

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

7/15/2004

Speaker Hannig: "So, now we're going to move into regular Session... regular Session."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Coulson, Krause, Dunn, Sacia, Black, Sommer, Mathias and Meyers are excuse today."

Speaker Hannig: "Okay. And Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Boland, Rich Bradley, Brosnahan, Collins, Colvin, Delgado, Dunkin, Giles, Graham, Howard, Joe Lyons, McCarthy, Molaro, Osterman, Scully, and Slone are excused today."

Speaker Hannig: "So, Mr. Clerk, take the record. There are 93 Members answering the Roll Call. A quorum is present. Representative Rose, for what reason do you rise?"

Rose: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "What... state your point."

Rose: "Ladies and Gentleman, please welcome the University of Illinois Student Government is with us up here in the gallery today. Please welcome the University of Illinois Student Government. Thank you."

Speaker Hannig: "And Representative Moffitt, for what reason do you rise?"

Moffitt: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "I have some very special guests that I'd like the Body to recognize, and they would certainly win the prize for coming the furthest. Up in the balcony here at the

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back we have a group of people from Russia. And they're here with the Professional Independent Insurance Agents of Illinois. Larry Miller of Galesburg is one of the coordinators. Joyce Nardulli is one of the hosts while they're here in Springfield. They're visiting a number of different cities in the United States. They're with a project called the Center for Citizens Initiatives. And they are studying free-enterprise capitalism, how to increase business activities and, among other things, I think how to do budgets. And they... they came to Illinois. But what... how refreshing it is a group from Russia who's studying capitalism. Would you stand up and please make welcome the delegation from Russia."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, would you read the Committee Reports."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative and/or Joint Action Motions measure/s was/were referred, action taken on Thursday, July 15, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment #1 to House Joint Resolution 93."

Speaker Hannig: "On page 4 of the regular Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 2791. Representative Kelly. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 2791, a Bill for an Act concerning mobile homes. Second Reading of this Senate... Third Reading of this Senate Bill."

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Speaker Hannig: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2791 amends the Mobile Home Landlord and Tenants Rights Act. It provides that a park owner must disclose in writing the following with every lease or sale in upon renewal of a lease of a mobile home or a lot in a mobile home park. Number 1, the rent charged for the mobile home or lot in the past five years. Number 2, the park owner's responsibility with respect to the mobile home or lot. Number three, information regarding any fees in addition to the base rent. Four, information regarding late payments. Five, information regarding any privileged tax that is applicable. And six, information regarding security deposits, including the right to return of security deposits and interests under the Act. If this is not followed the renter or the purchas... purchaser shall they have a cause of action to rescind the contract or collect damages from the developer, the park owner or mobile home dealer for her or his loss. I can answer any questions."

Speaker Hannig: "The Lady moves for passage of Senate Bill 2791. And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, it was my understanding this Bill, when it originated, it was a substantial Bill that did a lot of

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good things for people who rented. Didn't... wasn't there a rental cap initiative in this Bill originally?"

Kelly: "Initially, but it would not have passed like that, we tried... or the Senator tried. But we could not get that passed. So, this was a compromise."

Parke: "So, we watered it down. And we have a Bill now that, in essence, does give property owners the responsibility of letting the renters know if there's any increases in... increases of rent, anything that affects the property that they own, whether or not they're planning on selling it or... is that right? Is that..."

Kelly: "That's correct. They have to... at the time of purchase or signing of the contract, they have to let them know how much the rents have been raised in the past 5 years, what the services are that they will provide for the manufactured home park, purchaser or renter."

Parke: "Is there any chance that next year you might come back with the original legislation that had some real teeth in it and gave substantial strength to the people that are in mobile homes?"

Kelly: "Those of us who you see on the board and in the Senate, I'm sure we would love to do that, because in my particular area it affected people 55 years and older. And their rents were raised from 52 percent to 80 percent in one year. So, they're suffering because of that."

Parke: "So, this Bill and the people that are sponsoring it are trying to help our people that live in mobile homes and try to give them some... some say in what happens to... to affect

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them. Isn't there a lot of people in the State of Illinois that live in mobile homes in this state?"

Kelly: "Yes, there are. I don't have the exact number. But yes, there are."

Parke: "Do you think it's more than 10 percent of the citizens of Illinois may live in a mobile home park?"

Kelly: "I was just told it was 300 thousand people."

Parke: "I'm sorry?"

Kelly: "Three hundred thousand people live in mobile homes or manufactured home parks."

Parke: "Well there... that's a lot. And... and I know that for a while I had a number of large mobile homes in my area, in my old district, and there was a lot of problems that they have and I'm pleased to see this is a step forward. But I think we do need to do a lot more to protect their rights and to keep them informed in what's going on in the communities in which they live. So, I will support the Sponsor's Bill. And hopefully, we'll be able to do something more in the future."

Kelly: "Thank you, Representative."

Speaker Hannig: "The Lady from Cook, Representative Munson."

Munson: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Munson: "I rise in strong support of this Bill. This legislation protects our senior citizens, many of whom are on fixed incomes from losing their homes and in some cases their only asset. Presently in my district, mobile home owners in one of our age-restricted communities are unable

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to sell their homes because rental rates have increased by phenomenal amounts. These senior citizens can no longer to continue... can no longer afford to continue living in their own homes because the landlords have raised there property rates beyond what they can afford to pay. And in some cases, more than 50 percent. Just add insult to injury when the residents try to find another living arrangement they cannot move because they cannot sell their home. This legislation will go a long way in helping us protect our senior citizens' finances. I urge your 'aye' vote. Thank you."

Speaker Hannig: "Any further discussion? Representative Kelly to close.

Kelly: "I just ask for any 'aye' vote. And let us protect some of our most vulnerable citizens. Thank you."

Speaker Hannig: "The... the question is, 'Shall Senate Bill 2791 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 8 of the Calendar, under the Order of Concurrence, is House Bill 623. Representative Younge."

Younge: "Thank you, Mr. Speaker. Senate Amendment 1 to House Bill 623 amends the Neighborhood Redevelopment Corporation Act. And the Amendment does the following things. It permits the clerk of the county, and in this case it's St.

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Clair County, to abate the property taxes on improvements to real estate owned by neighborhood development corporations in St. Clair County. The Amendment adds an additional description to slums and blight... blighted areas by making the min... minimum size of the project two acres at... at least. Further, in St. Clair County a redevelopment commission would consist of five or seven appointed members, as determined by the mayor. The mayor and each of the members of the city council would nominate a person to fill the positions. Each person must possess recognized abilities and experience in economic development, finance banking and industrial development, small business manufacturing or real estate. A person appointed to the city council... must be appointed by the city council to be on the commission. In addition to the five to seven members of... of the redevelopment commission, the Executive Director of the Department of Commerce and Economic Opportunity and the Secretary of the Department of Transportation shall be nonvoting members of the commission. No person with any pecuniary interest in the Neighborhood Development Corporations could be an employee of the commission or serve on the commission. The Bill... the Amendment calls for a 10-year limitation on real estate tax abatement on improvements. Real property taxes that are the subject matter of the value of the land would remain the same. And after the 10-year period for a period of 15 years, the real estate could be abated at... at a 50 percent level. Any property that was exempt at the time

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that the redevelopment corporation acquired, it would go on the tax rolls and would not remain exempted. I move for the concurrence of the Amendment."

Speaker Hannig: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 623. An on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, would your legislation that you're proposing today allow a municipality to approve a property tax abatement against the wishes of a school and/or other property taxing entities?"

Younge: "The intent is that the parties would... and the various taxing districts would sit down with the city and come up with a situation where..."

Parke: "Mr. Speaker, I'm sorry..."

Younge: "...where the..."

Parke: "Thank you. I'm having trouble hearing the Sponsor..."

Younge: "...where the taxing districts would not be damaged by losing money as the result of... of the abatement. In other words, there's a provision in the statute that payments can be made to the taxing districts in lieu of the... of the taxes that are being debated... abated."

Parke: "Well, the answer... all I asked you was 'yes' or 'no'. Does this allow a municipality to approve a property tax abatement against the wishes of a school or some other taxing entity? Yes or no."

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Younge: "I thi... I think that the taxing districts will work together to make sure that there isn't anything..."

Parke: "The answer is 'yes', they can. That's correct, right, Representative?"

Younge: "You're correct."

Parke: "So, that is correct. So, we now have a municipality that can give an abatement against the wishes of the local school district, against the local park district, against the local water reclamation district. That opens a door that I think, though the Sponsor thinks that there'll be corporation, that does not always happen and we're opening up a door that I'm sure is a little bit of problem. Have municipalities in St. Clair County already created their own redevelopment commissions? And if not, why?"

Younge: "The commissions have not been created. The City of East St. Louis, as a result of the passage of this legislation, would create a redevelopment com... commission. I can't tell you why. But I know none does exist at this time. The incent..."

Parke: "Well, can't they... can't a municipality create there own redevelopment corporation already? Can't they do that?"

Younge: "The Amendment would provide for incentives to make it attractive for developers to move into the St. Clair County area, and specifically into East St. Louis. And... and that is the purpose of the Bill."

Parke: "I understand what you're trying to do. But a municipality can already do this. And I'm not sure we need

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this legislation. Are we gonna pay the members of the redevelopment commission salaries for their services?"

Younge: "The statute, as it exists at this time, permits the redevelopment commissions to pay the salaries of people who serve on the commission."

Parke: "So, they're gonna get a salary. Are they gonna get travel and reimbursement for travel and housing?"

Younge: "I guess reimbursement for travel."

Parke: "So, they get... so we're gonna develop something where people get salaries and they get travel reim... reimbursements? Is this apply only to St. Clair County?"

Younge: "Only to St. Clair County."

Parke: "To the Bill. Ladies and Gentlemen, I understand the Sponsor of this Amendment, as this Bill, is carrying for Senate Sponsor. But Ladies and Gentlemen, I think this opens up a door that does not need to be opened. I think it can... it's something that I don't think is healthy. If they... local municipality wants to do this, let 'em do it. They have the authority. I know that in my area we have... if a municipality wants to do it they just pass a statute and a resolution and put it in statute and that becomes part of the village law. I don't think this is the right thing to do. I'm in opposition to the Lady's Bill and will oppose it."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise in support of the Lady's Bill. And I

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believe that if you look at the history of what's going on in this state, I think this is an ample opportunity for a community that's in dire need. And I need not tell you how the economic conditions are there, people are familiar with what's going on in St. Clair County. This is a proposal that the Lady's bringing to us that will be... in order for it to be implemented would have an open public hearing. The mayor would make the appointments. There's nothing done behind closed doors. But here's a community that wants to help itself. It's asking for authority to be able to help provide some direction for itself. Some things that when she comes here to this Assembly and others of us who represents community similar to St. Cla... Clair County, when we ask for help, cannot get it from this Body because it takes time and there are all kinds of political reasons for it not happening. If this wants to be... this community is asking that this be done. The Senator from the district is also supporting this proposal. It's not costing the state any money. It does grant a tax rebate to that local community. But this is not done behind closed doors. It's done with the help of elected officials in their community. You have a new group of elected officials there and I think that we oughta allow them the opportunity to be able to redevelop their community. And I urge an 'aye' vote for this Bill."

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

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

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Speaker Hannig: "She indicates she'll yield."

Moffitt: "Representative, I had some questions for you yesterday in committee and... and I'd like to address some of those, 'cause initially I... was concerned but you... you've answered some of those on the record. I would like to ask you a few things. One of the things, what is the rate of unemployment in St. Clair County? Or how does it compare to other counties? Do you have that figure?"

Younge: "I think the rate of unemployment is about 5 percent, in some of the poorer communities it's as high as 10 to 12 to 15 percent."

Moffitt: "If this... you've already stated on the record there's no cost to the state with this program, is that correct?"

Younge: "That's correct."

Moffitt: "If this program were successful, could it increase revenue to the state?"

Younge: "Absolutely. If this program is successful and developers come into St. Clair County and build hotels and factories it will mean additional revenues for the municipality and for the state."

Moffitt: "Through..."

Younge: "It will build a local economy."

Moffitt: "But it could increase state income tax, state sales tax?"

Moffitt: "Absolutely."

Moffitt: "Would this be, in any way, put a drain or reduce the amount that's in the common school fund for the rest... by

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the fact that you're abating some taxes? Will that put a drain on the common school fund?"

Younge: "No, it would not, because exempted from the abatement would be the value of the land and the taxes that are paid on the land at this time. That would not change and it would not be decre... decreased, so the school district would get the same amount of money that it gets already. We're talking about abating improvements for a period of time. And of course, after the improvement is made then a substantial increase in taxes will be made available to each of the taxing districts."

Moffitt: "So, if your only abating the improvements you're not reducing the assessed value. You're not reducing the tax base that's there now. You'd only be abating new additional improvements. Is that correct?"

Younge: "That's correct."

Moffitt: "So, schools are gonna continue, local government's gonna to continue to get the same tax base or have the same tax bases they have now?"

Younge: "Right."

Moffitt: "Is that correct?"

Younge: "That's correct."

Moffitt: "You mentioned this... this commission that would be appointed. I think you said five to seven members. I think that's the key to making this work. We've heard of agencies and things that have... that we've wanted to replace because of certain activities. I think the key is getting good people there. And I'm sure you will be committed to

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help select people of integrity for that commission, wouldn't you?"

Younge: "Yes, you're quite right. The Amendment calls for people who... with demonstrated ability in the field of finance, industrial development, in redevelopment activities to sit on the commission in order to facilitate the development."

Moffitt: "Representative, another thing, even if it could be bipartisan, do you think there's any chance that you can find a Republican in St. Clair County?"

Younge: "One."

Moffitt: "There's one?"

Younge: "Yes."

Moffitt: "That might be interested in serving on this commission?"

Younge: "Yes, I think there would be one."

Moffitt: "It would be great if we could even find more than that. Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Moffitt: "I certainly had some concerns when this first came up. But I think this has some merit. This is not costing the state. In fact, it could increase state revenue. If we take people that don't have jobs and create jobs where it could reduce the cost to the state. I think we need to be quick to admit that if this doesn't work we shouldn't continue doing this. But it's... it has potential. If it does what it's intended it could actually take people off

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of unemployment, create jobs, create state income tax, create sales tax and, as according to you, Representative, not compete for anything school... from the common school fund or anything else in the state budget. With those things in mind and given the area and its needs, I think this deserves our serious consideration. And I think we should vote for it. Thank you."

Speaker Hannig: "The Lady from Cook, Representative Soto."

Soto: "Yes, thank you, Speaker. To the Bill. I also stand in committee on this Bill. I think it's a great Bill. I urge my colleagues to support it. I think that we all know Representative Younge's district. It's a very needy community. It's a very... it's in very need of economic development. A lot of us know that. A lot of us are sent here because we're here to work together, hand in hand, and I think she needs our help. So I urge an 'aye' vote. Thank you."

Speaker Hannig: "The Gentleman from DuPage, Representative Meyer."

Meyer: "Thank... thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Meyer: "Representative, let me just preface my questions and my comments by indicating I realize that you work very, very hard for your district and that you may have some special problems in that district that some of us may not... may not have in our own districts, and I do... I do recognize the fact that you work very hard to overcome some of those.

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But at the same time, we're concerned about the language of... and how it's written in your legislation that it is confusing the way that it's written. For instance, you allow for the abatement of... of taxes on the improvements that are made during the first 10 years. And then it would appear that in some sections that you allow for that abatement to continue for another 15 years and yet in other sections for an abatement to continue... to be made against the general over... the general assessment of the property, not just that incremental increase due to... to improvements. What is your intention in terms of the abatement? Is it for everything? Is it for just the value of the improvements? What... what are you trying to do here?"

Younge: "The intention is to abate the improvements. The intention is to have the abatement limited to 25 years. During the first 10 years there would be abatement on... on the improvements and... and then after that the other 15 years the whole property could be abated at a 50 percent level."

Meyer: "Well, that... that is..."

Younge: "Only... only the improvements."

Meyer: "...the confusing part. You... you indicated that your intent was to abate the improvements and then you indicate that additional time is for everything. Now, that's inconsistent and I think this Body needs to understand what... what you're trying to do, because you're asking us to vote 'yes' or 'no' on it."

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Younge: "I... I'd like to correct that. The abatement would be for the first 10 years. And then for a period of 15... at 100 percent of the improvements. And then for the last 15 years of the 25-year term it would be at a 50 percent abatement of the improvements."

Meyer: "Of the improvements or for the whole value of the property?"

Younge: "Of the improvements."

Meyer: "Of the improvements only. And that's... let me just rephrase it. And again, I'm not trying to... to be argumentative with you. I just want to make sure that we have on the record what you're trying to do, because it's somewhat confusing the way the Bill's written. For the first 15 years... excuse me, for the first 10 years you are giving a 100 percent abatement to the improvements only?"

Younge: "That's correct."

Meyer: "And for the remaining 15 years, you are giving abatements to 50 percent of the improvement only."

Younge: "That's correct."

Meyer: "In no way do you intend for this to be an abatement on the general overall of assessed value of the property?"

Younge: "That's correct."

Meyer: "Why do you need this legislation when already a community can do this?"

Younge: "Already what?"

Meyer: "All... already... in current law, a municipality may do this already. Why do... is this legislation important that we pass it?"

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Younge: "The ability to do this is not in the statute at... at this time. There is a provision in reference to a 2 percent abatement. But we're talking about a... a much more serious abatement of the improvements. And so I would disagree with you that the ability to do it already is current."

Meyer: "Well, Representative, you make a good case for your argument on that. I... I will stand corrected by what you just said. Thank you."

Younge: "You're welcome."

Meyer: "And thank you to the membership for allowing us to get this straightened out."

Speaker Hannig: "The Gentleman from Cook, Representative Davis."

Davis, W.: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Davis, W.: "I had the privilege of sitting in committee when this Concurrence Amendment was presented and voted on. And one issue that was raised by a Member of the committee was essentially saying that, 'Well, if it's such a good idea to locate in this area, then why don't businesses just automatically locate in this area?' And my response to that question was in an ideal world maybe that would be the case. But unfortunately, it's been somewhat of the track record, in Illinois particular, that despite how good an area looks or how ripe it is for development, if that area happens to be low income or a minority area, that businesses still, for whatever reason, won't go to those

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areas. So, as a result, we have to do creative things like we're doing today to provide incentives that will hopefully encourage businesses to come to specific areas and provide needed economic development, needed tax revenue, as well as jobs. Now, I know there are some provisions in here regarding the revenue aspects of it. But these are still job opportunities for residents of that... of that area. And I want to commend the Sponsor, Representative Younge, for bringing forth this legislation and... and I certainly encourage her to continue to be the best advocate she can for her district. And that's simply all she's trying to do, Ladies and Gentleman, is advocate for her district, which has traditionally been left behind, which has traditionally been left out of discussion of this magnitude, and she's simply making sure that her constituents and that her residents are adequately taken care of. I hope you take that in the spirit in which it's being given and vote 'yes' on this concurrence. Thank you."

Speaker Hannig: "The... Representative Younge to close."

Younge: "Thank you, Mr... Mr. Speaker. I ask for you support in this matter."

Speaker Hannig: "And the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 623?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose and Stephens, would you like to be recorded? Have all voted who wish? Mr... Mr. Clerk,

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take the record. On this question, there are 71 voting 'yes' and 19 voting 'no'. And the House does concur in Senate Amendment #1. And this Bill, having received a Three-fifths Constitutional Amendment... or a Constitutional Majority, is hereby declared passed. Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that House Resolution 979 can be heard in the Agriculture Committee, Senate Bill 2188 in J-II and Amendment 4 to Senate Bill 1737 in the Committee on the Executive."

Speaker Hannig: "The Lady... have you heard the Lady's Motion? Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And her Motion is adopted. Mr. Clerk, would you read the Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Resolution 1120, offered by Representative Giles. House Resolution 1121, offered by Representative Howard. House Resolution 1122, offered by Representative Churchill. House Resolution 1123, offered by Representative Monique Davis. House Resolution 1124, offered by Representative Mendoza. House Resolution 1125, offered by Representative Holbrook. House Resolution 1126, offered by Representative Fritchey. House Resolution 1127, offered by Representative Granberg. And House Resolution 1128, offered by Representative Currie."

Speaker Hannig: "Representative Currie, moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed

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'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. So, Mr. Clerk, would you... would you announce the committee schedule for the rest of today and tomorrow, please."

Clerk Mahoney: "Meeting today at 5 p.m. is the House Executive Committee in Room 118. On Friday, July 16th, at 1:30 p.m., Agriculture & Conservation is meeting in Room 114. Judiciary Criminal Law will meet in D-1 tomorrow at 1:30. There being no further business, the House Perfunctory Session will stand adjourned."