all that. It's my understanding that universities as such have not been very successful in starting new businesses from research. Is that true?"

Schoenberg: "I think that the, I would beg to differ with that statement. I think all you have to...we have three such enterprises in our state right now and the one that this legislation is modeled on is the one that pertains to the Northwestern Evanston Research Park which as I said is operating at 97% capacity and has created hundreds of jobs. One of the great ironies is that this facility has been so successful in nurturing business along in high-tech and

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bio-tech that we finally have one business which has gone public and now they're moving because there is simply no place, there is no way to retrieve the financing through the banks. And so what this would do is enable the authority based on a credit enhancement on collateralizing the assets..."

Pedersen: "Representative, I'm familiar with those arguments. Have you heard of SBIR's?"

Schoenberg: "Yes, Sir."

Pedersen: "It's my understanding that when we had the credit crunch and the revenue crunch back in '91 or whatever, that we had to cut back dramatically on working with the Federal Government on SBIR. Is that true?"

Schoenberg: "There have been, not just in that area, but I would say that it's fair to characterize it as a trend that there has been a regression in these efforts when we should be doing things which will enable us, not only to be competitive with other states that are establishing such authorities, but..."

Pedersen: "Okay. I understand that. I guess my question is this, you are aware that we get money from the Federal Government on the SBIR program?"

Schoenberg: "I am familiar, yes."

Pedersen: "Well, it seems to me I have also heard..."

Speaker McPike: "Representative Pedersen, would you like to address the Bill? Do you have any more questions?"

Pedersen: "Yes, I have more questions. It's my understanding that probably 50%, maybe as high as 50% or more of those businesses that you're talking about are SBIR's. Is that correct?"

Schoenberg: "Representative, perhaps one of the few things that you and I agree upon is the reliability and efficacy of the

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Federal Government to assure in a timely manner that small businesses, particularly those which deal in high-tech and bio-tech, can have the necessary resources and environment in their disposal in order to do what they're seeking to do."

Pedersen: "Does this just benefit the Northwestern Research Park?"

Schoenberg: "This would benefit the Northwestern Evanston Research Park, it would benefit potentially...it could also potentially benefit two other research parks in existence, the Chicago Tech Park..."

Speaker McPike: "Representative Johnson."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Johnson, Tom: "Representative, I want to pick up. You were going to...Representative."

Speaker McPike: "Yes, proceed. Proceed, Mr. Johnson."

Johnson, Tom: "Representative, maybe you would like to finish this. Who will benefit from this bond issue? It's Northwestern University and the City of Evanston for an industrial research park, correct? Speaker, could we have a little order?"

Schoenberg: "Could you get a little order, Mr. Speaker?"

Speaker McPike: "I tell ya, I've tried two or three times."

Johnson, Tom: "Okay."

Schoenberg: "Mr. Johnson..."

Speaker McPike: "Thank you, thank you. Proceed."

Schoenberg: "The potential participants in this authority would be university affiliated research park which meet the criteria both on the academic end as well as on the, as well as meeting the definitions of bonafide research park. There are currently three, one in Chicago... I started

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answering this question, one at Chicago Tech on Chicago's near west side. One in Evanston which is affiliated with Northwestern University. There's a third one in Edwardsville which is affiliated with Southern Illinois University. However..."

Johnson, Tom: "Right, but this, Representative..."

Schoenberg: "Pardon me, Sir. Pardon me, Sir. Let me finish. However, the potential participants are not relegated to those three enterprises. For example, should the University of Illinois or another academic institution which meets the criteria, articulate in the Bill..."

Johnson, Tom: "Representative, I understand what you're saying there. I think it's important that we understand, if I'm reading this Bill correctly, that the criteria to have one of these parks is that you are one of the one hundred universities in this country or sixty universities located in the United States that award the largest number of degrees of doctor of philosophy. That's one of the criteria, right?"

Schoenberg: "That's correct."

Johnson, Tom: "So that is very, very limiting, is it not?"

Schoenberg: "The criteria have been drawn, Sir, so that we don't have...the last thing we want is institutions which are not able to provide the research end of it. For example, as much as we both think highly of the numerous community colleges in our state, I think we would agree we don't want any of our community colleges..."

Johnson, Tom: "Well, Representative, I believe, is it not true that the university itself is a magnet in these communities for businesses that feel it advantageous to settle near universities. In fact, 97% occupancy in your own park, this was done with private funds. Why do we now need to

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obligate bond issues supported by the state and, in fact, general revenue funds in your Bill to subsidize one or two of these research parks when, in fact, we have a number of research parks, high-tech that just because they are not located on a university campus are now not going to be able to avail themselves with that. Dupage County has the I-88 Research Corridor. We are attracting major high-tech research industries into this state and it's the private sector that is doing it. But yet, you want to subsidize Evanston in Northwestern University and obligate funds of this State to do it with. Now, why would we want to go into direct competition with the private sector to move in and settle and develop where they will, where it's advantageous to them."

Schoenberg: "Pardon me, Sir. Perhaps you misunderstood. I want to make one element to this absolutely indisputable and that is there is no subsidy here. There's no free high-tech lunch. What do we do? This criteria in the Bill are not just limited to the three institutions which have been illuded to earlier. But if there are other institutions of higher learning, and by the way, this can also serve as a tremendous attraction to keep some of our more talented faculty here in Illinois instead of running off to other states. But the most important thing that we have to understand, this is merely a credit enhancement. This is not general obligation bonding by the state. Anybody who represents this as such is simply misrepresenting it. This is exclusively a credit enhancement where the moral obligation of the state is behind these bonds. And, in fact, all the property and all the assets associated with the research parks are used to collateralize these bonds. There are no allocations

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whatsoever from any kind of funds, state funds that go toward this authority and if anything, what we need to do is...I think Mr. Johnson and I wish to reach the same goal but we also want to understand the limitations that the Federal Government provides and we indeed wish to have the private sector develop jobs. I'm just suggesting that this is a manner in which the State Government can provide some steerage in this manner and not an outright subsidy. If this were an outright subsidy, I would oppose it, I wouldn't have even introduced this."

Johnson, Tom: "Representative, I call your attention to page 23 and 24 of your Amendment #5, which basically states that the Governor is to anticipate revenues to include it in his budget and this General Assembly is to approve that as part of the annual budget for reimbursement up to 25% of the interest and discharge 25% of the principle. Now, if any of those anticipations come in false, it is part of the budget and we have to expend those funds. And that's in the Bill. But the biggest issue here is now we are saying that government ought to go compete with the private sector and tell high-tech people to move into Evanston as opposed to Danville or to Cairo or to Dupage..."

Speaker McPike: "The question is, 'Shall Senate Bill 382 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Just to explain my vote, if you read this very carefully and it was so noisy that most people didn't hear this, the Research Park Authority Bonds may, at their discretion, become obligations of the State of Illinois. Now, in a time when we can't seem to refinance to pay our bills, why do we want to create a research park whose bonds

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may become the responsibility of the State of Illinois? Now, there's some real good timing for you. That's a great 'yes' vote. We can't pay or agree to pay our Medicaid bills but we're going to create some research park whose bonds may become a liability and obligation of the State of Illinois. That's silly. A 'no' vote is the only vote you should make."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Representative Pedersen, for what reason do you rise? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On a 'do pass' Motion, this Bill having received 33 'ayes' and 74 'noes' and the Bill fails. Senate Bill 1447, Representative Kotlarz. Is Mr. Kotlarz here? Human Services, Second Reading. Senate Bill, Senate Bill 1579. Representative Ronen. Mr. Ronen. This Bill has been read a second time previously. Mr. Clerk, what Amendments are on the Bill?"

Clerk Rossi: "No Amendments have been adopted to the Bill."

Speaker McPike: "All right. Any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Skinner."

Speaker McPike: "Mr. Skinner. Mr. Skinner, what's your desire on this?"

Skinner: "I desire a roll call on this Amendment."

Speaker McPike: "I beg your pardon."

Skinner: "I desire a roll call on the Amendment under Rule 55(c) and I think I'm joined by four others. I trust I am joined by four others."

Speaker McPike: "Well, would it be too much to ask for you to explain what the Amendment is before you ask for a roll call?"

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Skinner: "I will be happy to. This is the New Jersey Welfare Reform Plan. This is the only element that I've seen on the House Floor that would actually cut costs in the Public Aid Budget next year if enacted. It says that if you're on Public Aid..."

Speaker McPike: "Excuse me, Mr. Skinner. Mr. Skinner."

Skinner: "Yes?"

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

Ronen: "Mr. Speaker, I don't think...ruling, please. I don't believe this Amendment is germane. The Amendment he is describing is not Amendment 1 on this Bill."

Speaker McPike: "All right, there is a question on the germaneness of the Amendment. Mr. Skinner. Mr. Skinner, this is a compulsive gambling Amendment. Are you explaining the right Amendment?"

Skinner: "No, I'm explaining the wrong Amendment."

Speaker McPike: "You're explaining the wrong Amendment."

Skinner: "I'm explaining the next Amendment."

Speaker McPike: "What did you want to do with this Amendment? What did you want to do with this Amendment? We're on Amendment #1."

Skinner: "We might save some time if I could have a chance to talk to the Sponsor a minute."

Speaker McPike: "All right. Let's take this Bill out of the record so Mr. Skinner can find out what he wants to do. Labor, Third Reading, appears Senate Bill 481. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 481, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Parke will handle the Bill. Mr.

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Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, Senate Bill 481, Amendment 4 becomes the Bill. It contains language that has been agreed to by the business community and labor community of Illinois regarding the administration of Illinois Unemployment Insurance System. The six parts of the Amendment separately would one, prevent further legal action against the agency regarding one of it's administrative rules. Two, conform State Unemployment Law to Federal Law. Three, suspend the legal service program for one year at the direction of the advisory board of the Department of Employment Security. Four, address a statutory inconsistency pointed out in a recent court case. Five, clarifies the employment status of certain education employees and six, allows the Department to use contractual persons to serve bank levees. I would ask the Body to pass Senate Bill 481 and I'd be happy to answer any questions."

Speaker McPike: "The question is, 'Shall Senate Bill 481 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Moseley. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Virginia Frederick, 'aye'. On this Motion there are 114 'ayes' and no 'nays'. Senate Bill 481, having received the Constitutional Majority, is hereby declared passed. Page 52 of the Calendar. House Bill 795. Representative Curran. Mr. Curran. Senate Bill 398 on nonconcurrency. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House nonconcur to the Senate Amendments, refuse to recede from House Amendments 1 and 3 so we can put this Bill into Conference Committee. We have an agreed disposition between the Hospital Association and

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the Medical Society for that Conference Committee. There will be no opposition. This is the vehicle we need to utilize that agreement and I would ask that we refuse to recede."

Speaker McPike: "Representative Granberg, did Mr. Levin wish to talk on this Bill. Representative Granberg, what was the Motion on the Granberg-Levin Bill?"

Granberg: "What?"

Speaker McPike: "What was the Motion on the Granberg-Levin Bill?"

Granberg: "Thank you, Mr. Speaker. I am honored that you would say that."

Speaker McPike: "Oh, is that a nonconcurrency?"

Granberg: "We would move to refuse to recede."

Speaker McPike: "All right, the Motion is to refuse to recede.

The Gentleman refuses to recede...moves that the House refuse to recede from House Amendments #1 and 3 to Senate Bill 398. All those in favor of the Gentleman's Motion say 'aye'; opposed, 'no'. The 'ayes' have it and the Motion carries and the Gentleman asked for a Conference Committee. Mr. Schoenberg. Senate Bill 33 on the Order of Nonconcurrency. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and the Gentlemen of the House. I'd like to refuse to recede from House Amendment #1 to Senate Bill 33."

Speaker McPike: "The Gentleman moves the House refuse to recede from House Amendment #1 to Senate Bill 33. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Motion carries and you requested a Conference Committee. Is that correct? Representative Schoenberg."

Schoenberg: "That is correct, Sir. I do wish a Conference Committee on this measure."

Speaker McPike: "Yes, and the Chair just acknowledged that.

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Representative Schoenberg on Senate Bill 1657. ...Reading.
The Bill's been read a second time previously. Are there
any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1,
offered by Representative Skinner."

Speaker McPike: "Committee Amendments. Representative Skinner.
Pardon me."

Skinner: "May I assume that this is my New Jersey Amendment?"

Speaker McPike: "You can assume anything you wish, Sir."

Skinner: "Well, let me get the file. The master file."

Speaker McPike: "Mr. Skinner."

Skinner: "My assumption was correct. This is the New Jersey
Welfare Amendment. What this does is says that if a person
is on AFDC..."

Speaker McPike: "Representative Schoenberg. Representative
Schoenberg would like to take the Bill out of the record.
All right, Representative Schoenberg, you have a few other
Bills here. Senate Bills. Second Reading, Senate Bill
447. It's been read a second time previously. Are there
any Amendments? Four four seven. Are there any
Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative
Krause."

Speaker McPike: "Do you want this out of the record? Pardon me?"

Krause: "That's correct, Sir. I don't want this called."

Speaker McPike: "Mr. Black, for what reason do you rise?"

Black: "I got an inquiry of the Chair."

Speaker McPike: "Yes."

Black: "When do you plan to leave the order of Schoenberg and
perhaps move to other Bills?"

Speaker McPike: "Very shortly."

Black: "Thank you. Perhaps we won't get back to those."

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Speaker McPike: "I hope not."

Black: "All right."

Speaker McPike: "Let's go back to Senate...on a Motion to concur on House Bill 795. Representative Prussing will handle the Bill. Ms. Prussing."

Prussing: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment #1 redefines hazardous weather days for schools to include days with excessive heat. And I move to concur in Senate Amendment #1."

Speaker McPike: "On the Lady's Motion, Representative Black."

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

Speaker McPike: "Yes, she will."

Black: "Representative, what was the...do you have the fiscal note in your file?"

Prussing: "I have a fiscal note that's in the grey book."

Black: "I'm sorry. What did it say, how much money?"

Prussing: "It talks about Williamsville district: 8400, Rochester: 14,600, and Champaign: 27,400."

Black: "Champaign gets the most money. What are we changing, what does it say?"

Prussing: "The hazardous weather days have been interpreted by the Board of Education to exclude heat and there were schools that closed because of excessive heat. And this changes the law to specifically state that excessive heat could be considered a hazardous weather condition."

Black: "So, in other words, a school decides to close...a district decides to close it's schools because of heat, they don't lose any state aid, right?"

Prussing: "This would just be under the hazardous weather that they're already allowed to close under. Yes, that is correct."

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Black: "Well, I understand, I understand blizzards and all that. I don't understand heat. Who determines how hot it has to be to close schools and still get state aid?"

Prussing: "I believe the superintendents would decide whether it is hazardous weather."

Black: "So, the superintendent gets...so, there's no guidelines. If it's seventy-two degrees in October and the superintendent decides to close because it's too hot, then they don't lose any state aid. I mean what are the guidelines?"

Prussing: "I don't think that's...I don't think that's the case. I think in every case where the school was closed, it really was too hot to teach the children in the school."

Black: "All I'm asking for is there anything in the Amendment that says what is too hot?"

Prussing: "It's a judgement of what a hazardous weather condition is."

Black: "I seem to remember this, what brought this about. I thought districts could close or dismiss early and not lose state aid if, in fact, the weather was too hot."

Prussing: "I think that was the intent of the law. That is not how it is being interpreted and this is too clarify it to make sure the intent is clear."

Black: "I think what happened is that somebody blew the clock hours. Do you remember that? I think they let out too early. Now, they want us to make up for that mistake, right?"

Prussing: "Well, it was because of hot weather."

Black: "It's funny that there's a lot of schools in the State of Illinois and only three of them got caught under the plan."

Prussing: "I'm sure it's a problem for all schools."

Black: "Maybe a problem for all schools or some school

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superintendents but...in other words, you get out of school because it's too hot and you don't lose state aid, right?"

Prussing: "If it's hazardous, right."

Black: "And God forbid, could we define hazardous in the Amendment?"

Prussing: "I think it has been defined adequately just as well as cold or any other weather conditions."

Black: "I would just...I would really, and I'm not trying to be difficult, I would really like to know a definition. I can't find it in our file of what constitutes hazardous heat so you can close your school."

Prussing: "Well, it says a hazardous threat to pupils' safety."

Black: "If I just moved here from Alaska, fifty degrees might be too hot for me. I don't think it's adequately defined. I don't have any problem with what you're doing but I think this is what gets us in trouble. And it's what sends kids home rather than stay in school. There's all kinds of judgement calls and nobody defines what that judgement call can be. What's too hot in one school district may be just fine in another. I don't intend to vote against your Bill but I tell you, I think it's poorly drafted and I think...the potential for abuse is there and God knows we already let kids go home and we keep kids in school fewer than...fewer days than any industrialized country in the world and I think this is just another example where the potential for misuse is there because we don't define hazardous heat. I think we should. I'll go along with the program and vote 'yes', but I don't think this is very, very well drafted."

Speaker McPike: "Representative Hoeft."

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

Speaker McPike: "Yes."

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Hoeft: "The hazardous heat day will have to be made up under the emergency days just like a blizzard or anything else. Is that correct?"

Prussing: "I believe it is."

Speaker McPike: "Mr. Hoeft. Anything further?"

Prussing: "I'm sorry, it does not address that question."

Hoeft: "Excuse me, what?"

Prussing: "I have been informed that it does not address that question. It just puts heat on the same par with blizzards or other dangerous weather."

Hoeft: "Fine, but if, in fact, a blizzard comes along and the superintendent says it's snowing too much and they send the students home, they have to make up those days. This is saying that if it's too hot. They have to then make up the days at the end of the year. The five emergency days that are built into the calendar, this can be then made up at the end of the year, will have to be made up."

Prussing: "It does not say that."

Hoeft: "So, what's going to happen is we'll start school in August. We know it's too hot in August. The superintendent will then dismiss school, we'll get state aid, we'll lose a school day and we'll continue retreating in terms of the number of hours children will have in the school calendar."

Prussing: "I believe that this is just to correct what has already happened. This does not change the future."

Hoeft: "It does not. We have kept the students in school and told the superintendents not to do what they're doing and that is starting school sooner and sooner. If we pass this, a school district can start August 1st, dismiss the kids until September 1st and we're going to pay them."

Prussing: "I believe that this is just retroactive for what has

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already been done and it effects three school districts."

Hoeft: "Okay, well I don't mean to be argumentative, please. But I agree with Mr. Black that this is very confusing and if they're going to make it up as an emergency day, it makes some sense. But if it's going to be open-ended, this could be terribly, terribly abused by the school districts."

Prussing: "I think it just corrects what happened in three school districts in the past fall."

Hoeft: "Yeah, but if it corrected it in three then it opens it up to the hundred...nine hundred and thirty-five more."

Prussing: "No, it's specific to that time period."

Hoeft: "Okay, I'm confused."

Prussing: "It says applicable only during the 1993-94 school year."

Speaker McPike: "Representative Moseley. Mrs. Moseley."

Moseley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I rise in support of this legislation. I believe there's been a lot of confusion here. All of us realize that we don't have enough money in Illinois to put air conditioning in our schools. I know some suburban schools have that but down state schools do not. And frequently in Illinois we have temperatures over a hundred degrees as early as May and as late as August. This legislation is addressing a situation that occurred. It is retroactive, it is specific to one problem which was quite frankly, temperatures of well over one hundred degrees. I believe, if I remember correctly, the temperature has reached a hundred and three and a hundred and four. In a classroom setting, that is hazardous for young children and that is why the schools chose to close early. They did not have the entire day off. They only closed early. They lost a couple of clock hours and because of that they lost

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ADA money. We are simply trying rectify that situation for a small number of schools. This may not be the only time it happens but if it happens again, we're going to have to do legislation like this again. And as far as who determines what is too hot, the question remains, who determines how much is too much snow? Who determines how much is too much flood water? Who determines how much is too much of anything that we close school for? So, the judgement calls are already built into the system. We have to live with them. If we're going to star micromanaging the school system, then I want to see legislation that says that three feet of snow is too much snow to have school and we're going to close schools only when we have three feet of snow. I think we're going to get ourselves into a lot of problems if we go that direction. This is a very small amount of money but it's very desperately needed in these school districts. So, I urge your concurrence in this measure and ask you for your 'yes' vote."

Speaker McPike: "Representative Cowlshaw. Ms. Cowlshaw."

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

Speaker McPike: "Yes."

Cowlshaw: "A prior Speaker said that this, in it's current form, this Bill applies only to three school districts in all of Illinois. Could you please tell us which three school districts they are?"

Prussing: "Yes. The Williamsville District, the Rochester District and the Champaign District."

Cowlshaw: "I'm sorry, I couldn't hear you. Could you please repeat that?"

Prussing: "Yes. Williamsville, Rochester and Champaign."

Cowlshaw: "Are those all located fairly close to one another? Are the two others located close to Champaign?"

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Prussing: "They're located near Springfield."

Cowlshaw: "I see. Was it considerably hotter in those three school districts than it was in the more than nine hundred other school districts in the State at some point and time?"

Prussing: "It depends on whether there's air conditioning. I imagine all these schools were not air conditioned."

Cowlshaw: "Thank you for your answers."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill is really all about is bailing out the incompetence of a superintendent like the Champaign school district who makes 90,000 plus a year but can't count to four, can't count to four four hours a day to get average daily attendance. All this does is bail out so three incompetent superintendents who can not count who are high paid and can not count. And if we're going to do this every time, it's absolutely ludicrous. This is stupid."

Speaker McPike: "Representative Prussing to close."

Prussing: "I would ask that you vote in favor of this. If it is not approved, it will not be the superintendent that will be hurt, it will be the students and the taxpayers of these school districts. Thank you."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 795?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 62 'ayes' and 51 'noes' and the House does concur in Senate Amendment #1 to House Bill 795, and this Bill having received the Constitutional Majority, is hereby declared passed. Representative Currie, you have an announcement on

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a hearing."

Currie: "Thank you, Speaker. The Medicaid Working Group will meet tomorrow morning at 9:00, 9:00 a.m. in Room 114. Everyone is invited to participate. We hope we will hear from the Governor's Office and the department about the latest version of the draft in progress that is the legislation creating a managed care program in Medicaid. So, everyone is welcome, 9:00 a.m. tomorrow morning in Room 114."

Speaker McPike: "Representative Schakowsky on announcement on Appropriations."

Schakowsky: "There will be a joint meeting of the Human Services Appropriations Committee and the General Services. Is that Hannigs'? Appropriations Committee at 11:00 a.m. in Room 118 tomorrow."

Speaker McPike: "One fourteen, right?"

Schakowsky: "I was just told 118 for the..."

Speaker McPike: "All right. You're correct, 118."

Schakowsky: "Okay."

Speaker McPike: "Managed Care Public Aid, Room 114 at 9:00. The Budget Appropriations, 11:00 a.m. in Room 118. The House is prepared to adjourn. Any announcements? Representative Granberg now moves that the House stands adjourn until tomorrow. Just a minute. Representative Biggins. Just a minute. Mr. Biggins."

Biggins: "Thank you, thank you, Speaker. I want to announce for those on this side of the aisle, if you want to review some of the latest findings on the Chicago area television news, there will be a showing in Representative Leader Daniels' Office immediately after adjournment."

Speaker McPike: "Representative Granberg now moves that the House now stands adjourned until tomorrow afternoon at the hour

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of 1:00 p.m. All in favor say 'aye'; opposed, 'no'. The
'ayes' have it and the House stands adjourned."

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