

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

75th Legislative Day

June 30, 1993

Speaker McPike: "The House will come to order. The chaplain for today is Rabbi Barry Marks of Temple Israel in Springfield, Illinois. Rabbi Marks is the guest of Representative Mike Curran. Guests in the balcony may wish to rise and join us for the invocation."

Rabbi Marks: "A wise teacher once said: 'The day is short, the work to be done abundant. It is not incumbent upon you to complete the job, neither are you free to desist altogether.' Creator and sovereign source of all blessing, at the start of this session, we pause to acknowledge our dependence upon You, to voice our thanks for all of Your gifts, to pray for fortitude and wisdom and for the ability to use which You have bestowed upon us to enhance life and well being, our own and that of our fellow persons. We are conscious of the responsibilities that rest upon our shoulders. What is deliberated upon and decided here affects all of the citizens of this State; men, women, and children of all backgrounds and from all walks of life. We are indeed aware of how short the day is, how complex and difficult the issues before us, how manifold the tasks to be done. The problems and challenges confronting this State and its residents will not be resolved in a day, a week, a month, or even in a legislative season; they are, and they will be, on going concerns. But, we are not free to desist. We pray, guide us and inspire us to put forth the best, the most conscious effort of which we are capable, so that the people and their well being will be served, the needs of the community will be met. Bless us with the light of Your presence, for by that light, do we see light. Amen."

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

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Bugielski - 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. Mr. Wennlund, excused absences."

Wennlund: "All Republican Members are present."

Speaker McPike: "Thank you. Mr. Currie...Representative Currie."

Currie: "Thank you, Speaker. Let the record reflect that both Representative Carol Ronen and Representative Monroe Flinn are excused today."

Speaker McPike: "Thank you. Take the record. One hundred and sixteen Members answering the Roll Call, a quorum is present. Mr. Black, are you still in caucus? It's our intent to go to caucus right now. Resolutions. Agreed Resolutions, and the Chair would ask all the Democrats to please come to the House floor."

Clerk Rossi: "House Resolution 1141, offered by Representative Weller; House Resolution 1142, offered by Representative Weller; House Resolution 1143, offered by Representative Weller; House Resolution 1145, offered by Representative DeJaegher; House Resolution 1146, offered by Representative DeJaegher; House Resolution 1147, offered by Representative DeJaegher; House Resolution 1148, offered by Representative DeJaegher; House Resolution 1149, offered by Representative DeJaegher; House Resolution 1150, offered by Representative DeJaegher; House Resolution 1151, offered by Representative Noland; House Resolution 1152, offered by Representative Roskam; House Resolution 1153, offered by Representative Mulligan; House Resolution 1154, offered by Representative Mulligan; House Resolution 1155, offered by Representative Mulligan; House Resolution 1156, offered by Representative

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Parcels; House Resolution 1157, offered by Representative Balanoff; House Resolution 1158, offered by Representative Laurino; House Resolution 1159, offered by Representative Weaver; House Resolution 1160, offered by Representative Moffitt; House Resolution 1161, offered by Representative Homer; House Resolution 1162, offered by Representative Blagojevich; House Resolution 1163, offered by Representative Olson; House Resolution 1165, offered by Representative Erwin; House Resolution 1166, offered by Representative Erwin; House Resolution 1167, offered by Representative Daniels; House Resolution 1168, offered by Representative Younge; House Resolution 1169, offered by Representative Weller; House Resolution 1172, offered by Representative Biggert; House Resolution 1173, offered by Representative Hoffman; House Resolution 1174, offered by Representative Brunsvold. House Resolution 1175, offered by Representative Black; House Resolution 1176, offered by Representative Black; House Resolution 1177, offered by Representative Black; House Resolution 1181, offered by Representative Hoffman; House Joint Resolution 60, offered by Representative Tom Johnson; and House Joint Resolution 61, offered by Representative Daniels."

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

Clerk Rossi: "House Resolution 1170, offered by Representative Cowlshaw, with respect to the memory of Walton Fredenhagen. House Resolution 1171, offered by Representative Cowlshaw, with respect to the memory of Milton Stauffer."

Speaker McPike: "Representative Currie moves for the adoption of

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the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Death Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Resolution 1144, offered by Representative Morrow."

Speaker McPike: "Committee on Assignment. If there are any Democrats in the Stratton Building, would you please come to the floor. If there's any secretaries in the Stratton building, would you ask your State Rep. to please come to the floor. Representative Turner."

Turner: "Thank you, Mr. Speaker. I just wanted to alert you that there are a number of Democrats checking out of various hotels in town, according to my sources, so they should be here shortly, but they were checking out of their various hotels."

Speaker McPike: "They probably weren't aware that we went in Session at 11:00. I mean it was pretty much of a secret what time Session started today. The House Democrats will meet in Room 114 immediately. The House will stand at ease. Democratic caucus immediately, Room 114."

Clerk Rossi: "The House will reconvene at the hour of 5:00 p.m. The House will reconvene at 5:00 p.m."

Speaker Flowers: "Representative Flowers in the Chair. The House will come to order. Committee Reports, Mr. Clerk."

Clerk Rossi: "The Committee on Rules has met; and pursuant to Rule 1486, Bills referred pursuant to Rule 27 and 37, recommends consideration, and the following Bills be placed on the Order of Second Reading: Senate Bill 357, Senate Bill 706 Senate Bill 1037, Senate Bill 1039 and Senate Bill 1105. The Rules Committee has met pursuant to Rule 14(a)4, Conference Committee House Members appointed, and recommends consideration and the Bills will be placed on

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the Order of Conference: House Bill 69, House Bill 596, House Bill 766, House Bill 1787, House Bill 2408, and Senate Bill 246. The Committee on Rules has met pursuant to Rule 14(a)5, House Bills amended in the Senate, and recommends consideration and the Bills be placed on the Order of Concurrence: House Bills 300 and 1816. Signed, Frank Giglio, Chairman."

Speaker Flowers: "Representative Parke."

Parke: "Yes, can I ask what was the procedure that we wanted to do with those Bills, we are doing what with them?"

Speaker Flowers: "Those are Committee Reports that was just read."

Parke: "The Committee Reports. We're not talking about any other action?"

Speaker Flowers: "Rules Committee."

Parke: "Motions to discharge, or anything? These are just Committee Actions?"

Speaker Flowers: "Right."

Parke: "And you read three numbers off on the process of Bills. Can you go over the last four or five Bills that you numbered? I was not clear on all those."

Speaker Flowers: "Mr. Clerk, would you please read the report again."

Clerk Rossi: "The Committee on Rules has met pursuant to Rule 14(a)4, Conference Committee House Members appointed, and recommends consideration, and the following Bills be placed on the Order of Conference: House Bills 69, 596, 766, 1787, and 2408 and Senate Bill 246."

Parke: "Thank you very much."

Speaker Flowers: "Supplemental Calendar announcements please."

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

Speaker Flowers: "Representative Biggins, for what reason do you

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rise?"

Biggins: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I would like to update you in this last week we're in Session as to the progress of Nickolas Sabatino of North Lake, whom this Body honored for his courage in fighting his burns...suffering that he's been going through. We honored him a couple of months ago, and I've been staying in close contact with Nick and his family. I can...happy to report some good progress by Nick. He's able to walk a few steps a day, and is healing, his body is starting to heal some of those scars and open wounds. He is resting at home. He has full care, nursing care, 24 hours a day. The family is feeling a great financial pinch. This last Sunday, unfortunately, Nick's mother suffered a heart attack, and his father is forced to stay at home this week to take care of Nick and family when nurses are not there; and, therefore, his father is not receiving any compensation for his time off this week. I'm working with Representative Flowers and Representative Burke and Representative Dunn to help work with our governmental agencies in our state to try and see if we can find some assistance for the Sabatino family. But, I thank you all for your interest, many of you have inquired about Nick's health, and Representative Salvi has helped us as well, and I will continue to try and update you as to his progress and, hopefully, his family's situation will improve, and thank you."

Speaker Flowers: "Thank you, Representative Biggins."

Speaker Steczo: "On the Order of Second Reading, appears Senate Bill 420, Representative Kubik. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 420. The Bill has been read a second

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time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Giglio."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Giglio."

Giglio: "Mr. Speaker, withdraw Amendment #1."

Speaker Steczo: "Amendment #1 is withdrawn. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Wennlund."

Speaker Steczo: "The Chair recognizes the Gentleman from Will, Representative Wennlund on Amendment #2."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 cures a problem for an employer of 40 employees in my hometown, who fell in the cracks on an alarm licensure problem, and this will cure the problem for this one employer of 40 employers, (sic - employees) and I ask for its adoption."

Speaker Steczo: "Gentleman has moved for the adoption of Amendment #2. On that questions is there any discussion? There being none...the Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "Is this the Amendment that talks about having 15 years experience you can get a license?"

Wennlund: "Without examination. He's been in business for over 16 years, and when he bid on a VA job in Chicago, he discovered that in order to continue his own business that he'd have to go through a long process and get licenses to accommodate 1 employer of 40 employees in my home town."

Skinner: "My question is, 'Does it have to be 15 continuous years?'"

Wennlund: "Yes."

Skinner: "Every day of the year? Thank you."

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Speaker Steczo: "Is there any further discussion? All those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Giglio."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Giglio, on Amendment #3."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #3 takes care of Amendment #1 that was...that had to be changed. What this Amendment does, it's an agreement between the publishing companies and the newspaper association with regard to advertising the license of the plumber with regard to the licensing or the advertisement of plumbing work, and what it does, it puts the onus on those that are cheats, or those that try to use somebody else's number, and I would ask for your favorable support."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. Is there any discussion? There being none, all those in favor of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments?"

Speaker Steczo: "Third Reading. Representative Kubik, asks leave that the Bill will be heard on the Order of Third Reading. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 420, a Bill for an Act amending the Illinois Plumbing License Law. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook,

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Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 420 now contains the two components that were contained in the Amendment, Representative Wennlund's Amendment, and Representative Giglio's Amendment. This Bill is a agreed Bill between the newspaper industry, the Illinois Press Association, and the Plumbers Union. It rectifies a problem that was in the law which required newspapers to enforce a..."

Speaker Steczo: "Representative Kubik, could we ask you to take the Bill out of the record for just a moment, please?"

Kubik: "Certainly."

Speaker Steczo: "The Bill shall be taken from the record temporarily. On the Order of Concurrence appears Senate Bill 301. The Chair recognizes the Gentlemen from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would move that the House refuse to recede from House Amendment #1 to Senate Bill 301."

Speaker Steczo: "Gentleman moves that the House refuse to recede from Amendment #1 to Senate Bill 301. All those in favor will say 'aye'; those opposed 'nay'. The 'ayes' have it. The House does refuse to recede from Amendment #1 to Senate Bill 301, and a Conference Committee will be appointed. On the Order of Conference Committee Reports appears House Bill 1163. The Chair recognizes Representative Novak."

Novak: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1163, Conference Committee Report, has a few interesting measures in here. One concerning the Illinois Commerce Commission, that authorizes to increase or decrease of...make for adjustments for charges based upon expenditures or revenues resulting from the purchase or

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sale of emission allowances created under the Clean Air Act Amendments of 1990. The changes in rates would occur through uniform fuel adjustment clause as a cost of fuel. For example, if a utility is in the position of selling emission allowances to another company, this Bill would allow the Commission to flow those revenues back to the Consumers through an annual reconciliation proceeding. If this Bill does not become law, the consumers would have to wait until the company filed a general rate increase with the Commission. That would take literally years, depending upon the financial status of the company. Conversely, if a company is a net buyer of emission allowances, the Commission could authorize recovery of the cost for purchasing the allowances through the UFAC. While this would in effect increase the rates for consumers, it would be delt with and reviewed on an annual basis, rather than if put in a rate base indefinitely. All Commission action, including annual reconciliations, the USAC received through investigation by the ICC. Specifically, the Commission would be identifying in the actual credits and costs incurred as a result of the emission allowance program, and will be ensuring that the consumers are well and protected. This Bill was originally in House Bill 1352, I believe, that it sailed out of the House, but in the Senate's infinite wisdom they tacked a number of other measures on it and it soon got bogged down. That's why this original Bill is tacked on to House Bill 1163. In addition, the major initiative with respect to community water testing that every downstate community sorely needs, a few years ago, the EPA through budget cuts was forced to lay off a number of personnel in the department that would be authorized to test water at very, very lower rates than

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what communities have to do now, since they have to go to outside and private water testing services. These are federal mandates that we have to comply with concerning the health, and safety and welfare of our community water systems. I would ask for the adoption of the provisions in Conference Committee Report 1163."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 1163. On that question, is there any discussion? The Chair recognizes the Gentlemen from Cook, Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, would the Gentleman yield for a question?"

Speaker Steczo: "He indicates that he will."

Balanoff: "Phil, the only two provisions in this Conference Committee Report are the buying and the selling of the emission credits and the water testing fees, is that correct?"

Novak: "I believe so, Clem, yes."

Balanoff: "Thank you."

Novak: "According to my analysis, yes."

Speaker Steczo: "Is there any further discussion? There being none the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1163?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', 3 voting 'no', none voting 'present', and the House does adopt the First Conference Report on House Bill 1163, and this Bill, having received the required Constitutional Majority, is hereby declared passed.

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Supplemental Calendar #1, on the Order of Concurrence appears House Bill 300, Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that we concur in Senate Amendment #1. Senate Amendment #1 simply adds an effective date of January 1, 1994."

Speaker Steczo: "The Gentleman has moved that the House concur in Amendment #1...Senate Amendment #1 to House Bill 300. On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. In all due respect to the Sponsor of the Motion, I believe...I believe this is supposed to go to Conference on a nonconcurrence, and the Board has said concur. Oh, I'm sorry, all right. It's hard to hear. But, it will go to Conference Committee correct? All right, thank you."

Speaker Steczo: "Mr. Novak."

Novak: "Yes, Mr. Speaker. I ask that the Motion...was the Motion adopted to concur in Senate Amendment #1?"

Speaker Steczo: "Your Motion is to concur?"

Novak: "Yes."

Speaker Steczo: "Do you wish to concur?"

Novak: "I ask that we concur in Senate Amendment #1 to House Bill 300."

Speaker Steczo: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 300. Is there any further discussion? There being none, all those in favor will signify by voting 'aye', those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting

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'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 300. Any further Motions? Representative Novak. Chair recognizes Representative Novak on another Motion."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we nonconcur in Senate Amendment #2."

Speaker Steczo: "The Gentleman moves that the House nonconcur in Senate Amendment #2 to House Bill 300. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the House does nonconcur in Senate Amendment #2 to House Bill 300. On Supplemental Calendar #1, on the Order of Conference Committee Reports, appears House Bill 69. The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 69 in the Conference Committee Report is the Home Alone Bill that has been talked about a great deal. This is the Bill that is the result of a great deal of discussions, compromises, and work with different lawyers and judges who deal in this field. Everyone's well aware of the problems that have been involved with the 'Shoo' case, but this isn't just about the Shoo case, it's about numerous cases in which we have an antiquated law dating back to the 1880's that does not work. What we've done with House Bill 69, is we've rewritten the law, put in numerous safeguards to insure that people who do, in fact, neglect and abandon their children can, in fact, be prosecuted for that offense; while maintaining safeguards for families that are maybe a little bit...the not traditional families. We've also added provisions in here dealing with hearsay testimony in regards to children cases. This Bill was the result of a lot of work, a bipartisan effort, and it is

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something that's been a result of a long drawn out process, and I urge a... 'aye' vote on this."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 69. Is there any discussion? The Chair recognizes the Lady from Kane, Representative Lindner."

Lindner: "Yes, thank you, Mr. Chairman. I would concur, and ask people on our side of the aisle to adopt the First Conference report also. This has been a true bipartisan effort. This is a companion Bill with Senate Bill 246 which is also being called today. They are the same Bill. We have worked together and worked with our state's attorney in Kane county who handled the 'Shoo' case, and I thank Representative Dart for all of his work on this and cooperation. I would urge support."

Speaker Steczo: "Is there any further discussion? There being none the question is, 'Shall the House adopt the First Conference Committee Report on House 69?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', none voting 'no', none voting 'present', and the House does adopt the First Conference Committee Report on House Bill 69, and this question having received...please vote Representative McPike as 'aye'. There are 116 voting 'yes', none voting 'no', none voting 'present'. The House does adopt the First Conference report on House Bill 69, and this question, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, on the Order of Conference Committee Reports, appears House Bill 596, Representative Black."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'd urge that you adopt...I think the board is incorrect, I think it's the Second Conference Report on House Bill 596. All this Bill does is to create a commemorative license plate for those veterans of the Korean Conflict, and it's our hope that we can get this on the Governor's desk and that he will see fit to sign it into law on or before July 27, 1993. That will be the 40th anniversary of the Armistice that ended the Korean Conflict, a particular bloody conflict. I think these veterans have waited long enough for this plate. Be glad to any question that you have, Mr. Speaker, and urge favorable consideration of the Second Conference Committee Report on House Bill 596."

Speaker Steczo: "The Gentleman has moved for the adoption of the Second Conference Committee Report on House Bill 596. On that question, is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Would the Gentleman yield please? Representative Black, is it true that Elvis is finally dead?"

Black: "Well, all I can tell you is that reports of Elvis being seen on this Bill were exaggerated. He is not on this Bill. I think he got lost in the Senate."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balanoff."

Balanoff: "It's amazing to me that in the Senate, where just last week, so many of them wanted to raise taxes so much that they decided to take out the very revenue positive part of this Bill, an Elvis Presley. No, Elvis isn't dead, he's gonna be back next year."

Speaker Steczo: "Is there any further discussion? There being

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none, the question is, 'Shall the House adopt the Second Conference Committee Report on House Bill 596?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'yes', none voting 'no', none voting 'present', and the House does adopt the Second Conference Committee Report to House Bill 596, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, Conference Committee Reports, appears House Bill 766, Representative Lang."

Lang: "Thank you, Mr. Speaker. I yield to Representative Granberg to explain the Conference Committee Report."

Speaker Steczo: "The Chair recognizes Representative Granberg."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Conference Committee Report to House Bill 766 only has one provision. It simply permits contractors, subcontractors and suppliers to add attorneys' fees...to incurred in liens, that the courts may require those costs be assessed. I repeat, this Bill does not expend the Mechanics Lien Act to include attorneys' fees. It would merely allow those contractors to receive those fees by the court, and I'd be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 766. On that question, is there any discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Steczo: "He indicates that he will."

Dunn: "If this Conference Committee Report is adopted, will it authorize a court to award attorney's fees in Mechanics

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Lien cases, which they cannot do at this time?"

Granberg: "Yes, Representative, that is the case."

Dunn: "Then, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill, and bear in mind that is an attorney speaking. This legislation would allow those who are involved with mechanics' lien claims, in addition to other items which they may be able to recover for labor and materials furnished to improve real estate, allow them to petition the court to collect attorneys' fees. Those of you who have been involved with litigation know that any time there is a right to collect attorneys' fees it is inflammatory. Each side tries to collect attorneys' fees from the other, and when you get down toward the end of negotiations, one person will throw that in to just make the other side angry and try to increase the jackpot. If this legislation is enacted, the already...provisions of the Mechanics Lien Act, which are not the best for either side, will be messed up, will be convoluted so that perhaps a contractor loses a mechanics' lien case and has to pass attorneys' fees to a...not to...some other contractor or to the owner, or if the owner loses the...if the owner wins the case from a contractor, the contractor may have to pay attorneys' fees for...the owner may have to pay attorneys' fees of the contractor and all the subs. There could be attorneys' fees all over the place. The title companies which involve themselves with escrow arrangements where there's controversy, traditionally set aside 150% or 200% of a claim so title to real estate can pass. If this Bill is enacted, you don't know what the attorney's fees will be, you can't provide for those escrows. Well meaning as this may be, it is not wise policy for those involved with the transaction of real estate, transfers of title. It is not

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wise policy for those who find themselves in the position of enforcing mechanics' liens, and it is not good for lawyers either. I urge a defeat of this Conference Committee Report."

Speaker Steczo: "The Chair recognizes the Lady from DuPage, Representative Biggert."

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

Speaker Steczo: "He indicates that he will."

Biggert: "Representative Granberg, is this the same language that appeared in Senate Bill 560?"

Granberg: "Representative, that is not the case. I've been informed that is not the case. Representative Mautino sponsored that legislation."

Biggert: "It's not...it doesn't address the same issue?"

Granberg: "No it does not."

Biggert: "All right. To the Conference Report, Mr. Speaker, I would agree with Representative Younge...or Dunn, that having attorney fees in this situation is not a good idea. I really don't think that we should be going into the Mechanics Lien Act to include attorneys' fees. If there is a particular vexatious suit, we always have the right and the court has the option to award attorneys' fees, and so really this is not necessary. However, it does have great ramifications for developers and contractors, when they are developing a piece of property, they're going to have to with the title indemnification, put a much larger amount into the indemnification for attorneys' fees, of which they will have no idea what they will be, and I think this is bad law. Thank you."

Speaker Steczo: "Representative Granberg."

Granberg: "A point of clarification, Mr. Speaker. The Representative, however well intentioned, misstated the

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case. This does not expand the Mechanics Lien Act. It does not expand the Mechanics Lien Act."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Levin. Mr. Levin, you're up."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to follow up on a comment by Representative Biggert earlier. This Bill does have a provision that I'm told by Chicago Title is identical to what was in Senate Bill 1298, as far as the effect that it has. You may remember 1298 was Representative Mautino's Bill, which would make it more costly for a closing to occur in the title company. In terms of talking to Chicago Title, they inform me that the language on page 1 of this Bill, which provides for attorneys' fees and court costs to be in the Mechanics Lien Act, would have the same affect as they were concerned about with respect to Representative Mautino's Bill earlier. For this reason, I would encourage a 'no' vote. We were told that, this year, we were not gonna see proposals that were losing proposals come back at the end of the Session. This a proposal we've defeated twice. The title companies are very much opposed to it, think that it would delay the ability to have a closing, would cost more money because they would have to TI a lot of these liens; and accordingly, they are opposed to this."

Speaker Steczo: "The Gentlemen recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you Mr. Speaker, Members of the House. The Bill that they had been discussing, which I carried previously, said that subcontractors could not be required to sign a waiver on the liens. So, that was the substance of that Bill. I think we're talking about two different issues here. I support the Gentleman's Motion."

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Speaker Steczo: "The Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Thank you, Speaker, Ladies and Gentlemen of the House. Representative Levin is absolutely incorrect. I have the First Conference Report right in front of me, and Representative Mautino's Bill is not on this, it has nothing to do with Representative Mautino's previous Bill. All this has to do is, including attorneys' fees and court costs in a proceeding between the parties of a suit where they are trying to collect on a mechanics' lien. So, if you are a subcontractor, you're trying to collect on a mechanics' liens, you have a right...you would have a right under this Bill to...in order to get attorneys' fees. Right now what happens is, people don't get paid, the contractor doesn't get paid and the attorneys' fees will be more for collecting the amount than it would be for the amount of the debt. This does not create a lien, #1, the previous Bill did. This does not have anything to do with waiver, as Representative Levin said, which is Representative Mautino's Bill. All this Bill does is one thing, and it says that if you have to bring an action to collect on a mechanics' lien or foreclose on a mechanics' lien, you can get attorneys' fees. It's a fairness Bill to the contractors in this state."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Thank you. Representative, I know it's a...the noise level is a little high in here. I think there's some confusion about this Bill. Let's get something cleared up."

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There isn't any fee increase of any kind for anybody in this Bill, correct?"

Granberg: "That is correct, Representative Black."

Black: "And there isn't anything in here about a raise in salary or better vacation time, or any of those lightening rods that some people think is in this Bill. That correct?"

Granberg: "That is absolutely correct, there are none of those provisions. This does not expand the Mechanics Lien Act for attorneys' fees, it does nothing of the sort."

Black: "In fact, it appears to me that all this Bill really is about is a rather technical change in the law. I call this the Order of Lawyers, isn't that correct?"

Granberg: "Well, I wouldn't go so far as to say that, but in essence you're correct."

Black: "All right. I think there's been some confusion that there was some how a pay raise or a fee increase in this Bill, and I'm glad to have your edification on that point, that that is not the case. Thank you very much."

Speaker Steczo: "Is there any further discussion? There being none, the Gentleman from Clinton, Representative Granberg, to close."

Granberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Thank you Representative Black for clarifying the record. There have been some misstatements and, unfortunately, some misrepresentations of what this Bill does, and people did not read the Conference Committee on how...or how it's changed. This does not expand Mechanics Lien Act, it does nothing of the sort. It should not be controversial. It simply allows contractors, subcontractors, and material suppliers to receive attorneys' fees. This does not expand the Act itself. Those people have to come up with the money up front to pay

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for those goods. They have to come up with the money up front. Now Chicago Title has stated, and one of the Representative made the arguments, that this might be onerous, that this might make it more complicated for these people and for the title companies to assess attorneys' fees. Let the a...let's be very clear about this, the current practice of Chicago Title and others is to charge 150%, 150% of the property value in case something like this occurs. They already do it. This is the norm, this is their policy, for them to say anything else is outrageous. Recent court cases has cited the inability of these corporations to make the correct pay-outs. This does nothing that is controversial. There merely says they can receive it, so subcontractors and contractors aren't strung out, and that's what we're talking about, we're talking about protecting these small business people, and I would urge an 'aye' vote."

Speaker Steczo: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 766?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? The Chair recognizes the Gentleman from Clinton, Representative Granberg, to explain his vote."

Granberg: "Ladies and Gentlemen, as Representative Black stated, there is a lot of misunderstanding about this. This does not expand the Mechanics Lien Act. It does not. This does not put a lien for attorneys' fees, in no way. Chicago Title and Trust has gone and said, or made inferences that is that the case...that is the case, it is not. When you have a contractor, a subcontractor, who has to pay up front, who has to pay upfront for materials, for services, that person or that corporation is out of those...they're

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not being paid, and when they go to get paid they cannot be paid and what do they do? The company knowing about the owners provisions of having to litigate, will not pay them, drive them, force them down, to reduce their costs. That's what happens. That's exactly what happens. This does not encourage litigation, in fact, it does the opposite. This discourages litigation, because that forces people to negotiate in good faith. This does not cause people to litigate; in fact, it is the opposite. This helps those business people, and look at my other friends on the other side of the aisle, this is good for the small business person. This is good for the subcontractor, the contractor, and you're saying 'no'. You're saying 'no', you should go with the title insurance company. Why, because it's too onerous for the title insurance company to assess attorneys' fees. They do that currently. They do that right now. That's why they charge a 150%. They currently charge 150% to take care of those attorneys' fees, that's what they...my friends that's what they do now. So, why don't you allow the subcontractors and the contractors to get their money? That's what this is. That's purely what it is, and so all you people are so concerned about the small business person and being robbed and not being paid, this protects them, this affords them some type of small protection. The title companies pay 150% now, they charge that 150% to a good attorneys' fees. This should be allowed, it does not broaden the Act, it merely allows protection. That's all. They do it now, allow the protection allow the small business person to be protected. That's all we're asking."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this

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question, there are 47 voting 'yes', 61 voting 'no'. The Chair recognizes Representative Granberg."

Granberg: "Leave for postponed consideration."

Speaker Steczo: "The Gentleman requests postponed consideration. For what purpose does the Gentleman from DuPage, Representative Daniels, seek recognition?"

Daniels: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Just to acknowledge that our most distinguished Governor of the State of Illinois, Jim Edgar is with us this morning...this evening."

Steczko: "The Chair would like you to welcome the Honorable Governor to the chamber this evening. On Supplemental Calendar #1, appears House Bill 1787, under the Order of Conference Committee Reports. The Chair recognizes the Gentlemen from Cook, Representative Dart."

Dart: "Thank you Mr. Speaker and Members of the House. House Bill 1787 is the result of the discussions and compromises made by the Department of State Police and the Illinois State Bar Association. It does two things, one of which is a clarification to straighten out the law in regards to consensual overhears. The second part of it deals with consensual overhears for police officers' safety, with numerous provisions in there to safeguard it. I would be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 1787. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill. What this does, and it's strongly supported by the Illinois State Police, what

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it does is, it gives officers some method of protection against walking up to that car at night, or getting involved in a drug bust and...so that other state police can monitor that officer and watch out of his safety and rescue him in the event he meets some undue force. It's something that will help state police and other police agencies fight the war on drugs, and I urge your support."

Speaker Steczko: "The Chair recognizes the Gentleman from Fulton, Representative Homer."

Homer: "Will the Gentleman yield?"

Speaker Steczko: "He indicates that he will."

Homer: "Representative Dart, would you advise us to the current status of the Illinois State Bar Association?"

Dart: "This was the result of working with them for a extended period, and I believe they're at least neutral. They may be in support of it, that...I'm not willing to say they're in support of it, but I know they're at least neutral on it. A lot of this language is theirs."

Homer: "Did the provision go into this report that was being requested by them to close the disparity in interpretation between statutory and common law with respect to one party consent? Did their language go in the Bill?"

Dart: "Yeah. That's the one in answer to the Beardsley case. It was specifically drafted by them to try to clarify that so there is no more confusion on that."

Homer: "Thank you."

Speaker Steczko: "The question is, 'Shall the House adopt the First...the Chair recognizes the Lady from Cook, Representative Davis."

Davis: "Will the Gentleman yield?"

Speaker Steczko: "He indicates that he will."

Davis: "Representative, this is really an eavesdropping Bill, is

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that correct?"

Dart: "No, what the Bill does, is it clarifies what we already presently have in law in regards to consensual overhears right now. There was a court which...well, I say misinterpreted the statute which basically allowed for an individual to tape record another person's conversation without any protections whatsoever. That's the first provision of this. What this Bill does is says that you cannot do that, that is not something we will allow to occur, that's the first provision. The second one says in these limited instances where a police officers safety is involved, that they can get through going through an elaborate procedure with the States Attorneys office and record keeping and notice provisions, they can get...be allowed to wear wire when they are in like drug purchases and the like."

Davis: "So, let me be sure I understand you now. You're saying the first provision is; that before a person can eavesdrop or record your conversation, you must be notified and give consent."

Dart: "Exactly. What had...that's how the law actually reads, but a court misinterpreted it as far as I...my view is. They interpreted it so that they said that only one party has to know its going on, and the court...they said that the other person had to actively demonstrate they have an expectation of privacy before it's prohibited. So, this clarifies it and says that you have to tell the other person before you can do this."

Davis: "Okay, now let me ask you this. On, I guess the other page here, it says 'provides that any recording or evidence derived as a result of the exemption is inadmissible, unless the jury or impeachment exception implies.' Wanna

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explain that section?"

Dart: "What this is says, is that the information that is obtained cannot be used against the defendant unless the police officer is killed or great bodily injury so that he's paralyzed or something he can't come to court, those are the only times that any type of hearing could be used. The defense attorney, on the other hand, could use it if the defendant's saying that the police officer took the dope and threw it at em, and the police officer is saying no I didn't, I bought it off him, the defense attorney could use that information to impeach the police officers testimony."

Davis: "Okay. What about #5; 'requires notice to the person who was the subject of the interception or recording within a reasonable time.'"

Dart: "With...no more than 120 days. Present statute..."

Davis: "But, this is after the fact."

Dart: "It mirrors the present existing statute in regards to this."

Davis: "Representative, does this take away existing freedoms from people? I don't mean the protection of criminals, but I mean, are we taking away the freedoms that some people have who could be innocent, but because of this particular law they could go through an awful lot of difficulty?"

Dart: "No, because matter of fact the way the law is written, in particular it says that the States Attorney would not be able to use any of those tape recording devices anyway, so it's not as if that's gonna harm anybody. That can't be used. The States Attorney can't walk in there with a tape and say I got you on tape. The only way that tape could ever be used is if the police officer who was... in the narcotics transaction was shot and killed for instance."

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Davis: "Let me say this, you know we could talk about narcotics transactions and all we want. I'm gonna be honest, I'm not interested in that."

Dart: "That's what the Bill goes for."

Davis: "I'm really not interested."

Dart: "That's what the Bill is directed towards though."

Davis: "I'm gonna have to to give ya a 'present' vote on this, and I'll tell you why Representative Dart, I hesitate, and I refuse, really, to vote on any more legislation that takes the freedoms of people, like having a private conversation. You get yourself involved in a situation where policeman want to harm you, and you're innocent, and they tape part of a conversation, or they change what's been said, and you could be irreparably harmed. I don't think we do our citizens in Illinois justice and we could throw up that red flag of narcotics, but it just doesn't wash. This is not the kind of legislation that's going to rid this state or this country of drugs and the transporting of drugs. This, in my opinion, is just another removal of a constitutional freedom that we all seek and want, and that's to have free conversation with somebody without feeling you're being taped."

Speaker Steczo: "Is there any further discussion? The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "I think we always get to the end of these Sessions, and then a Bill that might not otherwise have a chance of passing, because it's so flawed, gets to us in this form, and then we're more inclined to support it. Everybody ought to oppose this Bill. This Bill is an attempt to get one more element of the camels nose under the tent with respect to eavesdropping. What makes this

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country unique, makes Illinois unique, as a part of the United States is certain elements of civil liberties that we've come to accept, that really are unique in the world, and one of them is the ability to be free from efforts of government to intrude in one's privacy. I can debate the merits of this Bill in detail all day, but the bottom line is that everybody in Illinois is subject to having their privacy interfered with and their concept of fundamental rights damaged by the passage of this Bill. This is one more attempt, most of which have been beaten off before by a bipartisan coalition of people who still think that the Bill of Rights means something. But, one more attempt to try to chip away in the fake name, phony name of law enforcement at our basic civil liberties. This is a bad, bad Bill. It's a bad precedent. I didn't sign the Conference Committee Report for precisely that reason, and the Bill oughta be defeated."

Speaker Steczko: "The Chair recognizes the Gentleman from DuPage, Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the previous Speaker, my good friend, I respectfully disagree; and I did sign that Conference Committee Report. In my opinion, this is an opportunity for us to empower the men and women who are on the front lines of the fight against crime in their efforts to go undercover and what not. This evidence cannot be used against a defendant unless a police officer ends up dead in the line of duty, or unless it's used for impeachment. So, in my view, this is an opportunity for us to give the men and women on the front lines the tools to defend themselves, and I would urge an 'aye' vote."

Speaker Steczko: "Representative Dart, to close."

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Dart: "Thank you, Mr. Speaker. Just to clarify the record on this. This is a very limited procedure we're talking about here. The one concept is actually going to try to protect more people's rights because of a court interpretation. Presently, under the way these courts have interpreted the law, a constituent can contact you on the telephone, put a tape recorder on you, and unless you actively state to your constituent, 'I do not wish to have this recorded', they can do it and avoid the eavesdropping law. This closes that loophole in that. The second provision is in response to officers who were shot. There was an officer shot in DuPage county, it's a very dangerous thing. The world has changed a great deal, and this is unique, it is not unique. There are 42 other states that have similar provisions to this. There's numerous safeguards in here. This is not evidence we're talking either. We talking the only time this tape recording could ever be used is if the police officer is shot. If he's shot at the door, or if there's great bodily injury to him, and even in that instance, it's very limited. The safeguards are numerous in there. We're trying to bring Illinois in...up to snuff with the other states in the union right now, and it's purely a question of protecting the police officers, who on a daily basis, we put in jeopardy of their own lives. This is a very important measure. We are not intruding further on citizen's rights, and I would urge your support."

Speaker Steczo: "The question is, 'Shall the House adopt the First Conference Committee Report on House Bill 1787. All those in favor will signify by voting 'aye; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there

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are 82 voting 'yes', 31 voting 'no', 2 voting 'present', and the House does adopt the First Conference report on House Bill 1787, and this Bill having received the required Constitutional Majority, is hereby declared passed. Resolutions. House Resolution 1200. Mr. Clerk, please read the Resolution."

Clerk Rossi: "House Resolution 1200, offered by Speaker Madigan. WHEREAS, This General Assembly has witnessed the comings and goings of many Illinoisans from different stations in life; and WHEREAS, Among those observed have been people who have worked with, in, for, against, and around the State legislature in a seemingly infinite number of capacities; and WHEREAS, Some have gone from their associations with the General Assembly to serve in positions like Governor, Lieutenant Governor, Secretary of State, Comptroller, and Mayor of the City of Chicago; and WHEREAS, Others observed have been themselves observers, taking what they have seen and using it in varying degrees to inform the people of this State of our deliberations with the dateline --- Springfield --- preceding their dispatches; and WHEREAS, While many have passed through the State House Press Room, few have stayed as long or reported as well as Charles N. Wheeler III of the Chicago Sun-Times; and WHEREAS, During his stay, he has endured or enjoyed the collegial companionship of people like Burnell Heineke, G. Robert Hillman, Michael Briggs, Mike Lawrence, and others who fleetingly dipped their ink-stained hands into the legislative process, and WHEREAS, Charlie Wheeler was probably destined from the time of birth in Joliet, during his educational experiences at St. Mary's College and the Medill School of Journalism, and through a stint in the Peace Corps in Panama to achieve this career because

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Charles N. Wheeler I was the political editor of the Chicago Daily News and Charles N. Wheeler II spent thirty-two years at the Chicago Sun-Times; and WHEREAS, When Charlie Wheeler first came to Springfield in 1969 to cover the 4th Constitutional Convention, he was so green that he disembarked from the train and took a taxi the one and one-half block distance to the St. Nicholas Hotel; and WHEREAS, Some recall his authoritative coverage of the 1970 Constitutional Convention, and continue to hold him personally accountable for any real or imagined flaws in the document; and WHEREAS, Over the next twenty-four years, Charlie developed such a reputation for fairness and accuracy that he was elected president of the Illinois Legislative Correspondents Association in 1977, and was reelected for each of the next sixteen years; and WHEREAS, Charlie Wheeler's accomplishments as a journalist have been frequently recognized, including recognition in 1987 by the Chicago Newspaper Guild's Stick o' Type Award for best news coverage, and in 1991 by the Illinois Press Association for investigative reporting; and WHEREAS, Throughout his career he has had the loving support of his wife Paula, their daughters Rachel and Becky, and, yes, Charles N. IV, their son; and WHEREAS, While many who leave the Press Room find themselves working as press secretaries or public information officers for various State officials, Charlie Wheeler has enough personal fortitude to move on to a unique niche in academia to become the Director of the Public Affairs Reporting Program at Sangamon State University; and WHEREAS, Although some believe that the words "journalism education", like the words "military intelligence", represent something of a paradox, and although politicians and journalists often find it equally

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difficult saying something nice about each other, this is clearly not one of those occasions; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we salute Charlie Wheeler for his twenty-plus years in journalism, we commend him for his outstanding accomplishments in the Sun-Times Springfield Bureau, and we give him our wholehearted best wishes for great success in academia, with the assurance that he is always welcome here; and be it further RESOLVED, That a suitable copy of this preamble and resolution be presented to him as an expression our respect and esteem."

Speaker Steczo: "On the Resolution, the Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. It's indeed a pleasure to have the opportunity to salute someone like Charlie Wheeler whose accomplishments as a Member of the Sun-Times Bureau here in Springfield over the last 20 plus years has made it easier for the people back home to know what really goes on in Springfield. This is not a retirement Resolution; in fact, Charlie's graduating on to do more exciting things or at least equally exciting things at Sangamon State University. Personally, I hope he's not graduating from the Grid-Iron Dinner, since I don't know how we'd ever begin those shows and deal with pickle winners if we didn't have Charlie Wheeler on the...on the stage. One of the things that I think is most impressive about Charlie Wheeler's writing is his ability to really tell what does go on in Springfield. Many journalists, some of you standing around him, focus on the personalities, focus on the legislative winners and losers; is the Governor up, is the Speaker up, who's in charge

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here? Charlie Wheeler tends to write about what goes on in Springfield from the perspective of the people to whom what goes on in Springfield really matters; that is to say, the taxpayers, when we're dealing with tax increase issues; the welfare poor, when the question is cuts in the Governors' budget. He tells us what's really going on and what kind of job we are doing to treat fairly and respectably and unfairly and sometimes disrespectfully the people who have sent this Legislature to this state's capitol. I appreciate your focus on what really happens, Charlie. I know all of my colleagues wish me...join me in wishing you much success and much joy as you move to your new program as head of the Public Affairs Reporting Program. I know that you will do as well for those students as Bill Miller did for all that preceded them. I take off my cap to you, Charlie. I hope you'll go on doing the occasional bit of writing analysis for us, and I look forward to seeing you at next year's Grid-Iron."

Speaker Steczo: "The Chair recognizes Minority Leader, Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I want to join with the distinguished Lady from the other side of the aisle in her commendations and tremendous words for one of the most distinguished journalists here in Springfield, and for that matter, in the State of Illinois. Charlie, sometimes when you write these articles in the paper, we like to read them because we like to find out what's going on. We like to make sure we understand actually what's happening in Springfield because your network is so large and so broad that you have access to a lot of discussions, and we like to make sure we understand what the facts are. Now, you're gonna go on to Sangamon State and to continue to pursue the excellence that you have sought all of your

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journalistic career. Charlie, I kinda feel like I've known you for my whole political life because, as you know, like you, I'm now entering my 20th year in government here in Springfield, and I'm gonna kinda miss you on the journalistic scene. You're an incisive reporter. You're a man of great honor, a man that we all look up to with great respect; and, frankly, Charlie, somebody that your colleagues look up to as we hear them talk about your abilities and your capabilities. So with all of our good wishes, with Godspeed, with much success in your new profession, we want you to know that your friends are here. We'll remember the fine work that you've done in your journalistic life with the Sun-Times and we, also, will look forward to hearing from you at Sangamon State. The best of everything to you, Charlie. Congratulations."

Speaker Steczo: "The Chair recognizes the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to add my word of respect and commendation to Charlie Wheeler. I first met Charlie 20 years ago when Charlie got the Sun-Times assignment and I was then under the tutelage of the one and only, Bill O'Connell, working with the Peoria Journal Star, and I simply have to say that through the years, there has been no one whose work I have respected more than Charlie's. As the previous speakers have said, Charlie was a very substantive and thoughtful reporter whose work benefited very much those of us in the General Assembly who couldn't keep track very often of all the very substantive things occurring within the massive structure of state government. But Charlie has always gone out of his way to dig into issues, to dig into subjects that are not surface issues,

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that are not the gossip, that are not the bar conversation, but to go beyond and to be thoughtful and offer us his penetrating insight, and I would like to thank him very much and wish him well. Thanks, Charlie."

Speaker Steczo: "Is there any further discussion? There being none, Representative Currie moves for the adoption of House Resolution 1200. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Resolution is adopted. Congratulations, Charlie. On the Order of Resolutions appears House Resolution 1176. Mr. Clerk, please read the Resolution. Wait...wait."

Clerk Rossi: "House Resolution 1176, offered by Representative Black. WHEREAS Doctor Edward Keen has served on the House Republican Research and Appropriations Staff since March 21, 1983, as the elementary and secondary education analyst; and WHEREAS, Born on December 8, 1922, in Superior, Wisconsin, Ed took his German and Norwegian roots to Illinois where he grew up in the Village of Libertyville; and WHEREAS, Ed attended Libertyville High School where he played both football and baseball, prior to entering Lake Forest College; and WHEREAS, Ed served courageously and valiantly in the United States Army's 84th Infantry Division, Company L, in Europe during the Second World War, was captured, and subsequently spent six months in a German Prisoner of War camp; and WHEREAS, Having regained his health following the war, Ed completed his Bachelor of Arts degree at Lake Forest College in 1948; and WHEREAS, On August 21 of that same year, Ed married Marge Vetterkind and took a job teaching English at New Canton High School, after which he transferred to Centralia High School to continue teaching as well as coach football; and WHEREAS, Ed received his Master's degree at the University

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of Missouri in 1954 before moving on to Williamsville High School, where he was principal and later superintendent; and WHEREAS, Ed returned to the University of Illinois, where he received his Ph.D. in 1963; and WHEREAS, Ed became school superintendent for the Clinton school system, where former State Representative Sam Vinson was then a senior in high school; and WHEREAS, Ed held the position of school superintendent in Putnam County for 17 years before joining the House Republican Staff; and WHEREAS, Ed has remained active in the Rotary Club, as well as his Army Division's Reunion organization, having once served as the group's National President; and WHEREAS, Ed is now leaving staff after serving as an analyst for 11 sessions, during which he has continually, diligently, and patiently provided excellent knowledge, insight, advice, and service to the numerous past and present members of the Illinois House of Representatives, as well as to his past and present colleagues on staff; and WHEREAS, Ed will be missed terribly by the members of the General Assembly, as well as his colleagues on staff, thanks to his knowledge, understanding, wonderful dry sense of humor and, most importantly, his friendship; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Doctor Ed Keen be commended on his years of dedication to the State of Illinois as an outstanding educator and administrator; and be it further RESOLVED, That the members of the Illinois House of Representatives of the Eighty-Eighth General Assembly wish Ed a long and happy career and the best of luck in whatever job opportunities he may pursue in the future; and be it further RESOLVED, That a suitable copy of this preamble and resolution be presented to Ed, his wife

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Marge, his daughter and son-in-law, Susan and Gary Barton, and his granddaughter, Stacy."

Speaker Steczo: "On the Resolution, the Chair recognizes the Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker."

Speaker Steczo: "Representative Black."

Black: "Thank you very much Mr. Speaker, and Ladies and Gentlemen of the House. Thank you very much for that well deserved tribute to Dr. Ed Keen. You know on a day like today, Ladies and Gentlemen of the House, it's been a very frustrating day and I think all of us sometimes wonder just what makes this operation work. Well let me tell you what makes it work. It isn't the elected officials here, although we like to think that's the case. What really makes this place work is lubricant that good staff people bring to the process, Democrat staff and Republican staff. We often take them for granted, we often work them too hard and forget to say thank you. But, as I came down here seven years ago as a freshman served on the Elementary and Education Committee, and having spent many years as a classroom teacher, I thought I knew a lot about the School Code. Thank God, someone like Ed Keen was here to take me under his wing and to orient me not only to the legislative process, but how the School Code is really written, and how it's really interpreted. I don't know how we're going to replace somebody like Ed Keen, you just simply don't do that. But, over the years, I've seen good staff people leave this chamber, and I think when they leave, they take a piece of all of us with them, and they certainly make our jobs a little more difficult. Ed, thank you very much for your dedicated service, your knowledge, and your willingness to share that knowledge with not only the

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Republican Members of the Committee, but I think the Democrats would agree he was always available to give us good advice and information, regardless of our party, and regardless of the issue. Ed, we wish you the best. We'll truly miss you."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise and...to express my unhappiness that Ed Keen is stepping down after years of service. I worked with him as the Republican spokesman on Chicago school reform. He gave me background and knowledge that I had to have to do my job, and as we all know, the people who make or break us in the Legislature are the staff on both sides of this aisle, and I can't commend them enough. But, personally, I got to know Ed Keen better when he came on my cable show which was called Parke's Place, and I interviewed him and as the minutes passed on that show and we talked more about...more and more about his background and experience, I was awed by the kind of expertise that he brought to his job, and I will say, also, that he'll be hard to replace. I wish him well, and I hope Godspeed with him. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I join Representative Black in his comments about Ed and his work here in the House. I've been on the Education Committee now 11 years, and this is my first year as Chairman of that Committee, and the long hours that we spend in the office with staff, Mary Lou and myself, with our staff people going through the Bills, discussing what

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if's, let me tell ya, good staff is invaluable, and I just want to say to Ed that you have been such a help to us in Committee and such a help to us in the preparatory work we do as Chairman and Minority Spokesman working together on these Bills most of the time, your help has been invaluable, and I want to say that the House is gonna miss you sorely when you leave here now, and especially the Education Committee. Good luck, Ed. Thank you."

Speaker Steczo: "The Chair recognizes the Gentlemen from DuPage, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ed Keen represents the best in government, the best of staff assistants and the best of a background. We only question, of course, looking at the University of Illinois in 1963, getting his PHD, Ed, if you'd gotten that from Iowa you'd probably be working for the president you know right now, instead of right here in the House. But, we know that in spite of that negative background that you had with that PHD, you went on to great things in Putnam County. Eleven years ago, Sam Vinson said; 'Lee, there's a fella that you gotta have on your staff. He's a great man and he knows education inside out and back, and he's a man that will always make you proud'. And, Ed, eleven years ago when you joined our staff, you started immediately on advising people of what the right course to take and what government should do in terms of education. You've been a good person, a faithful and excellent helper and House Republican staff, and as you've heard now many people on the other side of the office, to you and your wife, Marge, we wish you the best in your future, and always remember that you have a ton of friends here, in the Illinois General Assembly, always waiting to say hello, to

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greet you, and to welcome you back. So, thank you Ed, for the good work you've done."

Speaker Steczo: "The Chair recognizes the Lady from Dupage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have a cake here on the desk right next to Representative Ryder's, that is kind of a good by cake for Dr. Keen, and when we have concluded these remarks and adopted this Resolution, I would hope that all of you would feel free to come over and help yourselves to a piece of this cake. I have worked with Ed Keen now, for what will...would have been in another year or so approximately a decade, and while I would like to agree with everything that has been previously been said about his knowledge, his willingness to be cooperative, his helpfulness to people regardless of which side of the aisle they sat on, that's not the thing that has impressed me the most about Ed Keen. What has impressed me is that he is a man of real decency. He is a good and honorable person. He is a man of worth."

Speaker Steczo: "The Chair recognizes the Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really can't embellish a great deal on what great things have been said about Ed, having worked in education all my life and on the Education Committee, but I think Ed was a...because of his institutional knowledge, had to have been here when the first School Code was ever written, and I believe he's probably forgotten more about educational issues than we will ever remember, and for that reason we're gonna be at a terrible loss when he leaves. I just...I hope that the time that he has now to spend at home with his lovely wife, that she's able to help him hone

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up his jokes, because if there's one fault that Ed has, he's got some of the worst jokes I've ever heard. So, perhaps you can come back...you can come back after you get your act straightened out and get...get the jokes toned up and brighten our day again. Thanks Ed, for everything you've been to us."

Speaker Steczo: "The Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are very few people that have the kind of respect for the House and of the House that when you have a question, as some people do about education, on occasion, that the definitive source is such as when they say, "ask Doctor Keen," they know and the definitive answer is when people suggest because Doctor Keen said so that answers the question. Your knowledge and your ability about education are exemplary. We are touched to have had you as part of the General Assembly for this...for your years here. We wish you...we thank you, and we wish you Godspeed."

Speaker Steczo: "The Chair recognizes the Lady from Sangamon, Representative Moseley."

Moseley: "Thank you, Mr. Speaker. I think I first met Doctor Keen when I was working for the Scholarship Commission and at that time a number of Bills would come before us because the Scholarship Commission was under the School Code and everybody said, 'go ask Ed', so I would go and ask Ed and it wasn't until later that I heard everyone refer to him as Doctor Keane. He was always a very understanding, very patient man. I am going to miss him sorely, and I hope I can convince him to hang around this Capital a little bit longer and help us understand the School Code and the education system we've got in Illinois. So, Ed, I wish you

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Godspeed and don't wander too far and remember you're still one of my constituents. Thank you."

Speaker Steczo: "Is there any further discussion? There being none, Representative Black has moved for the adoption of House Resolution 1176. All those in favor will signify by saying 'aye'; those opposed by saying 'nay'. The 'ayes' have it and the Resolution is adopted. Congratulations, Ed Keen. Supplemental Calendar #1, Conference Committee Reports appears House Bill 2408, Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 2408 contains about four or five different provisions. The theme running through all of them though is they deal with the juvenile system. One part of it makes purely a technical correction to what had become known as the best interest Bill. It is merely a technical correction that was due to an oversight in the drafters. A second provision dealing with the juvenile court code would require that minors that are subject to abuse or neglect petitions if there are other siblings, minors in the home at the time and there is a petition filed against them that they, too, shall be deemed to be with need of immediate care and urgent necessity. Then there's some qualifications to that, that I'd be willing to explain if need be. There's also some additional provisions dealing with a study which called for some changes in the juvenile detention education and this is no new money. This is to clarify some things in regards to that, and I'd be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the adoption of the First Conference Committee Report on House Bill 2408. On that, is there any discussion? There being none the question is, 'Shall this Report be adopted?' All those in

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favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 116 voting 'yes', none voting 'no', none voting 'present' and the House does adopt the First Conference Committee Report to House Bill 2408, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar #1, on the Order of Conference Committee Reports, appears Senate Bill 246, Representative Lindner."

Lindner: "Yes, thank you, Mr. Speaker. This is the companion Bill to House Bill 69, which we all just passed. I would reiterate what Representative Dart said concerning that. This...this is the compromise on the child abandonment of the 'Shoo' Home Alone Case, and I would ask the House to please adopt the First Conference Committee Report."

Speaker Steczo: "The Lady has moved for the adoption of the First Conference Committee Report to Senate Bill 246. On that question, is there any discussion? There being none, the question is, 'Shall the report be adopted?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'yes', none voting 'no', none voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 246, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, on the Order of Conference Committee Reports, appears Senate Bill 290, Representative Krause."

Krause: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Committee Report #1 to Senate Bill 290 authorizes

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up to 12 formerly 6 supportive residences in the City of Chicago for persons with AIDS. In addition, the Committee Report requires a single payment rate for work by homemakers and chore homemakers in the Department of Aging's Community Care Program. It now would be a set rate of \$7.91 an hour. I ask for adoption of the First Committee Conference Report."

Speaker Steczo: "The Lady has moved for the adoption of the First Conference Committee Report on Senate Bill 290. On there...on that question, is there any discussion? There being none, the question is, 'Shall the report be adopted?' All those in fig...in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 116 voting 'yes', none voting 'no', none voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 290, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, on the Order of Motions, Representative Hoffman moves pursuant to Rule 77(a) to discharge the Committee on Elections in State Government from further consideration, and suspend Rule 77(b) relating to the Calendar requirements and advance to the Order of the Speaker's Table. Is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund. Mr. Wennlund. Mr. Wennlund, did you have a question, or have you decided that there is no problem?"

Wennlund: "It's my understanding that as a defendant paragraph, he's going to hold it until tomorrow and remove the paragraph and do it tomorrow. Okay, thank you."

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Speaker Steczo: "There being no objection, all those in favor of the Motion will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the Motion is adopted. On the Order of Motions, appears House Joint Resolution 50. Representative Morrow moves to discharge the Committee on Executive from further consideration and suspend Rule 77(b) and advance of the Order of the Speaker's Table, for immediate consideration. On that Motion, is there any discussion? There being none, all those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the Motion is adopted, by the use of the Attendance Roll Call. The Chair recognizes the Gentleman from Cook, Representative Morrow, on House Joint Resolution 50."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Joint Resolution #50 would do, is to create...is to create...House Joint Resolution #50 would designate June 12 through August 28, 1993, as the...immancipating dream and patriotic practice time in Illinois. The reason why I've introduced this Resolution is because the Ninth Annual Dream Day Celebration will be observed this August 28th on the Dream March on Washington led by Dr. Martin Luther King, which prompted the passage of the Civil Rights Act of 1964, and it also happens to com...also happens to be the anniversary of the day or the night that the young man, Emmitt Teal, was lynched and it has to do on June 20...the date of June 12 is marked by the 30th anniversary of the assassination of Medgar Evers, and this is why I have introduced this Resolution, so that the period of time between June 12 to August 28th is a period of celebration in the African...or not celebration, commemoration in the African-American Community, and I urge

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passage of House Joint Resolution 50."

Speaker Steczo: "The Gentleman has moved for the adoption of House Joint Resolution 50. On that question, is there any discussion? There being none, all those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the Resolution is adopted. On Supplemental Calendar #1, on the Order of Motions, Representative Granberg, pursuant to Rule 77(a) moves to discharge the Committee on Transportation and advance to House...Senate Joint Resolution 45 to the Order of Speaker's Table and immediate consideration. On that quest...the question is, 'Is there any discussion?' By use of the Attendance Roll Call, leave is granted. The Chair recognizes the Gentleman from St. Clair, Representative Gran...Clint...Representative Granberg. Representative Dart, do you wish to handle this Resolution for Representative Granberg? The Chair recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker, this Resolution is to insure that we do not jeopardize federal funding for roads and the like due to some of the legislation that we passed this year in regards to alcohol and the like violations and other things that occurred in the car. There was a federal case which questioned whether or not we would be in violation of federal law. This Resolution is an attempt to address that."

Speaker Steczo: "The Gentleman has moved for the adoption of Senate Joint Resolution 45. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund. Mr. Wennlund?"

Wennlund: "Thank you, Mr. Speaker. I rise in support of the Resolution. Here we have another Act of Congress telling

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the State of Illinois that for a non motor vehicle related offense that they have to...must suspend the drivers license of drivers of Illinois on Illinois roads and Illinois citizens, or we're going to lose some federal highway dollars. It's absolutely ridiculous. Congress shouldn't be telling the states what to do. The Illinois Supreme Court found this type of activity unconstitutional in People versus Lindner. I support the Resolution and join in and ask for your 'aye' vote."

Speaker Steczo: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. I, too, stand in support of this Resolution being forced upon us by the federal government to ensure that we do not jeopardize, I think, \$22 million worth of federal highway funds. So, I stand in support of the Resolution."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall the Resolution be adopted?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and Senate Joint Resolution 45 is adopted. The Chair would like to announce to the Members on the Democratic side that the Chair will be providing some dinner in about an hour...so, we're not sure what yet, but it'll be here in about an hour. Mr. Daniels."

Daniels: "I'd like to announce that we're gonna have dinner with the Democrats tonight. We'll figure out something as soon as we find out what you have, we'll get something better."

Speaker Steczo: "Sounds great. We'll see. On Supplemental Calendar #1, on the Order of Concurrence, appears House Bill 1816. The Chair recognizes the Gentleman from Cook, Representative Dart."

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Dart: "Thank you, Mr. Speaker. House Bill 1816 contains basically two provisions. The one provision is...deals with language that was formerly House Bill 2150, Representative Flinn's, which deals with the legislative information services and computerization of it requiring the complete tax of the Illinois Register and the Administrative Code to be compiled dealing with the data base and making it available for a fee for those who want to request access to the data base as well. It creates the position of the State Fair Manager and it's going to be a two year position and be appointed by the Governor. The Bill also adds language identical to House Bill 2194, which was Representative Erwin's. It creates the Child Care Development Act, and I would be happy to answer any questions in regards to this."

Speaker Steczo: "The Gentleman has moved that the House concur in Senate Amendment #2 to House Bill 1816. On that question, is there any discussion? The Chair recognizes the Gentleman from Kankakee, Representative Novak."

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

Speaker Steczo: "He indicates that he will."

Novak: "Right here, Tom. Representative Dart, what is this section in the Bill about a State Fair Manager?"

Dart: "Yeah."

Novak: "Is this a new position that we're creating? Can you tell me a little something about this?"

Dart: "It's a new position that's been created."

Novak: "Does it stipulate the salary?"

Dart: "No, it does not stipulate a salary."

Novak: "But, is it a new position though? Isn't Mr. Hall the State Fair Manager?"

Dart: "It is a new position. Yes."

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Novak: "It is a new position. This is an administration request I presume?"

Dart: "I believe so, the Amendment was Senator DeAngelis' in the Senate."

Novak: "Okay. Thank you."

Speaker Steczo: "Is there any further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. Mr. Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Excuse me, Representative, can you...I'm sorry, it's difficult to hear in here. The child development block grant that is underlined in here that we're creating. Does that have a funding source, or are we just simply changing the structure by which those grants will be run or administered?"

Dart: "Mr. Speaker, I'd like to defer that question to Representative Erwin."

Speaker Steczo: "The Chair recognizes Representative Erwin."

Erwin: "Thank you, Speaker. Senator DeAngelis included an opportunity for the Illinois Finance Development Authority to provide loan guarantees for the development of day care centers. It is...it is guarantees though, Representative Black, not state funds, and since IDFA is essentially this authority that has sort of been in this business, Senator DeAngelis thought this was a good opportunity and something that they could do a responsible job with."

Black: "Let me pursue that line of questioning. While it isn't exactly state money, it's a 90% state guarantee. Correct?"

Erwin: "Correct. It is not state money. It's a guarantee. So, Representative, the assumption is that IDFA would not

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approve one that was a bad investment, and first of all, a day care center would not get a commercial loan if it wasn't a good investment in the first place. This is very similar to the Illinois Guaranteed...guarantees that the Farm Development Authority was involved in."

Black: "Well, I'm familiar with the Farm Development Authority because I have a large agricultural community in my district, but what I'm trying to figure out here and, you know, we don't need to quibble anytime we're guaranteeing loans, we are putting the public treasury at some risk. I'm trying to see and read as quickly as I can. I just don't know. I mean are these going to be used to finance day care centers anywhere in the state?"

Erwin: "Yes, Representative...as you know most day care centers are operated by not for profit organizations, the YMCA, church groups. There was a Bill earlier in the year that the Treasurer was involved in, and you will note, in fact, Representative Peter Roskam was the Co-Sponsor of that Bill. This provision has the State Treasurer not involved at all, and the fact that, the Illinois Finance Development Authority would be the ones reviewing the loan applications."

Black: "I'm sorry, it is hard to hear you. You say the State Treasurer didn't like this Bill now all of a sudden?"

Erwin: "Well, the State Treasurer had nothing to do with this, whatsoever."

Black: "Well, I...thank you very much, Representative. Mr. Speaker, Ladies and Gentlemen of the House. The noise level is such, and staff is busy other places, I have some real concerns about this. I'm going to ask the Sponsor to take it out of the record. I'm sure it is called based on some reasonable assumption that it is going to pass. I...I

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would have an inquiry of the Chair, however, Mr. Speaker. Since it seems to have something to do with bonding, would this take an extraordinary majority to pass?"

Speaker Steczo: "Mr. Black, we'll be with you in just one moment with that question."

Black: "To be honest with you, I don't know whether its increasing IDFA's bonding authority or not, I just simply can't find it in what I have before me."

Speaker Steczo: "Mr. Black, we'll get back to you in just a moment on the inquiry. The Chair recognizes the Gentleman from Logan, Representative Olson."

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

Speaker Steczo: "He indicates that he will."

Olson: "Representative Dart, I'd like to revisit Representative Novak's inquiry about State Fair Managers at the State Fair and the DuQuoin Fair. How does this provision for appointment of these individuals differ from what we currently have today?"

Speaker Steczo: "Representative Dart?"

Dart: "This...this provision differs in that it requires the advise and consent of the Senate in the original provision that we sent over to the Senate, it required just for the appointment by the Governor, and this will require the advise and consent of him. I don't know how it differs from the other ones though."

Olson: "The provision...the provision that we sent over, I believe you said, provides for the appointment by the Governor. How, my question is simply, how... the current State Fair Managers appointed?"

Dart: "Mr. Speaker...Mr. Speaker?"

Speaker Steczo: "Representative Dart."

Dart: "Will you take this out of the record for a moment?"

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Speaker Steczo: "The Bill will be taken from the record, but before we do that though, Mr. Black, in response to your question, because the Bill deals with securities that are not general obligation bonds, and the Bill does not appear to increase the bonding authority, the Chair would rule that the Bill will require 60 votes. Take the Bill out of the record, Mr. Clerk. On the regular Calendar, on the Order of Third Reading appears Senate Bill 420, Representative Kubik. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 420, a Bill for an Act amending the Illinois Plumbing License Law. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We visited this Bill about a half hour ago with some Amendments on the Bill. This Bill, Senate Bill 420, as it currently is constituted includes an Amendment by Representative Wennlund and Representative Giglio. Representative Giglio's Amendment is the heart of the Bill. What the Bill does is that it provides that...it strengthens the law with respect to advertising for plumbing services. We require in this state that if you advertise for plumbing services that a number, a registration number must be included in the advertisement. Under the previous law, it requires...required the newspapers to...to enforce that provision, and the Press Association and newspaper industry believed that they could not properly enforce this. What the Bill does is to...is to take that enforcement provision out and increase the penalties on those who would...would advertise and are not properly licensed. This Bill is an Agreed Bill between the Plumbers Union, the downstate contractors and also the

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Illinois Press Association, so I would appreciate your support and would be happy to respond to any questions that you might have."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 420. On that question, is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I have one further question with regard to Representative Wennlund's Amendment. If this person has had a license as a private alarm contractor from the State of Illinois and sold that license, would you indicate, for the record, whether or not this section would apply? I'm hoping you would say that it would not apply. If the person has had a license as a private alarm contractor, would he be able to get another license?"

Unknown: "Could you put that in...could you recognize, Mr. Speaker, Sir...Mr. Speaker, would you recognize Representative Wennlund to answer that..."

Speaker Steczo: "Oh, I'm sorry. I thought I had recognized Mr. Wennlund. The Chair will recognize Representative Wennlund."

Wennlund: "...Mr. Speaker, the answer to the question is no, Cal."

Skinner: "Thank you."

Speaker Steczo: "Is there any further discussion? The Chair recognizes the Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Kubik, if...if I'm not mistaken, did I read where a plumber would have to place on his or her vehicle the license number?"

Kubik: "This pro...this provision does not deal with that part of the law. What this Bill does, is it deals with a plumber

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who has to put a number in an advertisement for services in a newspaper."

Davis: "In other words, if that plumber is advertising because he or she needs work. In other words, they are seeking employment. They have to have a number, a license number? Is that what you're saying?"

Kubik: "That is correct."

Davis: "All right. Is the purpose of this legislation to prevent those who don't have a plumbing license..."

Kubik: "No."

Davis: "From being able to earn a living that way?"

Kubik: "No, Representative, the law currently requires that a plumber or contractor must have a...have a number."

Davis: "Okay."

Kubik: "What this Bill does, is simply state that we passed a Bill about a year ago, which said that newspapers would have to enforce the law. Newspapers are not in the position of enforcing this law. So, what we're doing is, we're removing the provision which requires newspapers to enforce the law. So, it has nothing to do...it doesn't change the law with respect to providing the services and having the number, that's...that has been the law and that continues to be the law."

Davis: "Well, according to this, it says no person who provides plumbing may advertise unless that person includes in the advertising the license number that is required to be displayed? Is that correct?"

Kubik: "Representative, I can't have the Amendment in front of me. I'm sorry."

Davis: "Let me, I'll tell you what my concern is. There are certain groups of people who are not given the opportunity to...to train and learn this through an apprenticeship

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program and then be given a license to work. Are you with me, Representative?"

Kubik: "Okay, I'm listening."

Davis: "And, I really think that this legislation merely prohibits certain people from working as plumbers."

Kubik: "Representative, the law currently and the law in the past has required that if you offer plumbing services, you must be licensed. This Bill doesn't change that. All it says is that we believe that if that is the will of the General Assembly and also the State of Illinois let newspapers not be required to enforce the law, because it is a con...question of, a Constitutional question. So, what we're taking out is the area which would...which states that newspapers would have to enforce this law which has been the law in the state for a number of years."

Davis: "Let me ask this question of you, what is your objective? What is your clear objective in passing this legislation?"

Kubik: "My clear objective is ver...is very simple, and that is to...to remove newspapers from the provision in the law..."

Davis: "Would you tell me where it says that...tell me what line...what page and what line?"

Kubik: "There's a line on page...line on page 2, line #3 on page 2, and that...those, the line that's x'd out, Representative, is...is the area that we're concerned about."

Davis: "Where does a plumber receive or get his license number?"

Kubik: "From the Department of Public Health."

Davis: "The Department of Public Health issues plumbing license numbers?"

Kubik: "Correct, and that is currently the law and has been the law for quite some time."

Davis: "Representative, would you explain line 8...let's say line

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8 through line 20?"

Kubik: "What it does, Representative, is it sets out the provisions for a person who, if they are advertising for plumbing services and are now for...are not...is not a licensed plumber, it would set out the provisions of...to...it provides for the violation of the Act and, essentially, what we're trying to accomplish here, Representative, is that if...if somebody does not follow the law of the State of Illinois which is that you...if you are a plumber and you offer plumbing services, you must be licensed. This provides that...that the enforcement be done by the plumbers, not by newspapers."

Davis: "Well, because I believe that there are a number of people who would like to work in this state and because of certain provisions through union contracts or union apprenticeship programs or other obstacles that keep people from being able to work, I'm going to have to vote 'no' on your legislation. It has...I believe that people should be certainly trained and skilled in the operations in which they perform. I believe they should be very knowledgeable in what they're doing, especially in plumbing, that's very important to those of us who have property or who live in an apartment. It's extremely important and, yet, I hesitate to continue to pass legislation that prohibits certain people from getting employment so, therefore, I will vote 'no'."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think what the previous Speaker was trying to say in this Bill that those that engage in plumbing don't have the opportunity, but let me remind the Representative that

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this is the only industry that does give the opportunity for people to learn through the apprentice program, and the only thing that this Bill says, is that it takes the onus off the advertisers, who don't want to police our industry, which is correct. Every plumber, in this state, if he's a bona fide plumber has a number and what we passed here a few years ago, that, that number had to be included in the advertisement, simply because there are a lot of people abusing that, not only doing work that were bona fide plumbers, but taking advantage of the elderly and the people that didn't know and these people were getting hurt, they were getting ripped off, but if those people, who are bona fide plumbers have a bona fide license would want to set up an apprenticeship program or take people, all they have to do is file with the State of Illinois and every journeyman plumber is entitled to an apprentice, Representative, and if they would do that, you would find that the plumbing industry has more of an opportunity than any industry in this whole state. This really has nothing to do with this part of the Bill, but this Bill is an agreement between the publishers, the contractors, and the unions with regard to advertisement, and I would ask for your favorable support."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I just rise to second the remarks of my good friend, and if I lived a little closer to his area, my personal plumber, Representative Giglio. I think plumbers have been licensed since Watergate, and I think this is...this has been debated, and I would move the previous question, Mr. Speaker, if that's the appropriate Motion at this time."

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Speaker Steczo: "Mr. Black, there's no need to move the previous question, but the Chair will recognize Representative Kubik to close."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to thank both Representative Giglio and Representative Black for their comments. Let's be clear about this. The issue is not whether somebody ought to be licensed or not, that has been taken care of in the law by previous General Assemblies. The issue here is enforcement, and what we're saying is, newspapers and the newspaper industry should not be in the position of enforcing Acts that the General Assembly in this state have. So, that...that is the gut of this Bill, and that is what is important about this Bill, and I would hope that...I would appreciate your support for Senate Bill 420."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 420. All of those in favor of the passage of the Bill will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'yes', 1 voting 'no' and 1 voting 'present', and Senate Bill 420, having received the required Constitutional Majority, is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "Introduction, First Reading."

Clerk McLennand: "Introduction - First Reading of House Bills. House Bill 2464, offered by Representative Woolard, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of this Bill. House Bill 2465, offered by Representative Andrea Moore, a Bill for an Act concerning

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parental notice of abortion. First Reading of these House Bills."

Speaker Giglio: "Representative Morrow, for what purpose do you rise, Sir?"

Morrow: "Thank you, Mr. Speaker. I rise on a personal point of that I'm hungry. That's why I'm rising, and I'd like to know if leadership plans on feeding its Members, or should we be at ease to allow us to get a little food, a little nourishment?"

Speaker Giglio: "It is my understanding, Representative, that food has been ordered, and it should be here shortly for the Democrats."

Morrow: "Thank you, Mr. Speaker. Can I ask one other question? What kind of food is it? Is it rabbit food or is it human food?"

Speaker Giglio: "Soul food."

Morrow: "Soul food. All right. You've got me on board. I always like chitlins."

Speaker Giglio: "Representative Black, for what purpose do you rise, Sir?"

Black: "Yes, thank you very much, Mr. Speaker for purposes of an announcement that affect the Members on my side of the aisle. We will be bringing in filet mignon and porter house steak and any number of dishes served on real china, with white linen back in the...Leader Daniel's office at approximately ten after eight. We were going to have personal service delivered to you on the floor, but Mr. Pollak said that he had most of the waiters and waitresses engaged, I guess they're going to...he's going to serve you all soul food on the floor with uniformed waiters and waitresses, but we'll take care of our Members at about ten after eight steak, filet...I don't know, Lowery's prime

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rib. It's going to be really good, and I'll try and bring you some, Mr. Speaker."

Speaker Giglio: "Thank you, Representative. On the Order of Senate Bills, Second Reading, appears Senate Bill 1105. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1105, a Bill for an Act that amends the Liquor Control Act of 1934. Second...the Bill has been read a second time previously. No Amendments. Floor Amendment #1, offered by Representative Steczko."

Speaker Giglio: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to Senate Bill 1105 is legislation that deals with items that we have considered in this legislature a few times in the past, but have never really reached a agreement on. There's the question of certain fees and funds that have been requested for our consideration. So, over the last three or four or five or six weeks, there have been Members from the Senate, from the House, from the Democratic side, from the Republican side that have met, that have gone over the extensive lists of various fees and funds that have been brought to our attention and introduced this last...this last session in the General Assembly. What appears in House Bill 1105 as Amendment #1, is a package that of legislation that..."

Speaker Giglio: "Excuse me...excuse me, Representative. Excuse me. Representative Skinner."

Skinner: "I do not have a piece of paper that lists all the fee increases in this Amendment."

Speaker Giglio: "Mr. Clerk, has this been distributed?"

Clerk McLennand: "Yes, it has been distributed."

Skinner: "Well, we have three copies on this side of the aisle and it seems to me that the...how many Members do we have,

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well not enough. Anyway, 3 divided by 51 doesn't come out one per Member. How long does this have to be on the desk? I just got one of the three questions or one of the three Amendments, it's 72 pages. Could we at least have 10 minutes to read it?"

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. In deference to Mr. Skinner, we will allow the Membership a few minutes to review the provisions of the...of the Amendment. So, we'll take the Amendment out of the record at this time."

Speaker Giglio: "Take the Bill out of the record. The Gentleman from Livingstone, Representative Rutherford, are you seeking recognition, Sir? Senate Bills, Second Reading, 1105. Representative Steczo. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1105 has been read a second time previously. Floor Amendment #1, offered by Representative Steczo."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to Senate Bill 1105 contains provisions in the statute that relate to different fees and funds for various state agencies, many of which...many of which have been considered by the House of Representatives, by the General Assembly previously, and a few that have been discussed and on the discussion block for many, many...for many, many months and some for the past couple sessions. As you are aware, there has been in past years, a road block under the development of new fees and funds, and this is an attempt to try to accommodate as the four caucuses can best determine the most fair of those...those suggestions and requests. We have met for the last five or six weeks attempting to try to develop a fair package relating to

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this issue, and I'd like to review for the Members at this time, Mr. Speaker, the provision that are contained in Amendment #1 to Senate Bill 1105. First, Mr. Speaker and Members of the House, this Amendment contains a renewal license fee increase for real estate appraisers. That was Senate Bill 123, and it raises that...that fee from \$50 a year to \$125 a year and for residential appraisers \$75 a year to \$125 a year. This...this...these increases have been agreed to by the appraisers and by the Department of Professional Regulation. So, this language has been all agreed to. It also contains the provisions of Senate Bill 583, which provides for a revolving fund, no fee increase, but a revolving fund in the Department of Agriculture Laboratory Services. So, the Agricultural Laboratory Services revolving fund would be created. In addition, Mr. Speaker, Members of the House. This Bill contains the original provisions of Senate Bill 1105, which provide for agreed to increases between the Liquor Control Commission and the liquor industry. These increases have been negotiated. They have been agreed to, and everybody has signed off on those provisions. In addition, Mr. Speaker, Members of the House, the Bill contains the provisions of House Bill 721, which allows the Historic Preservation Agency in the State of Illinois to collect admission fees at places like the Dana Thomas House, here in Springfield, and in other places throughout the State of Illinois. It also contains a provision which allows park districts to establish fees for the use of recreational programs that...and also to receive revenues from some operations. What this is intended to do, is to allow a park district to be able to charge an individual who lives outside the park district a higher fee when they charge a fee than...than a

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person who pays taxes and lives within the park district. It also contains the creation of the general profession dedicated fund, which was cr...which was originally proposed in House Bill 2174. There is no fee increase there either. It provides...allows the Department of Rehabilitation Services, as was the former House Bill 2371 to charge, collect, and expend funds from school sponsored activities and transportation fees. It provides new language agreed to by the design professions and by the Department of Professional Regulation on increases in those design professions. If these increases are not enacted, those design profession funds will be bankrupt. Lastly, Mr. Speaker, Members of the House, the Bill provides for the requests made by the Department of Conservation and many conservation groups as per fee increases in the Department of Conservation that were contained in House Bill 1990 and House Bill 1991. As you may be aware, conservation groups and the Department of Conservation got together and negotiated a package of fee increases that would be used to enhance various conservation recreation activities in the State of Illinois. That language was contained in House Bill 1990...1991, those provisions are contained here in this legislation. So, Mr. Speaker, I would answer any questions that might be posed by the Members of the House and if not, would ask for the adoption of Amendment #1 to Senate Bill 1105."

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

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Bill, and I think it's apprapo that we take a look at the process that we've used here. For the past two years, there have been no fee

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or funding Bills that have gone through this chamber unless there has been absolute agreement by all parties on those Bills, and we built up to the point where 51 different Bills that were sitting there to be considered. The group that got together to consider this one person from each one of the Bodies in the chamber considered those 51 Bills and whittled that list down to 10 basic pieces of legislation, and those 10 items are contained in this Bill and this Amendment, and I think that a lot of work went into this. We gave plenty of time, a couple of years, so that anybody who had any reason to challenge any of these concepts could come forward and challenge them. I believe that everybody that is in a regulated profession that is considered in this Bill has signed off on it. I believe all the people who are paying the fees that have associations have come forth with their associations and to accept this Bill and this concept. It is the agreed fee Bill of the Session. We may see some other fee Bills come along the line that will be basically we'll fly them up the flag pole, and we'll see how they go, and some people will support them and some people won't, but this is one Bill that I think both sides of the aisle should support. We should pass this Bill at this time and after a couple of years of waiting, it's only time that we do put out some of these fee increases, so that we can accomplish the various ends of the Bodies that have asked for them. Thank you."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Giglio: "He indicates he will."

Brunsvold: "Representative Steczo, just for the record, this fee package is being presented here before the budget passes."

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Is it your intent that these fees be in addition to the Governor's introduced levels for these agencies or is this in replacement of reductions in the agencies?"

Steczo: "Representative Brunsvold, during our discussions with the Department of Conservation, they made it abundantly clear that any...any requests for fees that they would...that they would need or that they would be asking the legislature to pass, would be in addition to any amount of money that is budgeted by the legislature. It is not their intention to seek these...fee increases to offset budget reductions. Presumably, if that happened, I would think that the Department of Conservation would ask the Governor to remove these fees from the Bill."

Brunsvold: "Well, I would join you then and say that if there is going to be budget cuts in these agencies and these fees replace those budget cuts, then I would assume, and I would hope, that the Governor would veto these fee increases. Is that...is that...was that your statement?"

Steczo: "I would believe that that would be a correct representation for the Department of Conservation, from the representations made to us during the course of the deliberations on these provisions."

Brunsvold: "Thank you, Representative. To the Bill. Ladies and Gentlemen of the House, I worked on the Conservation part of this legislation. These fee increases have been recommended by the Conservation Congress and the Department of Conservation over a lot of years of work. Fees have not been increased in these areas for 10 years in many cases, and we especially need to increase out-of-state non resident fees, as well as a few other fees to even come in line with the states around us. So, I would ask for your support on Senate Bill 1105."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Bill. I, along with Representative Brunsvold, worked on the Conservation fees, and I can tell you that the Conservation Congress in Illinois wholeheartedly supports this, as do Ducks Unlimited, Pheasants Forever, and almost every sportsman's group you can imagine in the state, I rise and stand in support of this fee increase. Many of you don't realize that the Department of Conservation took a 35% hit more than the last two years in their budget. This will allow them to triple the output of their fish hatcheries in Illinois. It will increase the habitat for pheasants and upland gain, and it will provide, all in all, better sport fishing for the citizens of Illinois, and this will enable the Department to do that, and it's the conferees when it comes budget time that shouldn't be cutting those budgets to replace what these increases in fees. We're talking about a total of \$5 million which will enable the Department to open up many of the recreational areas in this state that have been closed. It will enable the fish hatchery program to almost triple its food production and it will provide for some aquatic education, statewide urban fishing, enhancement of fish management in Lake Michigan and some things that have long been needing restoration, like the public land fishing site and will allow some increased enforcement. So, it's all and all, it's good for recreation in Illinois, it's good for the sportsman, and it's good for the outdoorsman and the fishermen and a hunter, and I urge your adoption of this Amendment."

Speaker Giglio: "The Gentleman from Jefferson, Representative

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Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I think everybody ought to look closely at this because it sounds like everybody is for this Bill. You know, everybody wants to raise their fees and everybody wants to double things like or get a 20% increase as most of these are in here or do you want a change from \$5.00 to \$10.00 or \$20.00 for salmon stamps. You know, all those guys that go fishing all the time, that fish every day, don't care if they pay a little more, but you know a Mom and Pop operation back home, they only go once or twice a year. I've got a letter several times from people who go salmon fishing one time a year and take their family and spend \$400 or \$500 more to have to go salmon fishing, oh I bet they're for that too. I bet they really want to see that happen. Mr. Speaker, you know there's more license fees, there's more increases in this thing like crazy. If all you people are saying you're not for taxes, why don't you vote for this and show people you really are for tax increases. Mr. Speaker, I'd request a Roll Call vote on this Floor Amendment please."

Speaker Giglio: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. The provisions that were considered as part of this package and as Representative Churchill so eloquently stated, there were so many proposed either fee or fund increases that the group that got together to recommend those to the legislature did so only after receiving a lot of comments and information from individual Members of this Body who told us what they felt their...their important interests were. The provisions contained in here are a result of the request that you yourselves made to us to include in the fee and fund

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package. So, Mr. Speaker, based on that and based on the fact, the group that did get together thought that this was an eminently fair package, I would move for the adoption of the Amendment."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Santiago, Senate Bill 357. Out of the record. Senate Bill 706, Representative Capparelli. Out of the record. Senate Bill 357. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 357, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo. Second Reading."

Clerk Rossi: "Senate Bill 357, a Bill for an Act amending the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1 offered by Representative Steczo."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to Senate Bill 357 deletes everything after the enacting clause and, actually, provides...provides language which...which is an agreement between local governments and other taxing bodies relating to TIFs, or tax increment financing districts. There was some language that was passed as part of Senate Bill 402, which is on its way to the Governor, currently, that provided some real change in terms of the way that TIFs operate and provide more clarity and provide more...more access to information. Those same provisions have been adopted here as part of the Amendment

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to Senate Bill 357, something that local governments outside of municipalities who have to deal with the question of TIFs and join review boards and things of that nature are looking forward to, to help make their job a lot easier in terms of the TIF review. In addition to that, Mr. Speaker, this Amendment provides language regarding appointments of municipal officers which was inadvertently left out of the rewrite of the municipal code that we did last year. This puts the language back in that relates to the municipal officers being able to provide temporary appointments when there's a resignation or vacancy. So, Mr. Speaker, I would move for the adoption of the Amendment and would answer any questions that the Members might have."

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

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

Speaker Giglio: "He indicates he will."

Balthis: "Representative Steczo, on page 2, in line 20, where it talks about the term of office of a municipal officer, it says that it shall not exceed the Mayor or President of the Municipality. If the new incoming Mayor does not have an opportunity to appoint new people, this doesn't allow for those municipal officers to continue in office until their successor is appointed."

Steczko: "Representative Balthis, this also provides the appointment of temporary officers as well. This language was inadvertently stricken when we did the rewrite for the Illinois...the Illinois compiled statutes. It was just discovered recently, and the Municipal League has asked us to replace the language, word for word, that was

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inadvertently left out of the statutes before."

Balthis: "And they're satisfied that this would allow for temporary, because it does not say that in this body. It does say that in the language below that Section, line 23, where an officer resigns, but it does not say that in Section C."

Steczo: "My understanding is that this is the exact language that was...that was taken from the...from the previous municipal code. The Municipal League is happy."

Balthis: "That's fine. I have no problem. It just seems like there's something there or not there that should be there."

Steczo: "We should probably bring that to their attention, but they're the ones that provided us with the language."

Balthis: "Okay. Mr. Speaker, to the Bill. I rise in support of this Bill, because of the...as the Representative spoke about the TIF legislation or language that's in the back of this Bill is very needed for the schools and the municipalities to work together on TIF Districts within our local communities. So, I rise in strong support of House Amendment or Floor Amendment #1 to this Bill."

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

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

Speaker Giglio: "He indicates that he will."

Dart: "The numerous provisions do encompass the City of Chicago, correct here?" Chicago is affected by numerous parts of this?"

Steczo: "My understanding, Representative Dart, is that the changes that affect the City were changes that the City had either asked for or had agreed to."

Dart: "Because there are numerous ones throughout this. I see where they are excluded from certain provisions, but there's other ones dealing with TIFs and a couple of the

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other provisions where you see the City of Chicago is affected by it. Could you pull this out of the record for a second, so I can make sure the City has seen this?"

Steczo: "Mr. Speaker, could we take the Amendment out of the record, please? Take the Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. On the Order of Second Reading, Senate Bills, page 3, appears Senate Bill 770. Read...what's the status of the Bill, Mr. Clerk?"

Clerk Rossi: "Senate Bill 770 has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #11 offered by Representative Schakowsky."

Speaker Giglio: "Withdraw Amendment #11. Further Amendments?"

Clerk Rossi: "Floor Amendment #12, offered by Representative Saltsman."

Speaker Giglio: "Withdraw Amendment #12. Further Amendments?"

Clerk Rossi: "Floor Amendment #13, offered by Speaker Madigan."

Speaker Giglio: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, a question of the Clerk. Is this the Amendment that was considered yesterday? Mr. Speaker, I have the answer to my question. Mr. Speaker and Ladies and Gentlemen, this Amendment is almost identical to the Amendment that was considered yesterday. Language has been added to this particular Amendment which would clarify that the contribution made by Commonwealth Edison to the affordable housing trust fund would only come from shareholder revenue, and it would not come from the rate payors. To briefly recapitulate where we were yesterday, at the beginning of this process, there was a request from the Edison Company for a very significant portion of their assets be set aside in a newly created subsidiary. This

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Amendment has significantly scaled back the amount of assets which can be dedicated to the newly created subsidiary. We have worked through negotiations which have resulted in an agreement between Edison and Peoples Gas which would provide access for Peoples Gas Company to the Edison lines for instances where the Peoples Gas Company is involved with cogeneration facilities. We have provided language which, in our judgement, covers the problem of cherry picking by permitting the Commerce Commission to determine that there has been cherry picking and then to adjust their rates to compensate for that cherry picking and, again, the Bill provides that there will be a \$500,000 contribution every year for 20 years to the Illinois Affordable Housing Trust Fund, which is committed to the construction of low and moderate income housing. Mr. Speaker, again, I recommend an 'aye' vote, and I move for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Schakowsky?"

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. Would the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Schakowsky: "My question is this, is there any difference in the cherry picking provision in this Amendment than there was in the previous Amendment offered yesterday?"

Madigan: "No. No."

Schakowsky: "To the Bill, Speaker. What a difference a day makes. Except in the language of this legislation as it impacts our constituents, our consumers, there is no difference in this Bill on the key question of whether this legislation will unduly cause great increases. I have an Amendment #14 that once again has been mysteriously lost at

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the printer and so can not be considered. I know it's unbelievable that two days in a row, it's just so coincidental, that would simply have said, that the burden of proof...that this will not hurt residential consumers or any consumers, is on Commonwealth Edison to prove that at the Illinois Commerce Commission. Right now, consumer groups are or other interveners have to show that this legislation would hurt consumers. All we were asking was for Commonwealth Edison to come in and say, this is actually going to help consumers, it is not going to unduly burden them with higher rates. Commonwealth Edison is big enough and powerful enough and rich enough, apparently, to come before this Body and say, no deal, we don't have to, but the question is, are we prepared to go back to our districts and say to our consumers that we caved in to Commonwealth Edison for no...nothing to the benefit of the consumers. Forty three people only voted for it yesterday. This is a very important Roll Call. There's no change in the consumer provisions. I would suggest that you think very carefully before you change your vote. A vote for this Amendment is anti-consumer. I hope that you will stick with your vote of yesterday. I urge a 'no' vote, and I ask for a Roll Call vote on this Amendment. I'm joined by others in that request, and I would hope that we could get a Roll Call vote. Thank you."

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

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

Speaker Giglio: "He indicates he will."

Deering: "Mr. Speaker, real...real quick here. Could you recite the...or what is the legislative intent here on this Bill?"

Madigan: "As I understand the question, it is, what is the

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legislative intent? Mr. Deering, the real motivation for the Bill, and the reason why the Bill is here, is a some dramatic changes in the power industry, not just in Illinois, but all over the country. In prior years, companies such as Commonwealth Edison were in effect the only producers of power. Today, there are numerous companies called independent power producers, which are in the business of producing power. They produce electricity. They are not regulated by the Illinois Commerce Commission. Therefore, they have a competitive advantage in their competition with the Edison Company. What Edison has said to the legislature is, look, there has been a dramatic change in market conditions in this area. We would like to get into that market at a level playing field, not be put at a competitive disadvantage, visa via the independent power producers. Edison could file an application with the Illinois Commerce Commission for authority to create a holding company as other utilities have done. That process is estimated to take a year and a half or two years. They have asked the legislature to short circuit that procedure and to authorize the creation of what is referred to as a subsidiary, but is identical to the holding company which will be created down the road through application to the Commerce Commission. Therefore, the bottom line, two important points: number one, there have been economic changes in the production of power, because of that, the Edison Company would like to enter that market on a level playing field, and number two, they would like to accelerate the process by which they can create the subsidiary, thereafter, leading to the holding company in order to get into that market."

Deering: "Thank you, Mr. Speaker, I'd just...I understand that

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this is to help Edison serve their consumers better and I hope that's what the intent is, but we all know how legislative intent and intent is around here. A couple of years ago, we passed a Bill that was very important to the coal industry and the intent was to build scrubbers and we saw how far that got."

Speaker Giglio: "No further discussion, Speaker Madigan to close."

Madigan: "Mr. Speaker, I would simply request an 'aye' vote on the Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 61 voting 'yes', 47 voting 'no', 5 voting 'present', and the Amendment is adopted. Representative Phelps, 'no'. Further Amendments?"

Clerk Rossi: "Floor Amendment #14, offered by Representative Schakowsky."

Speaker Giglio: "Has...has the Amendment been printed? Has it been printed?"

Clerk Rossi: "The Amendment has not been printed and distributed."

Speaker Giglio: "Representative Madigan."

Madigan: "Mr. Speaker, I move to table the Amendment."

Speaker Giglio: "All those in favor say 'aye'; opposed, 'no'. The Amendment has been tabled. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 770, a Bill for an Act amending the Public Utilities Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Speaker Madigan."

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Madigan: "Mr. Speaker, the Amendment is now the Bill. It's been thoroughly discussed. I would request a favorable vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 770 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there's 61 voting 'aye', 49 voting 'no', and Senate Bill 770, having received the required Constitutional Majority is hereby declared passed. Representative Phelps votes 'no'. Representative Giolitto, for what purpose do you rise? Let the record indicate that Representative Giolitto would have voted 'no' on the Amendment, which doesn't affect the outcome of the Amendment being passed. On the Order of Senate Bills, Second Reading, appears Senate Bill 1039. The Gentleman from Cook, Representative Turner. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1039, a Bill for an Act amending the Revenue Act of 1939. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

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

Clerk Rossi: "Senate Bill 1039, a Bill for an Act amending the Revenue Act of 1939. Third Reading of the Bill."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 1039 is a...a good reform Bill. What it does is it...it deals with the scavenger sale, and in essence what it says, is that the person when redeeming his delinquent taxes shall pay the amount equal to the

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winning, an amount...the amount of the accumulated delinquent tax and not the amount that was the winning bid, and I move for the favorable adoption of House...Senate Bill 1039."

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

Wennlund: "Thank you, Mr. Speaker. I rise in support of this Bill. I sponsored a similar Bill and then joined Representative Turner and others in this one. Here's what's been happening by tax buyers throughout the state. Tax buyers...let me give you one classic example of a constituent of mine. There was \$40,000 owed in real estate taxes. The tax buyer because it pays 48% interest, bid \$350,000. Well when the purp...when the owner of the business went in to redeem his taxes, he had to pay 48% interest accumulated over a 24 month period on \$350,000 and not on the \$40,000 of the actual tax bill. Because interest rates are low, more and more people are going into buying delinquent taxes because they pay 12% every six months and can wait 24 months before they go in and redeem them and can bid any amount that they want. If you owed a \$1,000 in back taxes, a tax buyer could go in and bid half a million dollars, and you're going to pay interest at the rate of 48% over a 24 month period on \$500,000 not on the \$1,000 you owed. This is designed to prevent those tax buyers from...and many of them are vultures in this low interest market. They know they can get high interest there and bid any amount they want. This Bill will help save homeowners in Illinois from outrageous fees and interest charges on the overbid, because there is nothing to prevent them from bidding any amount they want at a tax sale. This will cure that. It's good legislation. It's

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good for the people of Illinois. I urge your support."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would join the last two Speakers in urging your support for Senate Bill 1039. Everything they both said is absolutely correct. This is a bipartisan measure. It came out of a bipartisan task force. It allows property owners to continue to own their property residential, not to be taken advantage of, by a loophole currently in the law and it came out of the House Revenue Committee unanimously. I urge your support for this legislation."

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

Moffitt: "Will the...will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Moffitt: "Just a point of information, having been a County Treasurer, I know of no provision where you can sell more than what the actual taxes were. Is that...is that, are you saying in some cases they're selling more than the actual amount of taxes?"

Speaker Giglio: "Representative Turner."

Turner: "Yes, in Mr. Speaker, in closing, I would just ask for..."

Speaker Giglio: "No, excuse me, Representative Turner. Representative Moffitt asked you a question."

Turner: "Oh, I'm sorry. I didn't hear the question."

Moffitt: "Yeah, Representative Turner, it was just...I was County Treasurer for three terms and we never sold more than the actual amount of the taxes due and I...did I understand you to say that or Representative Wennlund, that they're actually selling, you have tax buyers paying more than what

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was owed in taxes, actually bidding?"

Turner: "What county are you from again, Sir?"

Moffitt: "Knox County and we certainly observed the Statutes of the State of Illinois."

Turner: "That's...that's a good county. Well in Cook County, they do different...they do things a little different and so..."

Moffitt: "Thank you for that clarification."

Turner: "If you understand what we're say in here. We're just trying to bring Cook County into reform with the rest of the world."

Moffitt: "Thank you, Representative, and I would welcome Cook County abiding by the Statutes like Knox County has in the past."

Speaker Giglio: "Representative Turner to close."

Turner: "Thank you, Mr. Speaker. I think all of the questions have been asked. Again, this is a good...I won't say a good consumer Bill, but it is a good government Bill. It is a Bill that will work on behalf of those delinquent tax redeemers, and I move for the favorable adoption of Senate Bill 1039."

Speaker Giglio: "The question is, 'Shall Senate Bill 1039 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 114 voting 'yes', none voting 'no', and Senate Bill 1039, having received the required Constitutional Majority, is hereby...hereby declared passed. Supplement...Supplemental Calendar #1, on the Order of Concurrence, appears House Bill 1816, Representative Granberg. Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. This is a

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Bill which we had pulled out of the House a little while ago for numerous Members to talk to different people who had some concern about the Amendment which we're moving to concur with which is Amendment #2, Senator DeAngelis'. We've had an opportunity for different people to talk in regards to the State Fair Managers and other conditions as well. I believe most of the concerns have been straightened out, and I would move for the adoption of this Amendment."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of Senate Amendment #2...the House does concur with Senate Amendment #2 to House Bill 1816. All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 101 voting 'yes'. Representative Laurino 'aye'. On this question there are 102 voting 'yes', 8 voting 'no', and the House does concur in Senate Amendments #2 to House Bill 1816, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports appears House Bill 766. Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 766 we heard previously. At that time, there was a great deal of confusion. This Bill was mistakenly...confused with earlier legislation. This Bill is not the same legislation that Representative Mautino sponsored. This is not the same legislation that was so onerous to a number of groups. House Bill 766 does permit those who are presently entitled to liens under the Mechanics Lien Act, who are presently entitled to those liens, and only those people who are entitled to those

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liens, to get attorneys' fees...to receive attorneys' fees to enforce those liens. It does not expand the Mechanics Lien Act. I repeat, it does not expand it. That's all it does. It's a very simple measure, and I would ask for your support."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 766?' All those in favor signify by voting 'aye'...those opposed, 'no'. Representative Biggert, are you seeking recognition? All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 64 voting 'yes'; 40 voting 'no'; and the House does adopt the First Conference Committee Report to House Bill 766, and this Bill, having received the required Constitutional Majority, is hereby declared passed. Under Senate Bills, Second Reading, appears Senate Bill 357. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 352nd...357, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Steczo."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to Senate Bill 357 is the...is the language that we discussed before, that dealt with the Municipal Code and putting back a section of the Municipal Code that dealt with temporary appointments of village and city officials by the mayor that was inadvertently left out when there was recodification last year. In addition to that, this Amendment addresses the question of TIFs and TIF

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reforms, Tax Increment Financing Districts, that have been worked out between the TIF Association...the cities and villages that have TIFs, and the other local governments. There was a question before, relating to the City of Chicago. This language has been signed off by them as well. So, this is agreed language, and I move for its adoption, Mr. Speaker."

Speaker Giglio: "Any discussion? All those in favor of the Amendment, signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading."

Speaker Steczo: "Representative Steczo in the Chair. Committee Reports."

Clerk McLennand: "The Committee on Rules has meet, and pursuant to Rule 14(a)4, Conference Committee House Members appointed. Rules recommends consideration, and the Bills will be placed in the Order of Conference: House Bills 176, House Bill 1613, and House Bill 1974. Senate Bill 483, Senate Bill 677, Senate Bill 798, Senate Bill 937, and Senate Bill 940, the Second Conference Committee Report. Committee on Rules has meet, and pursuant to Rule 14(a)5, House Bills amended in the Senate. Rules recommends consideration, and the Bill will be placed on the Order of Concurrence: House Bill 282. Offered June 30, 1993, by Frank Giglio, Chairman, Committee on Rules."

Speaker McPike: "Representative McPike in the Chair. House Bill 2130. Representative Persico. Representative Persico. Representative Persico. You want to call this Bill? Representative Cross said you wanted to call this Bill. Representative Cross."

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Cross: "I'd like for him to call the Bill, so if...I object to his not calling the Bill."

Speaker McPike: "Representative Granberg, could you handle this for Representative Persico?"

Granberg: "It'd be an honor."

Speaker McPike: "Well, take it out of the record, Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Giglio: "Order of Concurrence, Supplemental Calendar #2, appears House Bill 282, Representative Woolard. The Gentleman moves to nonconcur. Representative Woolard."

Woolard: "I move to nonconcur...nonconcur on Senate Bill...or House Bill 282, Senate Amendments."

Speaker Giglio: "The Gentleman moves to nonconcur on Senate Amendment #1 to House Bill 282. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the House nonconcur in Senate Amendment 1 to House Bill 282. On the Order of Conference Committee Reports, appears House Bill 1613, Representative Noland."

Noland: "Thank you, Mr. Speaker. Conference Committee #1 for House Bill 1613 contains three points. First, it allows the Department of Conservation to sell or exchange advertising rights in publications. It changes the name of the Income Tax Check Off Fund to the Illinois Wildlife Preservation Fund and, thirdly, it renegotiates the debt payments for the Illinois Beach Marina."

Speaker Giglio: "Any discussion? Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Levin: "Can you tell me what changes were made, if any, in this from the version of this Bill we sent over to the Senate, initially?"

Noland: "The only...the only change is the part with the...the

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restructuring the North Point Marina debt repayment plan."

Levin: "I'm sorry. Could you repeat that? I didn't hear."

Noland: "The only change is the last part, which restructures the debt payment plan for the North Point Marina."

Levin: "Okay."

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

Noland: "I'd move for its adoption."

Speaker Giglio: "Representative Skinner, are you seeking recognition, Sir?"

Skinner: "Mr. Speaker, I wonder if the Sponsor could tell us who the owner of the marina is? Who is gonna get this...I presume it's a break?"

Speaker Giglio: "Representative Noland, do you want to answer Representative Skinner..."

Noland: "Well, the owner..."

Speaker Giglio: "Representative Churchill."

Noland: "The owner is the State of Illinois, but I gladly yield to Representative Churchill."

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

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Several years ago, there was a project built in northeastern Illinois for the North Point Marina. The money was money that came out of the capital development funds that was used...that were used to construct the marina. It is a kind of one on a kind projects in the State of Illinois, because actually the project is supposed to pay itself off. In other words, the marina operations fund the repayment of the money to the State of Illinois. And there was a formula set in the Bill, when the original Bill was put into place, and all this attempts to do at this point

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is adjust that formula. All dollars that have been put into the project will be paid back. The formula just says for the initial dollars that are earned, there'll be less of a percentage, and then over a certain trigger amount, there'll be a greater percentage, so that this one project in the State of Illinois will be funded and paid back to the citizens of the State of Illinois, and from that point on, the dollars can go into the boating fund for other recreational uses."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, to the Bill. I rise in support of the Bill. The Department of Conservation has worked with all the members in this matter. They've worked very diligently. Representative Churchill, this is in his district, as he indicated. This is no state money. There is no state money involved in this. They are merely taking the receipts from the rentals at the marina to pay off the debt service on the bonds. This is a good project. They have worked very hard on it. This would merely allow them to change the schedule of payments on the refinancing on the bonds. It is still through the rental payment through the slip rentals. There is no state money involved, and it's very important to the Department. I think it's a good program for the Department of Conservation, and the rest of the State. So, we would rise in support of the Gentleman's Motion."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 1613?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On this question, there are 112 voting 'yes', none voting 'no'; and the House does concur in the First Conference Committee Report to House Bill 1613, and this Bill, having received the required Constitutional Majority, is hereby declared passed. On Supplemental Calendar 1, appears Senate Bill 1105. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1105, a Bill for an Act amending the Liquor Control Act of 1934. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker and Members of the House. This legislation was...was amended earlier this evening...to contain a package of fund Bills that have been requested by various agencies of state government. And a...and fee increases that have been...requested by those agencies too. The provisions of this Bill come as a recommendation from Representatives of each side of the aisle and each House has labored long and hard to try to find an acceptable package to recommend to you. Mr. Speaker, because I have in great detail explained previously what's in this Bill, I would just...ask for its passage, but would hope...would allow...would ask the Members to ask any questions they might have, so I can answer them satisfactorily."

Speaker Giglio: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Mautino: "In the Bill itself, I...I had a question. I see there's been a division in the licenses at retail, separating on-premise and off-premise. Given this scenario, say Joe's Bar has...sells packaged liquor. Would they, under this Act, be required to purchase both an on-premise and an off-premise license."

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Steczo: "The answer is no."

Mautino: "No. Okay. Thank you."

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

Hicks: "Thank you, Mr. Speaker. A question of the Sponsor, please?"

Speaker Giglio: "Indicates he will."

Hicks: "Representative Steczo, can you tell me what the cumulative value of all the tax increases in this Bill are?"

Steczo: "Representative...Representative Hicks, the...the fee increases that have been requested by the agencies...I think the major one is the Department of Conservation, the fee increases that they have...that they have requested, I believe, is somewhere in the neighborhood of about \$6.5 million. The other...the others are minor. The DPR...fund and fee increases are in a relatively minor...provisions that have been agreed to by...by all parties concerned."

Hicks: "So as I understand, the major tax increase is \$6.5 million, and additional fees on top of that. So there's additional tax increases far beyond the \$6.5 million."

Steczo: "Call it what you wish, but the...the fee increases that have been requested by the agencies here, and the Department of Conservation fee increase, which is the major, major provision in this...in this particular Bill, finds its way in this Bill because of the request of the Members of this chamber and the chamber across the way. So, the...the fee increases that the Department of Conservation have asked for, have been negotiated with the sportsmens' groups and everybody else who are in support of this...in support of those provisions. So, call it what you will, but..."

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Hicks: "So, Representative, do any part of these fees go to things that are important to me, like education or anything like that? Or do they just go to fund more bureaucracy?"

Steczo: "There are the...the Department of Conservation fees will go for various conservation programs, and...and other types of...other types of venues and things that they have financed in the past...with the...and parks and things of that nature, which I'm sure will benefit you."

Hicks: "Okay. Do these fees go into the General Revenue Fund, or do they go into other funds, like things that we've seen around here before like special funds that people from the bureaucracies out of?"

Steczo: "The fees will go to special funds. That's the purpose of the fee increases, so they can be dedicated for the purposes for which they're intended."

Hicks: "Well, I guess...thank you very much...Representative Steczo. To the Bill, Mr. Speaker. I think...I think we've seen here...we've got several million dollars of tax increases in this Bill. I think it's something that each and everyone of us ought to consider. Before the night's over, you're gonna vote for a lot of tax increases in here, or you're gonna vote against a lot of tax increases. You're either for tax increases, or you're against them. There's no other way. So, either you're gonna vote for tax increases here with this Bill, starting with this Bill, or you're gonna vote against them. I would suggest you vote against 'em."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill. A couple of years ago, I...I was with a group of hunters and fishermen, and they were putting together a fishing derby up in my

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district, and they have an annual fishing derby, and they bring about 10,000 fishermen in to fish during the middle of the winter around the channel lakes on ice, and their major complaint was that the state was not funding the Department of Conservation properly. And we talked about that, and we talked about the needs of the state. And the fishermen and the hunters said to me, 'Look, go down and increase the fees on the licenses and bring more dollars into the program so that we can have fish propagation, and we can increase the bird population in the State of Illinois. We'll pay for it. We'll be happy to pay for it. We are the users of the system. We're happy to pay for the system. Go ahead and increase the fees, and we'll pick up the tab on it so that you don't have to do that at the state level.' So, basically, the conservation part of this is because of the fact that the state legislature has chosen its priorities, and the Department of Conservation has not been at the top of those priorities, and the people who are using the system are happy to pay for the system. The rest of the fees that are indicated in this Bill are fees that have been worked out with the various industries that are regulated, and for whatever causes, those industries have come to us and said, 'we want these fees put into place. They're our fees. We're paying the tab. We're telling you what we want to do with the money, and it's for regulation of our industries, and we're happy to pick up the tab, because you're not funding it otherwise.' You know, if you're not going to raise general taxes and put general taxes into other things, and you keep wanting to have people...have services and those people are willing to pay for the services, then let them pay for the services. That's all this Bill does. It's a fine Bill. It's

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the best ten Bills out of 51 Bills that we originally took a look at, and this Bill deserves to be passed at this time."

Speaker Giglio: "Representative Schoenberg."

Schoenberg: "I wish to dispute the previous Gentleman's statement and rise in opposition to this. I would encourage my fellow suburbanites from both sides of the aisle to view this the same way. We can't do everything for everybody. When we were talking about the State Fair, we all acknowledged that we had to go out of the entertainment business, because the State Fair was losing money. The State can't go into the entertainment business. As noble as fishing and recreation is, the fact of the matter is, we're not meeting basic human needs, and it's only delusional to say that this is absolutely critical. And I would urge you all to vote against it."

Speaker Giglio: "Representative Brunsvold."

Brunsvold: "Thank... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just like to say a few words about the conservation fee increases here. This...package was put together by conservation people all over the state. Organizations, sportsmen, all over the state, including Pheasants Forever people, Ducks Unlimited, people that support their activities. I don't think I need to tell the sportsmen on this floor that over the years, as we buy guns, shotguns for hunting, and we pay federal fees which are matched by state fees. They go for support of hunting and fishing programs. That's how we support our sport. Now, to say that \$12.50 as a fee for fishing for six to eight months is excessive, I don't think it is. What else can you do for six or eight months for \$12.50? It's a very small amount to pay for something we enjoy very much. And in the

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end, we are either gonna have to vote for an income tax increase that will be GRF funds, General Revenue Funds, to support the conservation, or we're gonna pay it through fees. The people that use the parks, use the hunting and fishing areas, are gonna pay for those, and I think we ought to do it. I ought to do it as a hunter and a fisherman, pay for those areas and support those areas, and I do. And I think that is a little more fair than having an income tax increase, and then give it to Conservation through the General Fund...General Revenue Fund. So, I would support this, and yes, it is supported by conservation groups all over the state and most sports writers in the state have supported this package that I know of, and so, I would ask for your support also on the conservation portion of this...this fee increase."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Could we have a little order, please, Mr. Speaker? Thank you. Ladies and Gentlemen of the House, I'm really kind of surprised and appalled that I now have to go through a little lesson in the difference between a tax increase and a users' fee. Tax increases and taxes are not voluntary. They are involuntary and apply to all. These fees that are contained, that Representative Brunsvold just described, are voluntary. When we go hunting, we buy a license. We choose to do that. It's not imposed on us. We choose to do that. When we want to go fishing, we choose to pay for a license to fish, and when we do that, we expect there to be fish planted there. That's why we can triple the output of fish hatcheries in Illinois, and make fishing better for little kids. You know, somebody said to me, 'Well, what about your grandparents, all these senior citizens.' I said, 'I'll

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tell you what, I'm a grandparent. Gonna be three times this fall. Three kids, three grand kids. And I'll tell you what. I'll gladly pay the additional fees on my license, so my grand kids have fish to catch in those ponds.' And not one senior citizen said, 'You know what...' Everyone of them said, 'You're right, we should do this for our kids and for the future generations of Illinoisans.' These are users' fees. Those that don't fish, don't pay 'em. Those that don't hunt, don't pay 'em. Taxes, everybody pays. These are not taxes. These are voluntary fees, paid by the sportsmen who want to pay them, because they want habitat for the wild game and they want fish in those fishing streams in Illinois and in Lake Michigan. That's what this Bill is all about, and I'm surprised that we have to address it. You can't even go skiing in a ski hill for \$12.50 for one day. But you go and pay whatever it cost for the lift fees, because you choose to go there. The Department of Conservation puts out fantastic facilities for Illinois citizens and residents. They took a 35 percent cut in their budget over the last two years, and cannot fully serve the people of Illinois, the outdoorsmen and the sportsmen. This will help them to accomplish that for Illinoisans. It is not, I repeat, an involuntary tax as it has described, and I urge a 'yes' vote on this to help the people, the spear fishermen and the sportsmen of Illinois, and those other groups in this Bill that asked to have their fees increased, and agreed with the Department of Professional Regulation that their fee should be increased; and the liquor dealers and the Liquor Association. Give them what they want. Vote 'yes' on this Bill."

Speaker Giglio: "Representative Moseley."

Moseley: "Mr... Thank you, Mr. Chairman or Mr. Speaker. I'm...I'm

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just very grateful to the previous speaker for clearing up something that I've had a lot of questions about. Apparently, we're not going to be talking about a cigarette tax later, it's going to be a cigarette users' fee, and I think this will be a lot easier for people to understand. Thank you very much."

Speaker Giglio: "Representative Steczo to close."

Steczko: "Mr. Speaker and Members of the House. I think Representative Wennlund and Representative Brunsvold and Representative Churchill...really said it best when they explained the background and the...and the need for at least a certain portion of the...of the fees that are contained herein. Keeping in mind that they're contained in this package because Members in our chamber asked for them to be there. That's the only way they were considered by the group that reviewed all the different fee Bills. And keep in mind, there are many Bills...contained in this package that are not fees at all. They're creations of...specific funds that are very, very necessary, with no fees attached to the operations of the agencies that...of state government that those fees would...those funds would belong to. Professional fees have been negotiated and agreed to by the professions. The liquor control fee has been negotiated and agreed to by the profession. Mr. Speaker and Members of the House, everything that has possibly been done to make this as agreed a Bill as possible has been done. I would thank the Members who got up in support, and ask for 'aye' votes on Senate Bill 1105."

Speaker Giglio: "The question is, 'Shall Senate Bill 1105 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Representative Novak, one minute to

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explain your vote."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Hearing the debate, and understanding the need for enhancing our conservation efforts and for the ability for fishermen and people to enjoy the outdoors, such as hunting, and I have a tendency to agree with that, but there's one segment of our society that, to me, is gonna be penalized a little bit. In this Bill, for the first time, it authorizes a license fee of \$6.25, I believe, fishing license for senior citizens. And I know senior citizens have...have enjoyed the...the option to fish in our state parks and other authorized areas for nothing, and I think although \$6.25 to us may seem to be a pittance, but \$6.25 to a 70 year old lady or gentleman might help out paying a grocery bill or might help out paying the utility bill. And Governor Edgar, should...since this Bill, hopefully, if this Bill reaches your desk, I would wish that you would veto that out of the Bill. I think that's really not gonna hurt it very much at all if...should it reach your desk, please veto that part out of the Bill. Thank you."

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

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, see...that the illustrious Governor is sitting in the gallery tonight, and I wondered if he would just give me a thumbs up or a thumbs down if this is...a Bill that he would be in favor of, and maybe it would help some of us make our minds up as to where we should be. Thumbs up, thumbs down. All right. Hey, I'm on board."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 60 voting 'yes'; 50 voting 'no'. Senate

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Bill 1105, having received the required Constitutional Majority, is hereby declared passed. The Chair would like to recognize one of our former Members and Speaker of the Illinois General Assembly and now Secretary of State, the Honorable George Ryan."

Speaker Steczo: "Representative Steczo in the Chair...recognizes Representative Giorgi."

Giorgi: "Mr. Speaker, having cleared this with the other side of the aisle, I move that the Rules Committee be discharged of House Bill 203 and put on the Order of Nonconcurrency on the Calendar."

Speaker Steczo: "Representative Giorgi, please repeat your Motion, please."

Giorgi: "Having cleared this with the other side of the aisle, I move that the Rules Committee...House Bill 203 be discharged from the Rules Committee and put on the Order of Nonconcurrency."

Speaker Steczo: "Pursuant to Rule 14(e), the Motion takes unanimous consent. Does the Gentleman have unanimous consent? There being no objection, unanimous...unanimous consent is given, and Rules is discharged. On the Order of Concurrence, House Bill 203, Representative Giorgi."

Giorgi: "Mr. Speaker, I move to nonconcur to Senate Amendment to House Bill 203, and ask for a Conference Committee Report be formed."

Speaker Steczo: "The Gentleman moves nonconcur in the Senate Amendments to House Bill 203. All those in favor say 'aye'; those opposed 'nay'. The 'ayes' have it, and the House does nonconcur with the Senate Amendments to House Bill 203. Committee Reports."

Clerk Rossi: "The Committee on Rules has met and pursuant to Rule 14(a)5, House Bills amended in the Senate, recommends

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consideration and the following Bill be placed on the Order of Concurrence: House Bill 1038. Signed, Frank Giglio, Chairman."

Speaker Steczo: "On the Order of Motions on Supplemental Calendar #1, appears House Resolution 949, Representative Hoffman. Mr. Clerk, what's the status of the Resolution?"

Clerk Rossi: "House Resolution 949 is on the Order of Speaker's Table."

Speaker Steczo: "Are there any Amendments?"

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

Speaker Steczo: "The Chair recognizes Representative Hoffman on Amendment #1."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 simply removes some portions of the Resolution that...that I agreed with the Republicans to remove. I ask that it be adopted."

Speaker Steczo: "Representative Hoffman moves for the adoption of Amendment #1 to House Resolution 949. All those in favor say 'aye'; those opposed 'nay'. The 'ayes' have it. The Amendment's adopted. Representative Hoffman on House Resolution 949, as amended."

Hoffman: "Thank you, Speaker, Ladies and Gentlemen of the House. House Resolution 949 is fairly simple. If you saw anything or read the things that are put on your desk from the Auditor General of the State of Illinois, Mr. William Holland, you would have recently seen an audit for the Department of Children and Family Services. Basically, it...some extremely critical things were found in that audit, and the problem is under out state law, agencies are only audited every two years. We believe, on this side of the aisle, and I'm sure individuals on the other side of

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the aisle believe, that these findings are such that we need to continue to follow up, continue to ensure that...that changes are made in this Department to protect children in the State of Illinois. Therefore, this Resolution requests that..that an annual audit ought to be made, and the Auditor General should commence on it as soon as possible, and to report his findings, and look into the findings that were...and follow up on the findings that were found in the last audit."

Speaker Steczo: "The Gentleman has moved for the adoption of House Resolution 949; and on that, is there any discussion? There being none, the question...the Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "Representative, it is very difficult to hear in here. You...you have added an Amendment to this Resolution, is that correct?"

Hoffman: "Yes, Representative. We have added Amendment #1, which deleted lines 22 through 30 of the initial Resolution."

Black: "And...and with that Amendment...I know of no opposition of the Resolution. Is that your understanding...with that Amendment?"

Hoffman: "That's my understanding. That's my understanding."

Black: "All right. Inquiry of the Chair."

Speaker Steczo: "Proceed."

Black: "Are we voting on House Resolution, as amended?"

Speaker Steczo: "We are voting on House Resolution, as amended by Amendment #1."

Black: "Thank you very much."

Speaker Steczo: "Is there any further discussion? All those in favor of the adoption of the Resolution will signify by

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saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Resolution's adopted by the use of the Attendance Roll Call. Representative McPike in the Chair."

Speaker McPike: "Representative McPike in the Chair. Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House..."

Speaker McPike: "Mr. Doorman, would you...Mr. Doorman, would you check the air conditioner, please? Turn the air conditioning on? It's getting hot. Mr. Woolard."

Woolard: "...that a great friend of the legislature, and a personal friend of Larry Woolard's has joined us for the first time in a few weeks, Mr. Ferd Sugent, our friend."

Speaker Currie: "Representative Currie, in the Chair. Representative Daniels, for what reason do you rise?"

Daniels: "Madam Speaker and Ladies and Gentlemen of the House, I know that our Secretary of State was introduced previously, but I had the occasion years ago about this time on a June 30th to serve as one of his assistant leaders when he was Speaker of the House. At that time, a little reflection in history, George Ryan called me up out of my office, said, 'Come over here. I want you to run the House', and I said, 'Okay, what's coming up'. He said, 'Well, I want you in the Chair during the ERA debate'. And I had the pleasure of presiding over the House (and I don't know if it was pleasure), but the duty assigned by him of presiding over the House when the ERA died in the United States, and I was the presiding officer at that time. It's something I've never forgotten, but I haven't figured out how to get back at him at any time for that. But I'll tell you this, as we look back at time, I know that we've got a lot of great people that serve government but none better than George

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Ryan, our former Speaker, our former Leader in the House, and now our Secretary of State and our former Lieutenant Governor. So once again, will you give George Ryan a great welcome back to this House."

Speaker Currie: "On the Calendar, page 2, Senate Bills, Second Reading, appears Senate Bill 100, Representative Kubik. Representative Kubik. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 100, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik."

Speaker Currie: "Representative Kubik."

Kubik: "...Thank you, Madam Speaker. If we could...if I would have leave to withdraw Amendment 1, 2, 3, and 4."

Speaker Currie: "Representative Kubik withdraws Amendments 1, 2, 3, and 4. Further Amendments."

Clerk Rossi: "Floor Amendment 5, offered by Representative Kubik."

Speaker Currie: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a...this Amendment deals with the soft drink tax that has been imposed in the City of Chicago. This Amendment is agreed to by the City of Chicago, the Soft Drink Association, the Retail Merchants Association, and the Restaurant Association. Essentially, what this Bill...what this Amendment does, is to allow the City of Chicago to impose a tax on soft drinks. It would...say that soft drinks sold in cans and bottles may be taxed at a maximum rate of three percent in sales at retail. This...tax would be collected by the State. It would allow that fountain soft drinks be taxed at nine percent of the wholesale price paid by a retailer. This tax would be collected by the City of the Chicago. It prohibits other

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home rule units from levying a soft drink tax, and it would be effective immediately. Let me make a couple of observations. Number one, the way that the...the city council has currently...imposed the soft drink tax, it simply cannot be collected. It is volume based. What this...Amendment does, is to...to agree that...that the tax will be imposed, but that the tax will be on...on retail and on...on gross receipts. I might point out that this tax is revenue neutral. It does not raise any more money, and it also caps the amount. As I indicated, the soft drink industry and the city and the Retail Merchants have agreed to this Amendment. I'd be happy to respond to any questions you might have, and would urge adoption of the Amendment."

Speaker Currie: "Representative Kubik moves 'Do Adopt' on Amendment 5 to Senate Bill 100, and on that Motion, is there any discussion? Representative Balthis."

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

Speaker Currie: "He indicates he will."

Balthis: "Representative, this preempts home rule for communities other than Chicago?"

Kubik: "That is correct."

Balthis: "Is there a reason why we're allowing Chicago to do something that we're not allowing the other 1,200 communities in the State to do?"

Kubik: "Well, Representative, we...there were those of us, originally, in Senate Bill 100, who believed that we did not want...a soft drink tax imposed anywhere. This was a compromise that was arrived at by the soft drink industry and the City of Chicago, and that's the reason that we've limited to the city."

Balthis: "Thank you. Madam Speaker, a question of the Chair. Does preemption of home rule take more than 60 votes?"

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Speaker Currie: "Let's ask the Parliamentarian to look at this particular Bill to see which...requirement. ...At this time, we're adopting the Amendment, so your question is relevant for Third Reading if this Amendment is adopted. But we will...We appreciate the forewarning and the Parliamentarian will, even now, begin to look at that issue. Further discussion? Representative Madigan."

Madigan: "Madam Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Amendment. The...the reason for the Amendment was the adoption of a soda pop tax by the Chicago city council. As adopted by the Chicago city council, there are rather severe collection problems and difficulties imposed upon the retailers who are called upon to collect this tax. This Amendment would provide that the tax would be collected by the State, thereby greatly alleviating the collection problems currently imposed upon the retailers. It would further provide that there would be a cap put on the Chicago soda pop tax so that that tax could not be increased without the approval of the General Assembly. And lastly, it would provide that there would be a preemption of the ability of local governments to impose this tax outside of the City of Chicago. So, therefore, for the industry, you would not see a proliferation of this tax. My judgement is that this is a good sound compromise that has been negotiated between the City of the Chicago and the soda pop tax...the soda pop industry and, therefore, I would recommend the Amendment. Thank you."

Speaker Currie: "Further discussion? Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Currie: "Indicates he will."

Hartke: "If I understood the previous speaker, the Department of Revenue here in the State of Illinois is going to be

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assisting the Chicago Department of Revenue in collecting the tax, is that correct?"

Kubik: "That is correct, Representative Hartke, and I might point out that we...the Department has indicated that they believe there are some startup costs associated with this..."

Hartke: "Yes, that's what I was..."

Kubik: "And...and in the legislation, we have provided in the first year, a four percent administration fee to allow for the startup. In the second year, it would drop to two percent, and then it would be ultimately phased out. So, we have built in a method of being able to pay for this imposition of a tax."

Hartke: "So, in other words, maybe to start with, it won't cost us any money in the State of Illinois, but down the road it probably will. Is that correct?"

Kubik: "No, because once the system is in place...and once the system is place, which should take about two years, there should not be any...existing costs to be needed."

Hartke: "Well, that was one of my concerns. The second one is, that if this is a such a good idea for Chicago, why would it not be a good idea for Rockford, or Springfield, and so forth. And why the imposition of just allowing any other city to...to do this tax?"

Kubik: "Well, Representative, as I explained earlier, there are many of us, including myself, who do not like the idea of a soda pop tax. I introduced this Bill at the behest of the industry. They were opposed to the tax. They realize at this point in time, that they cannot repeal the tax, so that what we are trying to do is, to assist the retailers in the City of Chicago, because under the way...the Bill...the Ordinance has been passed in the city, it is

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virtually impossible and would be enormously expensive for retailers to collect this tax. So, what we are simply trying to do is to provide for the collection of the tax; and at the same time, limit the scope of this tax so that we don't have...these taxes proliferating all over the State of Illinois."

Hartke: "Do you have any estimate of the number of dollars that will be brought in by this soda pop tax for the City of Chicago?"

Kubik: "I am informed that in the City, it would be about \$60...over \$60 million."

Hartke: "Sixty million dollars, and this is dedicated for property tax relief?"

Kubik: "Oh, I apologize, Representative. It's six or seven million dollars. I apologize."

Hartke: "Six...six or seven million dollars?"

Kubik: "Right."

Hartke: "Is there any dedicated use of these...funds?"

Kubik: "I do not believe so. No."

Hartke: "So they will go into the general fund of the City of the Chicago for its operations?"

Kubik: "Correct."

Hartke: "How much are they collecting now? You said they had a tax. It was imposed. What will this increase that tax?"

Kubik: "It would not...the tax is set up so that it would not increase the amount. It would...they've estimated six to seven million, that's what we...we would plan it to cost."

Hartke: "What we are talking about is...a reformulation of the collection policies on an existing tax?"

Kubik: "Yes, that is correct. What we attempted with...working with the soft drink industry to make this, essentially, a revenue neutral concept, so that it would not collect more

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than they expect to collect."

Hartke: "Okay, then if I hear you correctly, the retail merchants in Chicago and the wholesalers, as well as the soft drink industry are neutral on the Bill, or in support of the Bill?"

Kubik: "They are very supportive of the Bill, and as I mentioned earlier, particularly, the retail merchants, because their clients...their members are faced with a tax that they...they cannot collect. They virtually...they would have to reprogram their terminal in their stores, which would be virtually impossible, because the tax in the city is based on volume of the product. This is based on gross receipts. So, that is the reason why we have selected this method."

Hartke: "What you're saying, then, is everybody's on board, the soft drink industry, the Retail Merchants, the wholesalers, as well as the Illinois Department of Revenue."

Kubik: "I would...I would not say that the last participant is all for it."

Hartke: "Oh. Oh, you're saying then, the Department of Revenue is not on board with this idea."

Kubik: "To my knowledge, they are not. That is correct."

Hartke: "Well, thank you very much. To the Bill, I think this is another...maybe plum for the City of Chicago to...to help them collect a tax that they're having trouble collecting, and it's going to be done at the cost of the revenues...the General Revenue Fund of the State of Illinois. Before, the Speaker was asked a questions...the parliamentary question, is this going to require 71 votes or 60 votes to pass? Is there an answer to that question?"

Speaker McPike: "Representative Kubik."

Kubik: "Well, Representative, the Amendment takes a Majority on

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Third Reading. We're waiting for the ruling by the Parliamentarian."

Hartke: "Okay, that will be fine. Thank you very much."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Amendment #5 is adopted. Further Amendments."

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 100, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Mr. Clerk, had this Bill been read a second time, previously?"

Clerk Rossi: "The Bill had been read a second time, previously."

Speaker McPike: "Representative McPike in the Chair. Mr. Kubik."

Kubik: "Mr. Speaker, I would...I think this Bill has been fully debated. I think it is an agreed Bill at this point, with the industry participants, and I would..."

Speaker McPike: "The question is, 'Shall Senate Bill 100 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Skinner."

Skinner: "I don't...I don't know why we should make it easier for Chicago to collect a tax it shouldn't be...shouldn't exist in the first place. I mean, we have been told this is a deal between the soft drink folks and the...the City of Chicago. We're the people that buy soft drinks in Chicago. If we don't want to pay the tax, we can vote 'no' and keep them from collecting it."

Speaker McPike: "Representative Hartke."

Hartke: "Well, I'm still waiting for the answer which was untimely that I asked before. Does this require 71 or 60 votes?"

Speaker McPike: "This requires 71 votes."

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Hartke: "Thank you."

Speaker McPike: "Have all voted? Have all voted? Representative Kubik."

Kubik: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House, and I recognize that there are many people who are concerned about this vote. Ladies and Gentlemen, what we're trying to do here, is the tax is going to be imposed whether we like it or not. There are retailers in the City of Chicago that are going to be forced to collect this tax. They have no choice but to collect this tax. They will have to reprogram their computers, or figure out a different method to collect this tax. What we're simply trying to do is to provide a method by which, not a big company, I'm talking about a mom and pop store who can't...who doesn't have the sophistication to collect the tax. Don't think that by voting against this Bill, that you're gonna stop the tax. The tax has been imposed. It will continue to be imposed. This simply helps the retailers, the small business people that are stuck. They're stuck. They've got to collect this tax. So, what this does is allows them to do it and, you know, I...I'm one of those people...I'm as fiscally conservative as they come, but when the Retail Merchants come to me and say, 'Look, we're stuck with this tax. We can't do anything but collect it. You've got to give us a method of being able to do that. I think that's a reasonable request. I don't think that if we stop by defeating this legislation, we're gonna stop this...tax from being imposed on these people. So I would ask you, and I...I would implore you to think about the small business people who are being penalized, because the City of Chicago has not properly defined the parameters of this tax. So, I would hope that we could get the proper number of votes on

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the board, and to be honest with you, this tax will be limited only to the City of Chicago. So, my friends from the suburbs, who are worried about...if we don't do anything on this Bill, this opens the door for other communities to impose this tax."

Speaker McPike: "Thank you. Thank you, Mr. Kubik. Representative...Speaker Madigan."

Madigan: "Mr. Speaker, to explain my vote. Mr. Kubik has explained this Bill very well and, unfortunately, I think that many people were not listening to his explanation. Stated very simply, this tax is in place today. It is being collected today. The collection process is an onerous process for the collector. If you're a large retailer like Jewel or Dominick's, you can probably absorb the cost. But if you're smaller than that, and if you get real small, then it becomes a very marginal situation in terms of the cost imposed upon the retailer to collect the tax. This Bill would provide that the collection would be done in a far more efficient manner, because it would simply call for one change on the current state form, used by all retailers to report their collections of sales taxes. In addition, it would cap the tax at its current level. And lastly, it would preempt the ability of other units of local governments to impose this type of tax in the future. So, if you reflect on what I just said, there's an awful lot of good here for the industry. There's an awful lot of good for the retailers. It preserves the ability of one unit of local government to continue to receive this particular tax money. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 80 'ayes' and 34 'noes'. Senate Bill 100, having received a

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Three-Fifths Constitutional Majority, is hereby declared passed. Senate Bill 956 has been read a second time. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Any Amendments?"

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

Speaker McPike: "Mr. Frias withdraws the Amendment. Is that correct? Further Amendments."

Clerk Rossi: "Floor Amendment #2, offered by Speaker Madigan."

Speaker McPike: "Speaker Madigan, Amendment #2. Mr. Homer? What is that...Mr. Speaker Madigan withdraws the Amendment. Further Amendments."

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

Speaker McPike: "Mr. Homer, Amendment #3."

Homer: "Withdraw, please."

Speaker McPike: "The Gentleman withdraws it. Further Amendments."

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

Speaker McPike: "Mr. Homer."

Homer: "Thank you..."

Speaker McPike: "A brief explanation, please."

Homer: "The...thank you, Mr. Speaker. I know you have another Bill, and...and this Amendment should be given time for an explanation but, unfortunately, due to the hour, it's not going to be possible. I think most people know the Amendment. The Bill is the product of the Governor's Task Force on Prison Crowding. The Senate passed the original Bill over here without any dissent, save I think one vote. This Amendment...tightens the Bill, limits the application

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of the good time credits that can be earned, and also, puts into the Bill authorization for a super-maximum facility, requires reporting by the Department of Corrections so that we can evaluate the program. It provides that attacks, aggravated assaults on prison guards would be a Class 4 felony, and it also...provides for a video appearance authority, so that county sheriffs can use video appearances in lieu of actual personal appearances to save funds. I've been asked to keep the explanation brief because of the press of other business, and I intend to honor that. I would answer any questions the Members would have I would urge support for this Amendment. It's very critical."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 956, a Bill for an Act in relation to sentencing. Third Reading of the Bill."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Speaker. The Amendment is the Bill, and...in keeping in the spirit of the...of the request that was made, I will answer questions, and urge support for the Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 956 pass?' All in favor vote 'aye'; opposed, 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 81 'ayes' and 25 'noes'. Senate Bill 956, having received...Mr. Morrow votes 'aye'. Mr. Lang votes 'aye'. Mr. Hawkins votes 'no'. Mr. Novak votes 'no'. Mr. Steczko votes 'no'. Mr.

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Granberg votes 'no'. On this Motion, there are... Balanoff 'no'. Mr. Clerk, have you caught up? On this Motion, there are 82 'ayes' and 30 'noes'. Senate Bill 956, having received a Constitutional Majority, is hereby declared passed. Senate Bill 937, First Conference Committee Report, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House. This Conference Committee Report contains several items. First of all, it would provide that the current surcharge on the income tax would become permanent for...forever. In the first year, FY '94, the distribution would be 75 percent for the state and 25 percent for locals. In FY '95, the surcharge distribution would be 100 percent for the state, but then the local government distributive fund would be adjusted from one-twelfth to one-eleventh, and in FY 1996, again the surcharge would be distributed 100 percent to the state, and the local government distributive fund would be adjusted from one-eleventh to one-tenth. In addition, there are four items which are designed to help educational districts in Illinois, in particular, the school district in the City of Chicago. Number one, there would be a continuation of the statewide speedup of the September state aid payment into August. Number 2, there would be a continuation of the maintenance of the reduction of the Chicago School Finance Authority reserve calculation. Number three, there would be an early retirement incentive package for Chicago school teachers, and lastly, the Chicago school board would be permitted to charge the cost of school supplies to the text book fund. Next, the provisions of Senate Bill 881 would be incorporated in this Report, and it would provide that noncertificated personnel could be used in libraries and in study halls in school

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districts. And lastly, there would be a significant change in the area of regional superintendents. The downstate...the duties of the educational service regions would be absorbed by the regional superintendents. The number of regional superintendents would be significantly reduced. And then in suburban Cook County, it would provide for the election over regional superintendents in the suburban areas of Cook County only. Mr. Speaker, those are the main points in the Bill. I would recommend the adoption of the Conference Committee Report."

Speaker McPike: "On that Motion, Representative Hicks."

Hicks: "...Thank you very much, Mr. Speaker. A question of the Chair. Has this Bill been printed?"

Speaker McPike: "Yes."

Hicks: "Why have none of us seen a copy? We've not seen a copy."

Speaker McPike: "I don't know. They're right...they're all over the place. Give Mr. Hicks a copy."

Hicks: "Thank you."

Speaker McPike: "Mr. Hartke. No questions. Representative Pedersen...Pedersen."

Pedersen: "To the Bill. To the Bill, Mr. Chairman. Here we go again. When we have a chance to allow some taxpayer relief, we muff the chance. From the opening bell back in January, most of the players have conceded the playing field to the taxers. They have bought the assumption that we've got to have more money, and it's only a question of increasing the taxes with the least amount of political damage. But there is an alternative, one that deserves a large amount of our attention, and that is, doing a better job for less money, the way they do it in the private sector. Now, doing a better job for less money, if given the proper attention by us, will result in finding that some government isn't even

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needed at all. We should just get rid of it. The way to get more jobs, growth, and revenues, is reduce the tax burden...a state...the state and/or local taxes. But you say that means cuts in spending. Well, since I came to Springfield in '83, the budget has gone up from about \$14 billion a year to \$29..."

Speaker McPike: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are a number of things in this Bill that I'm concerned about, and I don't agree with, but there's one in particular that I wanted to address, and that's the notion of reestablishing a regional superintendent of schools for suburban Cook County. Now, we...we've just eliminated this position in Cook County. It costs roughly \$3 million a year to operate that office. Everyone says that it improved the efficiency of the educational system in Cook County by eliminating the position, and now we're gonna reestablish it. Even if...even if we cut back from what the former regional superintendent did, we're still talking about \$1.5 to \$3 million being expended as a result of this. Secondly, when we look at the elimination of certificated personnel in libraries, I think that this is a radical departure from what is a basic in the elementary educational system. Librarians are educators. They, in fact, provide services to assist other teachers, the classroom teachers, by what they do in the libraries. To replace them with noncertificated personnel is to obstruct the educational process. I urge a 'no' vote on this... on this Bill."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 937?' All in favor of the Motion, vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who

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wish? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 68 'ayes' and 47 'noes'. And the House does adopt the First Conference Committee Report to Senate Bill 937, and this Bill, having received a Constitutional Majority, is hereby...declared...Representative Mulligan."

Mulligan: "Speaker, I'd like to change my vote to a 'yes' vote."

Speaker McPike: "Representative Mulligan votes 'aye'. Representative Andrea Moore."

Moore, Andrea: "Mr. Speaker, I would like to change my vote to an 'aye' vote."

Speaker McPike: "Representative Andrea Moore votes 'aye'. Have all voted? Representative Noland votes 'aye'. Representative Giolitto, how do you vote? She votes 'no'. Representative Giolitto votes 'no'. Mr. Noland, do you wish to vote 'aye' or 'no'? Mr. Noland votes 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Clerk already took the record. Mr. Clerk, you've taken the record on this. Representative Wirsing changes 'no' to 'aye'. On this Motion, there are...on this Motion, there are 70...who is hollering at the Chair? On this Motion, there are 71 'ayes' and 45 'noes'. And the House does adopt the First Conference Committee Report to Senate Bill 937, and this Bill, having received a Constitutional Majority, is hereby declared passed. Nineteen...House Bill 1974, First Conference Committee Report, Representative Lopez. Mr. Lopez. Mr. Lopez."

Lopez: "Thank you, Mr. Speaker. House Bill 1974 Conference Committee Report...has several Amendments to it. Number one, it amends the Medical Practice Act of 1987. Authorizes visiting professors to demonstrate or perform certain

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subjects or techniques. The second one, which is offered by Senator O'Malley, amends the Fiscal Note Act to provide that a fiscal note must be filed when a Bill would expend state revenues, either directly or indirectly. The third one is, it amends Illinois Municipal Code to provide that corporate authorities of any municipality and having a population of more than 100,000 inhabitants but not less than 200 and has...inspection department. The third one amends the Emergency Medical Services...Systems Act to provide that any EMT-I or AMTP license that was placed on inactive status, suspended, or expired while the licensee was temporarily disabled, shall be reinstated when the disability ceases, upon application and payment of any applicable fee."

Speaker McPike: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 1974?' All those in favor of the Motion, vote 'aye'; opposed vote 'no'. Have all voted? 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 81 'ayes' and 29 'noes'. And the House does adopt the First Conference Committee Report to House Bill 1974, and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Clayton."

Clayton: "I'd like to be recorded as a 'no' vote on that last Bill."

Speaker McPike: "I couldn't hear you, Representative Clayton."

Clayton: "I'd like to be recorded as a 'no' vote on the last Bill."

Speaker McPike: "Let the record reflect that the Lady intended to vote 'no' on 1974. Representative Cross, are you ready to adjourn?"

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Cross: "So, we didn't have a vote on that now."

Speaker McPike: "Yes. Taking an oral vote. The question is...Representative von Bergen-Wessels, for what reason do you rise?"

von Bergen-Wessels: "I wish the Journal to reflect I would have been a 'no' vote on 1974."

Speaker McPike: "All right. The Lady indicates she would have vote 'no' on House Bill 1974. Representative Cross moves that the House stands adjourned until tomorrow at the hour of 11:00 a.m. All those in favor of the Motion, say 'aye'; opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

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